

Date

## **I INTRODUCTION**

**1 The Sanctions Board convened in March 2021 as a panel to review the Request for Reconsideration**

**The Sanctions Board deliberated and reached its decision on the Request for Reconsideration**

- ii. comments on the Request for Reconsideration submitted by the World Bank Group's Integrity Vice Presidency ("INT") to the Secretary to the Sanctions Board on January 26, 2021 (the "Comments");**
- iii. the additional submission submitted by the Respondent to the Secretary to the Sanctions Board on February 1, 2021 (the "Additional Submission");**
- iv. the additional comments submitted by INT to the Secretary to the Sanctions Board on February 16, 2021 (the "Additional Comments");**
- v. the Original Decision as issued on February 25, 2020, and**
- vi. the record previously considered in the proceedings in Sanctions Case No. 477.**

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<sup>2</sup> See Sanctions Procedures at Section II(s).

## **II. GENERAL BACKGROUND**

**3 In the Original Decision, the Sancions Board imposed on the Respondent a sanction of debarment for a period of ineligibility of five (5) years and six (6) months.<sup>3</sup> In that decision, the Sancions Board found the Respondent liable for a corrupt practice for soliciting a thing of value**

**named by another bidder (the "Competitor") to be deemed "technically equal." The Respondent asserts that the other insulator supplier would have been selected for its lower purchasing cost if**

presented is new in the sense that it was not previously included in the record of the original proceedings. What matters is that the evidence is newly available and potentially decisive to warrant a reconsideration of the Original Decision.<sup>9</sup> Here, the Respondent provides insufficient justification for his failure to timely present the Addendum in the original proceedings. The Respondent merely makes a broad assertion that he had no access to evidence and to the computer that he had used during the Project's implementation without explaining the relevant circumstances in detail. Moreover, in the original proceedings, neither the Respondent nor his counsel raised any issues regarding access to evidence or any other general concerns that may have affected his ability to mount a meaningful defense. Further, the Respondent presents the Addendum to support his argument that he enabled the consideration of another insulator supplier, which would have been selected as a cheaper alternative to the Manufacturer had the Competitor not been disqualified. The Sanctions Board notes that this argument was considered in the original proceedings and reflected in the Original Decision. Finally, even assuming that the Addendum is deemed newly available, the Sanctions Board does not find it potentially decisive. The Sanctions Board considers that this evidence is not material to the findings in the Original Decision that the Respondent solicited a payment from the Manufacturer and that he did so with the intent to

