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**EVALUATION OF THE INFLUENCE OF PUBLIC PROCUREMENT REGULATIONS ON PROCUREMENT PRACTICES IN PUBLIC INSTITUTIONS: A CASE OF SECONDARY SCHOOLS IN MOSOCHO DIVISION, KISII CENTRAL DISTRICT, KENYA**



**PATRICK NYATETE KENYANYA**

**A Research Project Submitted to the Graduate School in Partial Fulfilment for the Award of the Master of Business Administration Degree of Kisii University College**

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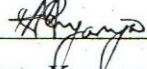
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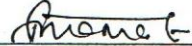
This Research Project has been submitted for examination with our approval as University supervisors.

Signature: 

Date: 25/03/2011

Mr. Jonathan O. Onyango

Senior Lecturer, Egerton University.

Signature: 

Date: 25/03/2011

Mr. Francis Mamati

Lecturer, Egerton University.

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## ABSTRACT

This study sought to evaluate the influence of the Public Procurement Regulations of 2006 on procurement practices in public institutions in Kenya. Public Secondary schools in Mosoch Division of Kisii Central District were taken as a case study. The research recognizes the importance of the Regulations in public procurement since effective public procurement helps in efficient public financial management by ensuring that only sufficient and necessary public funds are invested in assets. The research adopted descriptive case study design. Data were collected from 95 respondents who were drawn from three subgroups: the secondary schools' Tendering Committees' members, the suppliers of goods to the secondary schools and the principals of the secondary schools. Stratified random sampling was used to select the sample for the study. Primary data were collected through the administration of a structured questionnaire. The data collected were then summarised by calculation of percentages and represented in frequency distribution tables. The Likert scaling method was used to determine the weight of the respondents' perception on the Regulations' influences. This study found out that the Regulations have had a significant influence on pricing of goods procured by public institutions and lead time while the same Regulations have had a less significant influence on transparency of the procurement process and quality of goods procured. The study recommends, among other recommendations, that public procurement procedures be linked with public financial management systems in public institutions to foster transparency and accountability as well as improve value for money. These results are important to the management of public secondary schools, the government and suppliers of goods and services since effective procurement helps all of them to assist in managing public finances effectively.

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## **LIST OF ABBREVIATIONS AND ACRONYMS**

PPDR	- Public Procurement and Disposal Regulations
PPDA	- Public Procurement and Disposal Act
KACC	- Kenya Anti- Corruption Commission
FSE	- Free Secondary Education
KES	- Kenya Shillings
PPOA	- Public Procurement Oversight Authority
PPARB	- Public Procurement and Review Board
OECD	- Organization for Economic Co-operation and Development
ITC	- International Trading Co-operation

# **CHAPTER ONE**

## **INTRODUCTION**

### **1.1 Background of the Study**

This study is an evaluation of the influence of the Public Procurement Regulations of 2006 on procurement practices in public institutions. It was carried out in Public Secondary Schools in Mosocho division of Kisii Central district. The division is one of the three divisions in the district. It covers an area of 105 square kilometers, (Kisii Central District Development Plan, 2002-2008). The Public Secondary Schools were used as a case study since they are required by law to apply the Regulations in their procurement of goods and services.

The number of schools in Mosocho division has grown with time from one (1) in 1965 to the current sixteen (16), according to statistics available at the Kisii District education office. The number of students in the schools has also increased by a great percentage. For example, in 1995 when there were eight (8) schools in the division, the student population was 2397, (Kisii District Development Plan, 1998-2001). The present population is 5217, with sixteen (16) schools. This represents about 117% rise in the student population as compared to the 50% rise in the number of schools within a period of fifteen (15) years. This clearly indicates the need to have effective procurement procedures that will promote effective financial management practices which may in the end translate to better performance in education.

Procurement includes all activities required in order to obtain the product from the supplier and get it to the place where it is actually needed. It encompasses the purchasing function, stores, traffic and transportation, incoming inspection and quality control and assurance (Farmer and Weele, 2000). Procurement, according to Wind and Thomas (2001), is as old as organizations but it has evolved over time. It developed from the need of organizations to acquire those goods and services that they could not produce but needed in their operations. Initially, the focus of contracting was typically on minimizing costs to the procurement entity rather than on delivering specific service quality outcomes. With time procurement has evolved to include new aspects like strategic sourcing, e-procurement and performance-based service contracting.

