



Xiamen National Accounting Institute
厦门国家会计学院



Asian Development Bank
亚洲开发银行



Multilateral Cooperation Center for Development Finance
多边开发融资合作中心



China International Contractors Association
中国对外承包工程商会



Asian Infrastructure Investment Bank
亚洲基础设施投资银行

Workshop 1: Understanding Integrity Failures: A Case-Based Exploration of Risks Across the Organization

研讨会 1：理解廉政缺失——基于案例探讨整个组织面临的风险

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研讨会 1：理解廉政缺失——基于案例探讨整个组织面临的风险

An infrastructure contractor with global operations, Super Big Builders, Inc. (“SBBI”) is interested in bidding for a road construction contract in Pretendland under a project that is financed by a multilateral development bank (“MDB”). SBBI has never worked on an MDB-financed project before and has not done business in Pretendland, which has a reputation as a challenging business environment.

一家在全球开展业务的基础设施承包商超级大建筑商公司（Super Big Builders, Inc., 简称 “SBBI”）有意参与假想国一项公路建设合同的投标。该合同所属项目由一家多边开发银行（“MDB”）融资。SBBI此前从未参与过由MDB融资的项目，也未曾在假想国开展业务。假想国以其充满挑战的营商环境而闻名。

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SBBI decides to find an agent in Pretendland who can make introductions to the “right people” in the Roads Ministry that will administer the procurement and contract. An SBBI proposal manager who previously worked for a company in Pretendland “knows a guy” who can act as the agent. On behalf of SBBI, the proposal manager hires that person as an agent, promising him an additional commission if SBBI wins the contract. The agent reports directly to the SBBI proposal manager who recommended him for the job.

SBBI决定在假想国寻找一名代理人，由其向负责管理采购和合同的道路部“关键人物”牵线。SBBI的一名提案经理此前曾为一家在假想国经营的公司工作，“认识一个人”，可以请他担任代理人。该提案经理代表SBBI聘请此人为代理人，并承诺如果SBBI中标，将向其支付额外佣金。该代理人直接向推荐其担任这一职务的SBBI提案经理汇报工作。

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The proposal manager also is charge of preparing SBBI's bid for the contract. Further, he oversees SBBI's business activities in the region that includes Pretendland, with the authority to sign off on bid submissions.

该提案经理还负责为该合同编制SBBI的投标文件。此外，他还负责监督SBBI在包括假想国在内的该地区开展的业务活动，并有权批准投标文件的提交。

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The agent thinks that it will help SBBI's chances to win the contract if SBBI partners with a local contractor, so he recommends his brother-in-law's company. The proposal manager doesn't ask questions and includes that local company in its bid for the contract.

该代理人认为，如果SBBI与一家当地承包商合作，将有助于提高SBBI中标的机会，因此他推荐了其姻亲经营的公司。提案经理未提出任何问题，便将该当地公司纳入SBBI的投标文件。

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The technical proposal lead has concerns about the local company, but she is afraid to say anything to the proposal manager who is her supervisor. She also is not comfortable with information on the past performance of SBBI and the local company that the proposal manager told her to include in the bid, which she has not been able to verify. SBBI is all about making money and employees generally are afraid to raise concerns. She does not know what to do and so says nothing.

项目的技术标负责人对该当地公司存有疑虑，但她不敢向作为其主管的提案经理提出任何问题。她也对提案经理要求她纳入投标文件的SBBI及该当地公司的过往业绩信息感到不安，因为她一直无法核实这些信息。SBBI一切以营利为导向，员工通常不敢提出疑虑。她不知道该怎么办，因此保持沉默。

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SBBI submits the bid and ultimately wins the contract. Thereafter, other bidders submit complaints to the MDB that is financing the project, alleging that SBBI engaged in fraudulent and corrupt practices in connection with the procurement process. SBBI is made aware of the allegations but takes no steps internally to see what might have happened. The MDB launches its own investigation into the allegations.

SBBI提交投标文件并最终中标。此后，其他投标人向为该项目提供融资的MDB提出投诉，指称SBBI在采购过程中从事了欺诈和腐败行为。SBBI获悉这些指控后，未在内部采取任何措施查明可能发生的情况。MDB随后自行对这些指控展开调查。

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a) SBBI entered an unfamiliar market, Pretendland, and had no previous experience with MDB-financed projects with the bid submission. What should the company have been alert to as it considered this opportunity.

a) SBBI进入了一个陌生的市场（假想国），并且在提交投标文件之前没有任何多边开发银行融资项目的经验。公司在考虑这一机会时应当注意哪些事项？

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b) What potential concerns arise from SBBI's decision to engage an intermediary to reach the “right people” in the Roads Ministry and inclusion of the recommended local partner in the company’s bid?

