



Exclusion System Summary

World Bank Group

Corporate Procurement



Note: The World Bank Group (“WBG”) consists of the International Bank for Reconstruction and Development (“IBRD”), the International Development Association (“IDA”), the International Finance Corporation (“IFC”), the International Centre for Settlement of Investment Disputes (“ICSID”), and the Multilateral Investment Guarantee Agency (“MIGA”). The WBG Corporate Procurement Framework governs how the WBG contracts with private vendors to provide goods and services directly to the WBG institutions.

I. Government -Wide Legal and Institutional Framework:

Government -Wide Exclusion Framework? Yes

- x Exclusion decisions are made independent of the procurement process and according to centralized regulations. Exclusions prohibit the supplier from contracting with any WBG institution as a vendor.

Governing Policy

- x The WBG [Vendor Eligibility Policy](#).
 - o This Policy applies to corporate vendor contracts entered into between a private vendor and the WBG pursuant to the WBG’s Corporate Procurement Framework.
 - o This Policy is distinct from the [WBG’s Sanctions System](#), which applies to the WBG’s operational lending and development activities.

Primary Legal Foundation:

- x Administrative/Regulatory Law.

Decision -Maker: Centralized; Not Functionally Independent from Senior Procurement Officials.

- x The Director, Strategy, Performance and Administration (“SPADR”) decides whether to exclude corporate vendors.

Qualification:

- x None explicitly stated in the Vendor Eligibility Policy.

Independence:

- x Not functionally independent from senior procurement officials.

III. Substantive Grounds for Government- Wide Exclusion:

Automatic Exclusion : No.

Discretionary Exclusion : Yes

Any of the following grounds can be proven by a supplier's criminal conviction in a court of competent jurisdiction or an administrative finding by the SPADR:

- x Corruption;
- x Fraud;
- x Collusion and/or infringing competition;
- x Coercion or intimidation;
- x Obstruction of an investigation;
- x Theft or embezzlement;
- x Money laundering;
- x Tax-related offenses;
- x Labor-related offenses;
- x Social harms;
- x Terrorist offenses or offenses linked to terrorism;
- x Commercial regulatory violations;
- x Poor performance, non-performance, and/or failure to perform on public contracts.

Administrative Catch-all:

- x “[A]ny other action that in the sole discretion of the World Bank Group is so serious or compelling in nature that it (i) affects the present responsibility of the vendor, including but not limited to attempting to influence a World Bank Group institution procurement decision, or (ii) could result in harm to the World Bank Group’s reputation or image.” (Vendor Eligibility Policy, para. 3.1(k))
- x The SPADR may decide not to exclude the supplier when there are:
 - o Remedial measures;
 - o Settlement/ agreement;
 - o Organizational interest;
 - o Other sanction (finding of conditional responsibility).

Exclusion based on Bankruptcy and Cross -Debarment:

Bankruptcy: Bankruptcy is a discretionary exclusion ground under the Vendor Eligibility Policy.

Cross Debarment:

Depends on the cross-debarment’s source:

- x The Vendor Eligibility Policy automatically cross-debars vendors that have been debarred or suspended by the WBG’s Sanctions System in connection with operational activities. (Vendor Eligibility Policy, para. 3.1(h))
- x The Vendor Eligibility Policy automatically cross-debars vendors identified on any Anti-Money Laundering/Combating the Financing of Terrorists sanctions lists, including the United Nations 1267 sanctions list, the United States Executive Order 13224 sanctions list, and the United Kingdom terrorist sanctions list. (Vendor Eligibility Policy, para. 3.1(i))

- x The SPADR has discretion to determine whether to exclude a vendor that has been excluded by any WBG member government or other international organization. (Vendor Eligibility Policy, para. 3.2)

IV

Extension to Affiliated Individuals:

- x Exclusion of a corporate vendor may extend to other entities owned or controlled by the vendor's owners, executive officers, or managers. Thus, a vendor's exclusion may extend to any new companies established by the same owner(s).
- x Affiliated individuals are not given a formal opportunity to contest the action. But if they reach out, WBG Corporate Procurement will likely provide the individuals with an explanation.