In seeking to outsource for goods and services, good practice and business efficacy demand that the purchaser wants to find a supplier who will be both reliable and will provide products or services that are good value for money (Griffith and Griffith, 2002). Good value for money does not simply mean the cheapest but will include a variety of other factors such as quality, compliance with tendering criteria and after-sale service.

Procurement may either be for public or for private institutions. Kipchilat (2006) notes that public procurement is different from private procurement because in public procurement the economic results must be measured against more complex and long-term criteria. Furthermore, public procurement must be transacted with other considerations in mind, besides the economy. These considerations include accountability, non-discrimination among potential suppliers and respect for international obligations. For these reasons, public procurement is now subjected in all countries to enacted regulations, in order to protect public interests, especially public finance.

Baily et al (1998) note that public purchases are accountable to the public whose money is spent, including disappointed tenderers and potential suppliers. As such they must produce procedures and practices which will stand up to scrutiny during either government audits or challenge through the courts of any purchasing decision that has been made un-procedurally. The primary purpose of public accountability is to prevent abuses of taxpayer's money.

The public procurement system in Kenya has evolved from a crude system with no regulations to an orderly legally regulated procurement system. The Government's procurement system was originally contained in the Supplies Manual of 1978, which was supplemented by circulars that were issued from time to time by the Treasury. The Director of Government Supply Services under the ministry of finance was responsible for ensuring the proper observance of the provisions of the Manual. The Manual created various tender boards for adjudication of tenders and their awards and subsequent follow-up. However, these boards were not so effective (Aketch, 2005 as quoted by Kipchilat, 2006).

According to Bukhala (2003), a review of the country's public procurement systems was undertaken in 1999 and established that there was no uniform procurement

system for the public sector as a whole. The system had more loopholes as it did not have sanctions or penalties against persons who breached the regulations in the Supplies Manual, other than internal disciplinary action. Consequently application of the rules was not strict and many of the norms were not followed. Furthermore, the Supplies Manual did not cover procurement of works; the dispute settlement mechanisms relating to the award procedures as set out in the Manual were weak and unreliable for ensuring fairness and transparency. In extreme cases, records of procurement transactions were found to be inaccurate or incomplete or absent.

In view of the above shortcomings it was found necessary to have a law to govern the procurement system in the public sector and to establish the necessary institutions to ensure that all procurement entities observed the provisions of the law for the purpose of attaining the objectives of an open tender system. Consequently there was establishment the Exchequer and Audit (Public Procurement) Regulations of 2001 which created the Public Procurement Directorate (PPD) and the Public Procurement Regulations of 2001. The scope of public entities was also broadened to include schools, colleges, universities, cooperatives and local authorities under these Regulations.

Between 2001 and 2004, the Public Procurement and Disposal Bill was drafted and modified several times. After being assented to by the president, it became the Public Procurement and Disposal Act 2006. This Act contains the Regulations that are meant to effectively ensure that the procurement process is fair and just. The Rules and Regulations, herein known as the Public Procurement Regulations of 2006, became operational on 1 January 2007.

The introduction of the Regulations almost coincided with the introduction of Free Secondary Education (FSE) in 2007. The PPDR included public secondary schools among the institutions whose procurement systems were to be regulated by the Regulations. The Public Procurement and Disposal Act granted teachers and subordinate staff the power to control the tendering and procurement process in public schools by setting of Tendering Committees to oversee the whole process of procurement. This was also aimed at decentralizing the procurement process which was a preserve of Principals for a long time. The disbursement and utilization of funds meant for Free Secondary Education (FSE) programmes is subject to the provisions of the Government Financial

Management Act, 2004 which emphasizes on good financial management in public institutions. The Public Procurement and Disposal Regulations were supposed to supplement towards this goal by making public procurement more transparent.

Several studies on public procurement, for instance a survey by KACC (2007) reveal that even after the introduction of the Regulations, public procurement still faces challenges of inefficiency and lack of transparency.