b) SBBI决定聘用一名代理人接触道路部的“关键人物”，并在投标文件中纳入该代理人推荐的当地合作伙伴。这些决定可能引发哪些问题？

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c) Looking at the several roles played by SBBI's proposal manager in the bid preparation and submission process, are there any aspects that gave rise to concern?

c) SBBI的提案经理在投标准备和提交过程中承担了多项职责。审视这些职责，是否存在任何值得关注之处？

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d) The technical proposal lead was reluctant to raise her concerns about the information being included in the bid. What issues does this situation bring to light?

d) 技术标负责人不愿就投标文件中包含的信息提出疑虑。这一情况反映出哪些问题？

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e) SBBI did not take any internal actions after becoming aware of the allegations levelled against it and the potential risk of MDB sanction. How would you assess the company's response?

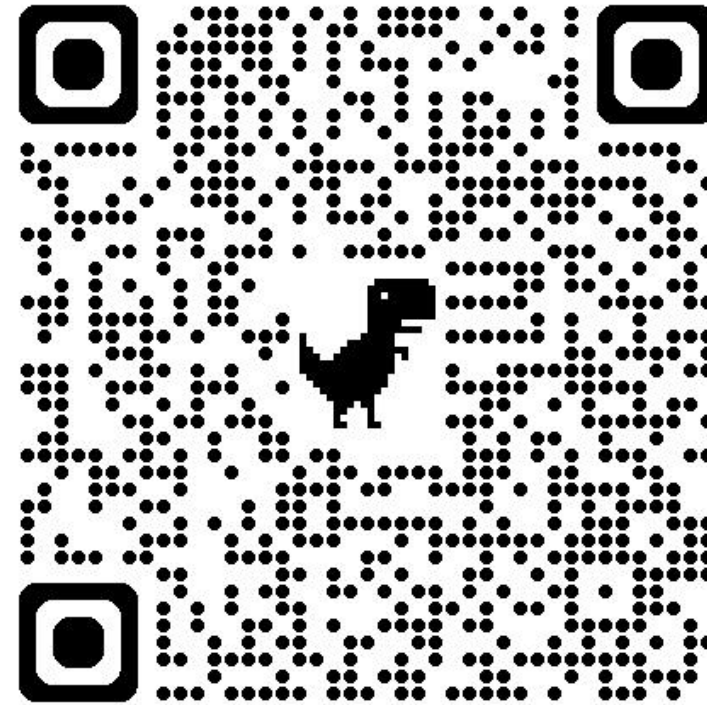
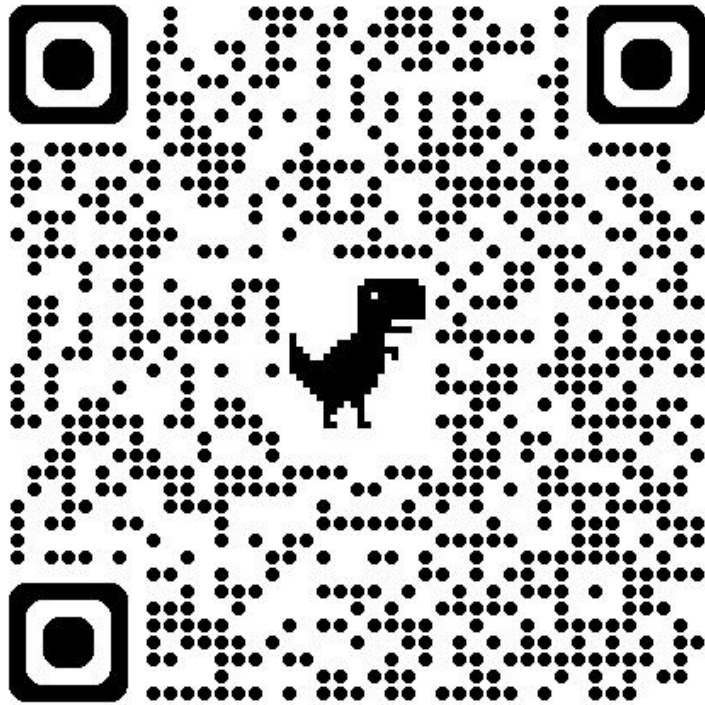
e) SBBI获悉针对其提出的指控以及可能受到多边开发银行制裁的风险后，未采取任何内部行动。应如何评价该公司的应对措施？

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Revised World Bank Group Integrity Compliance Guidelines and Summary of Key Changes

修订后的世界银行集团廉政合规指南及主要变更摘要



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