## 1.2 **Statement of the Problem**

The aim of the Public Procurement Regulations of 2006 was to promote fairness, transparency and non-discrimination in procurement in public institutions with the main aim of ensuring efficient use of public funds. However, studies reveal that even after the enactment of the Regulations, there are losses of public funds that can be attributed to public procurement. Further, studies indicate dissatisfaction among stakeholders brought about by loopholes left by the Regulations which may be used by dishonest people to make the process inefficient. This study therefore sought to evaluate the influence of the introduction of the Regulations on procurement practices in public secondary schools.

## 1.3 **Objectives of the Study**

The broad objective of the study was to evaluate the influence of the Public Procurement Regulations of 2006 on procurement practices in public institutions in Kenya.

The specific objectives were to:

- i. evaluate the influence of the Regulations on transparency of the procurement process in public secondary schools;
- ii. find out the influence of the Regulations on competitiveness of the price of goods and services procured by public secondary schools;
- iii. establish the influence of the Regulations on the quality of goods and services procured in public secondary schools; and
- iv. evaluate the effect of the Regulations on lead-time of procured goods in public secondary schools.

#### 1.4 **Research Questions**

In order to effectively achieve the set objectives, the study was guided by the following research questions:

- i. What has been the influence of the Procurement Regulations of 2006 on transparency of the procurement process in public secondary schools?
- ii. Has pricing of goods and services procured by public secondary schools significantly changed since the Regulations were introduced?
- iii. How have the Procurement Regulations of 2006 influenced the quality of goods and services procured in public secondary schools?
- iv. What has been the effect of the Public Procurement Regulations of 2006 on lead-time of procured goods in public secondary schools?

#### 1.5 **Importance of the Study**

The findings of this study will contribute to the information useful in revising and strengthening of procurement procedures by the government in order to ensure prudent management of public finances. The findings will also be useful to the management of secondary schools as they will strengthen the need to have effective procurement systems as well as identify the challenges in the process with the hope of finding lasting solutions to the problems that have all along been associated with tendering. Suppliers will also be enlightened on the need to partner with schools to supply quality goods and services at the right price whenever they have been contracted to supply in order to ensure minimal loss of public funds through shoddy deals. Future researchers will also benefit from this study as it may form a basis in their studies.

#### 1.6 **Scope and Justification**

The study focused on the influence of the Regulations in public institutions' procurement practices. Public secondary schools in Mosochi were chosen since they are also supposed to apply the Regulations into their procurement processes and as such the findings can be generalized to all the secondary schools in Kenya. The study area was also chosen because of the researcher's familiarity with it, which made it easier to collect data.

## 1.7 Limitations and De-limitations of the Study

This research was limited by many challenges that hindered efforts of obtaining complete data. The fight against corruption in government institutions, for instance, made potential respondents apprehensive of the motive of the study which may have affected their sincerity in providing information that was needed to answer the research questions correctly. Another limitation was the lack of Tendering Committees in some of the schools under the area of study which reduced the number of potential respondents.

To reduce the effects of the limitations of the research, different approaches were employed. Since information on procurement is sensitive, the researcher collaborated with some of the respondents and assured them that the information will be treated with utmost secrecy and for the research only. A letter of introduction from the University also assisted in quelling their fears. In those schools where there were no Tendering Committees, the researcher provided questionnaires to the principals only.

## 1.8 Assumptions of the Study

This study was carried out with the following assumptions:

- i. Transparency, quality, pricing and lead time are the only factors that the Regulations were supposed to influence.
- ii. The suppliers who supply the Public Secondary Schools in the area of study come from Kisii Municipality
- iii. The Tendering Committee members and suppliers are all aware of the Regulations and use supplies manual in their procurement practices.

## 1.9 Definition of Terms

Public secondary schools	- Schools in Kenya in which the government of Kenya has a controlling interest.
Procurement	- Purchasing, hiring or obtaining by any other contractual means, of goods and services.
Public procurement	- Procurement by procuring entities using public funds.
Effective procurement	-Acquisition of quality goods and services, at the right time, at the right place and at the right price.

Tender	-An offer in writing, by a tenderer, to supply at price, goods and services, pursuant to an invitation by a public secondary school.
Tenderer	- A person submitting a tender to a public secondary school.
Supplier	- A legal person under contract with a public secondary school to supply goods or services.
The Act	- This means The Public Procurement and Disposal Act.
The Regulations	- This means the Public Procurement and Disposal Regulations of 2006
Regulation	- To cause the procurement process to conform to the required standards of the Regulations.
Lead-time	- The period between the time a good or service is ordered and the time it is delivered.
Principals	- Those people charged with the responsibility of the day to day running of public secondary schools, whether they are permanently employed or not.
Significant influence	- When the Regulations make a procurement practice to change for the better such that the majority of those involved in procurement agree to the change.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 Public Financial Management**

By definition, public finance is that department of economic theory that deals with public expenditure and revenue, (Pandey, 2005). The basic principles of financial management equally apply to the government undertakings such as public secondary schools. This is because these organizations have to be self-sustaining. Pandey further notes that studies on financial management in public sector undertakings reveal that assets were previously, and to some extent now, acquired disproportionate to their requirement, the utilization of which is very low. This leads to losses of public funds.

Financial decisions occupy a key place in the financial management of public entities. The sources of financing in these organizations have many salient features. The government is the main provider of capital while internal financing plays an insignificant role. This is the main reason as to why public procurement has received more attention recently. According to an OECD report, public procurement requires the sound stewardship of public funds to reduce the risk of corrupt practices since it is increasingly considered a core element of accountability to the public on the way public funds are managed, (OECD, 2001 quoted by Odhiambo and Kamau, 2003).

#### **2.2 Procurement**

Procurement includes all activities required in order to obtain the product from the supplier and get it to the place where it is actually needed. It encompasses the purchasing function, stores, traffic and transportation, incoming inspection and quality control and assurance (Farmer and Weele, 2000). The Act defines procurement as the acquisition by purchase, rental, lease, hire purchase, license, tenancy, franchise or by any other contractual means of any type of works, assets, services or goods including livestock or any combination.

According to Wanyama, a sound procurement system is based on four pillars: legislative and regulatory framework; institutional framework and management capacity; procurement operations and market practices and integrity of the procurement system,

(Wanyama, 2010). A weakness in any of these pillars inevitably leads to an unsound procurement system.

### **2.3 The Public Procurement System**

Public procurement is broadly defined as the purchasing, hiring or obtaining by any other contractual means of goods, construction works and services by the public sector. It is alternatively defined as the purchase of commodities and contracting of construction works and services if such acquisition is effected with resources from state budgets, local authority budgets, state foundation funds, domestic loans or foreign loans guaranteed by the state, foreign aid as well as revenue received from the economic activity of state. Public procurement thus means procurement by a procuring entity using public funds (World Bank, 1995 as quoted by Kipchilat, 2006).

Today governments all over the world have received a great deal of attention as providers of essential services, such as health, education, defense and infrastructure (Baily, 2000). To be able to meet the demand for these services, governments purchase goods and services from the marketplace. In other words, governments are purchasers of works, supplies and services from the open market, placing their demands alongside those of the private sector. The business operations of governments in the marketplace or public procurement have thus both economic and political implications, (Wittig, 1998 as quoted by Odhiambo and Kamau (2003).

Public procurement is different from private procurement. In public procurement the economic results must be measured against more complex and long-term criteria. Furthermore, public procurement is transacted with other considerations in mind, besides the economy. These considerations include accountability, non-discrimination among potential suppliers and respect for international obligations. For these reasons, public procurement is subjected in all countries to enacted regulations, in order to protect the public interests. It is worth noting that unlike private procurement, public procurement is a business process within a political system and has therefore significant consideration of integrity, accountability, national interest and effectiveness

The importance of public procurement in terms of size relative to world GDP and world trade is highlighted by an OECD report (OECD, 2001 quoted by Odhiambo and

Kamau, 2003). In this report, the value of the contestable government procurement market was estimated at over \$2 000 billion in 1998. This is equivalent to 7 per cent of world GDP and 30 per cent of world merchandise trade. In a related study, Trionfetti (2000) quoted by Odhiambo and Kamau (2003) estimates that the size of public procurement varies between 5 and 8 per cent of GDP in most industrialized countries. For the Middle East and Africa, the magnitude of central government purchases ranges between 9 and 13 per cent. Kipchilat (2006) quoting a Comesa report (2004) noted that procurement absorbs 60 percent of government expenditure and this means that accountability at all levels is important. These figures indicate that public procurement is important in the economies of both developed and developing countries.

In a study on obstacles of public procurement by Hunja (2001), it is noted that in the previous years many developing countries did not see public procurement as having a strategic impact in the management of public resources. It was largely treated as a process-oriented, “back-office” support function often implemented by non-professional staff of the buying agencies. However this has been changing recently in the face of shrinking budgets, the need to fight corruption and the realization that significant savings can be gained by a well-organized procurement system. Many developing countries have also realized that a well-organized procurement system contributes to good governance by increasing confidence that public funds are well spent. The countries have therefore instituted reforms aimed at making the procurement system more transparent and efficient, and increasing the accountability of public officials.

According to the Kenya Gazette Supplement No. 92, 2006, there are five types of public procurements; open tenders, where prospective suppliers are invited to compete for a contract advertised in the press and the lowest tender in terms of price is generally accepted although the advertisers usually state that they are not bound to accept the lowest or any tender. Another type of tender is the restricted open tender where prospective suppliers are invited to compete for a contract, the advertising of which is restricted to appropriate local newspapers. Selective tenders are those where tenders are invited from suppliers from an approved list that have been previously vetted regarding their competence and financial standing. In a negotiated tender, a tender is negotiated with only one supplier such that competition is eliminated.

Insofar as public procurement has important economic and political implications, ensuring that the process is economical and efficient is crucial. This requires in part that the whole process is well understood by both the actors (the government, the procuring entities, the business community/suppliers) and other stakeholders, including the professional associations, academic entities and the general public. Unfortunately, for most developing countries, this is not the case. Although several developing countries have taken steps to reform their public procurement systems, the process is still shrouded by secrecy, inefficiency, corruption and undercutting. In all these cases, huge amounts of resources are wasted, (Odhiambo and Kamau, 2003).

## **2.4 The Public Procurement System in Kenya**

### **2.4.1 Procurement Before the Regulations**

In the past three decades, the public procurement system in Kenya has undergone significant developments. From being a system with no regulations in the 1960s to a system regulated by Treasury Circulars in the 1970s, 1980s and 1990s, the introduction of the Procurement Regulations of 2006 brought new standards for public procurement in Kenya.

Many studies were carried out on procurement before the Public procurement and Disposal Regulations of 2006 to evaluate the efficiency of the procurement process in existence at the time, (Kipchilat, 2006). The major findings of the studies were that public procurement was not operating efficiently and that the state was losing a lot of money through shoddy deals. Reports strongly indicated the need for reforming the public procurement system in the country. In 1997, the Government in collaboration with the World Bank commissioned a study to assess the country's procurement processes and systems. The World Bank supported the study through the Public Procurement and Capacity Reform Project. This study identified the need for a comprehensive review and an implementation of a reform process in the procurement systems after revealing that the public procurement system in Kenya lacked transparency and fair competition; that procurement staff were not adequately trained and lacked professionalism and that lack of a professional body that would oversee and instill discipline among procurement officers made them vulnerable to corruption. The World Bank study argued that improvement in

procurement systems had a direct and beneficial effect on the overall economic situation in the country (Odhiambo and Kamau, 2003).

#### **2.4.2 The Public Procurement Regulations of 2006**

These regulations became effective on 1st January 2007 after the gazettment of the Public Procurement and Disposal Regulations Act 2005. The purpose of this Act is to establish procedures for procurement and the disposal of unserviceable, obsolete or surplus stores and equipment by public entities to achieve efficient management of public funds

The act contains eleven (11) parts. Part II of the Act deals with the establishment of bodies involved in the regulation of public procurement, namely, The Public Procurement Oversight Authority (PPOA), Public Procurement Oversight Advisory Board, and the Public Procurement Administrative Review Board. The PPOA is charged with ensuring procurement procedures are complied with, The Public Procurement Oversight Board's functions include approving the PPOA's estimates of revenue and expenses, and recommending appointment or termination of the Director General.

Part III of the Act deals with the internal organization of public entities as far as procurement is concerned, for instance, requiring all public organizations to establish tender committees of not less than 5 members whose secretary must be a fully qualified professional. Part IV of the Act makes general provisions for procurement by public entities. It highlights the requirement that each procurement entity shall use the open tendering under Part V or alternative procurement procedure under Part VI. The use of alternative procurement procedure is qualified; a public entity may only use restricted tendering with written approval of its tender committee and with documented reasons for doing so. All those that qualify for a tender award must have the requisite professional qualifications, resources and equipment and the capacity to enter legal agreements. The Part also deals with three aspects of policy; conflict of interest, non discrimination and giving maximum business opportunities to small and micro enterprises. This part also

outlaws all forms of corruption in procurement; that is to say, payment for goods and services which are not supplied; if supplied they are sub-standard, defective or overpriced; purchase of goods in excess of requirements; over-invoicing by contractors; giving bribes and disclosure of confidential information.

Part V makes provisions for preparation of tender documents, advertisement and invitation to tender, tender securities, as well as opening of tenders. In addition, it provides for responsiveness of tenders, evaluation, and notification of award, contracting and extension of tender validity. Part VI deals with alternative procurement procedures. This part provides the alternative methods of procurement as restrictive tendering, requests for proposals and quotations, procedure for proposals and quotations, procedure for low value procurement and concessioning.

Part VII provides administrative review of procurement procedures. It recognizes that any aggrieved party in a procurement process has a right to seek administrative review of a tender award. Part IX provides for debarment from participating in public procurement. The Director General may, with approval of the Advisory Board, bar a person from participating in procurement proceedings for up to 5 years. The grounds for such punishment are the commission of an offence relating to breach of contract, giving false information about qualifications and refusal to enter into a written contract. Part X deals with the disposal of stores and equipment by public entities. Part XI makes miscellaneous provisions for example that defense and national security organs are required to comply with the Act.

In public secondary schools, procurement matters have been vested in the Schools Tender Committee whose membership structure is the Deputy Principal who is the Chairman of the Committee, the person in charge of finance (bursar), who will be the Deputy Chairman, at least six Heads of Departments including the Matron, and the officer heading the procurement unit who will be its secretary.

### **2.4.3 Effects of the Regulations**

The Principal reason for the enactment of the Act was to have a legal regime that weeds out inefficiencies in the procurement process, remove patterns of abuse, and the failure of the public purchaser to obtain adequate value in return for the expenditure of

public funds. However, these objectives have never been fully achieved in practice, (Wanyama, 2010). Wanyama notes further that key provisions of the Act and the Regulations are replete with textual weaknesses that have often been abused by procuring entities. The Regulations do not envisage contemporary market realities hence the need to continuously revise them to keep pace with these developments.

In a study by the PPOA (2007), the introduction of the legal and regulatory procurement framework; the establishment of the PPOA as an oversight body; the development of a framework for contract administration and the new appeals mechanism were among those aspects of the procurement system rated as having been positively affected by the Regulations. In contrast, the existing institutional development capacity in procuring entities and functioning of the procurement market were assessed as being among the weakest aspects of the system. The report noted that although procedures supporting systematic procurement planning have been established, research showed that these are far from always being complied with. It was found out, for example, that there was a low share of procurements that were done through open tendering. This indicated that most of the procurements were done on an ad hoc basis, by quotations and direct procurements, thus suggesting a lack of procurement planning in most of the surveyed government departments.

One of the strong points about the Regulations according to the report by the PPOA was that procurement decision making had been fully delegated. The Regulation's framework provides for a fully decentralized procurement process, leaving the full responsibility of undertaking procurements to the tender committees and the procurement unit at the level of the procuring entity.

The Regulations were also meant to ensure that efficient training had been offered to professionals to serve in procurement. It was also revealed by the study by the PPOA that the available expertise at the procurement units did not meet the need for specialized procurement knowledge despite there being steps towards developing a professional procurement workforce. The overall lack of procurement knowledge remains a major weakness to the efficiency of procurement operations. Short-term procurement training was also found to be in short supply, although it was noted that the PPOA is currently offering a series of sensitization sessions targeting both the public and private sector.

On lead time, it was found out that the laws and procedures do not support timely procurement, contract execution and payment. For example, there were no legal provisions, procedures and or guidelines on the time limits for appropriation of funds, the processing of invoices and payments.

In a study by KPMG International carried out after the introduction of the Regulations, it was still found out that public procurement still suffers from fraud and misconduct (KPMG, 2008). In yet another study by KACC, it was noted that public officials distort the Regulations to restrict the participation of interested firms in procurement, or still direct the outcome of others. In a survey of public institutions by the KACC in 2007 after the PPDR had been implemented, it was revealed that procurement had become more transparent, formal and clearer.

## **2.5 Conceptual framework**

This research adopted the conceptual framework illustrated in Figure 1 on page 17 below. The independent variable is the Public Procurement Regulations of 2006. The independent variable influences the dependent variable which is efficient procurement. Efficient procurement was measured by the shortening of lead-time, transparency in the procurement process, price competitiveness and procurement of better quality products. These were identified as the major dependent variables which would indicate the total influence arising from the effects of the PPDR.

It was also conceptualized that there were several variables which had a strong contingent effect on the independent variable-dependent variable relationship. For example lack of information about the legal frame-work and principles, procedures and processes of procurement was thought to hinder efficient procurement even when the Regulations have been enacted.

Efficient procurement finally enables public schools to have proper financial management practices. Procurement is a sub-function of public financial management, (Pandey, 2004). Efficient procurement is directed at ensuring that sufficient and necessary funds are invested in current assets. Most financial decisions in many firms directly concern the firms' decision to acquire or dispose off assets. These may require commitment or recommitment of funds on a continuous basis. Whenever procurement

and disposal off of assets are inefficient, problems arise in the management of public funds. In extreme cases, when the working capital elements especially stock and cash are inadequate, a public entity may be forced into financial stress which may finally lead to stoppage of operations.

**Independent Variable**

- The Public Procurement Regulations of 2006**
- Advertisement of tenders
  - Opening of tenders
  - Ranking of tenders by price
  - Preparation of user - departments
  - Awarding of tenders
  - Monitoring contract management
  - Checks on price exaggeration
  - Internal monitoring and evaluation
  - Tender security
  - Declaration of interest
  - Administrative review

**Dependent Variable**

- Efficient Procurement**
- Shortened lead-time
  - Increased transparency
  - Price competitiveness
  - Increased quality

- Capacity constraints
- Lack of co-ordination among stakeholders
- Lack of procurement information
- Lack of access to procurement information

- Proper use of public funds**
- No corruption
  - No pilferage of public goods
  - Fair treatment of all suppliers
  - No conflict of interest

Figure 2.1: Conceptual Framework

Source: Author’s own conceptualization.

## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.1 Research Design**

This study adopted a descriptive case study design since its main concerns were to describe, record, analyse and report on conditions that existed or still exist so as to make generalizations of the whole population. Sekaran (2005) notes that case studies that are useful in applying solutions to current problems based on past problem-solving experiences. They are also useful in understanding certain phenomena, and generating further theories for empirical testing.

#### **3.2 Study Area**

The study was conducted in Mosocho Division in Kisii Central District. The division has 16 public secondary schools (as at May, 2010) with a population of 5217 students. According to the Kisii Central District Development Plan of 2002 – 2008, the division has 105 square kilometers with 7 locations and 14 sub-locations

#### **3.3 Target Population**

The target population was the Public Secondary School Tendering Committees' members, the suppliers within Kisii Municipality who supply goods and services to these schools and the principals of the sixteen (16) Public Secondary Schools. There was an average of 96 members of the Tendering Committees and 55 registered suppliers in Kisii Municipality.

#### **3.4 Sampling Design**

Stratified random sampling technique was applied to select a sample for this study. Three sub-groups were identified in the target population whose responses were important in achieving the objectives of this study. For the sub-groups, the researcher used the Sample Size for a Given Population Size table suggested by Krejcie and Morgan (1970) and quoted by Sekaran (2005), to select group samples. Of the ninety six (96) members of the Tendering Committees, seventy five (75) were sampled. This represented

78% of the population. From the fifty five (55) suppliers, forty eight (48) were sampled, representing 87% of the population. This was aimed at taking care of proportionate representation from the sub-groups. All the sixteen principals were given questionnaires.

### **3.5 Data Collection Methods**

Both primary and secondary data were collected for the study. Primary data were collected using a structured questionnaire. A questionnaire was used since it provides more accurate information, can provide generalizability and explanatory power with low cost and rapid speed. The questionnaire was pre-tested in one school and three suppliers who were not part of the sample to check on its appropriateness for the study. This also ensured that any adjustments were made to ensure validity and reliability. The questionnaires were administered by drop-and-pick method where the respondents were allowed four days to complete them.

### **3.6 Data Analysis and Presentation**

The data collected were processed by coding, editing, entry and cleaning in preparation for qualitative analysis. The data were then summarized according to research objectives. The five-point Likert Scale was used to analyse the data in order to answer the research questions. The results were presented in tables.

**CHAPTER FOUR**  
**DATA ANALYSIS, RESULTS AND DISCUSSION**

**4.1 Questionnaire Response Rate**

Table 4.1: Questionnaire response rate

<b>Category</b>	<b>Disseminated</b>	<b>Completed</b>	<b>Response Rate</b>
Tendering C Members	75	46	61%
Suppliers	55	36	75%
Principals	16	13	81%
<b>Total</b>	<b>146</b>	<b>95</b>	<b>65%</b>

Source: Field Findings (2011)

Data for this research were collected from three groups: the Tendering Committees' members, the suppliers to the secondary schools and the principals of the secondary schools. Table 4.1 above provides an overview of the response rates for the questionnaires.

The research had targeted 75 members of the Tendering Committees, 55 suppliers and all the 16 principals. The researcher managed to get back 46 dully filled questionnaires from the Tendering Committee members, which represented 61% of the targeted sample. Of the 48 suppliers who were given questionnaires, 36 questionnaires were completed, representing 75%. 81% of the questionnaires given to the principals were completed.

**4.2 Data Processing and Analysis**

Thorough scrutiny of the data was done to ensure completeness and clarity in answering the questions. The raw data were then edited, coded and analysed to obtain

frequencies, and percentages. Weighted averages were computed by use of the Likert scaling method.

### 4.3 Responses

#### 4.3.1 Period of Involvement in Procurement

Out of the 46 members of the Tendering Committees who responded, 6 had served for less than one year in procurement, 24 had served for between one and two years, 16 had served for between three and four years and none had served for more than four years. This showed that all the members had served in the committees for below four years indicating that they had served after the enactment of the Regulations. This is a true indicator that there were no tendering committees before the Regulations. Of the 36 suppliers, 19% had supplied to for between one and two years, 28% had supplied for between three and four years and the rest (53%) had supplied for more than four years. This implies that the majority had supplied even before the Regulations.

Out of the 13 principals, three had been involved in procurement for between one and two years, four for between three and four years and the rest (6), had been involved in procurement for more than 4 years.

#### 4.3.2 Training / Education on Procurement

Table 4.2: Training / education on procurement

<b>Category</b>	<b>Completed Questionnaires</b>	<b>Trained/ Educated</b>	<b>Percentage</b>
Tendering Committee Members	46	15	32.6%
Suppliers	36	23	63.9%
Principals	13	13	100%
<b>Total</b>	<b>95</b>	<b>51</b>	<b>53.6%</b>

Source: Field Findings (2010)

The research also sought to find out whether the respondents had had any training on procurement. This was necessary to establish the extent to which they would also understand the PPDR. The responses were as shown in the Table 4.2 above. The study

revealed that the principals were the most informed category in procurement matters while the committee members were the least. Further, from the fifteen (15) committee members who had been trained, eight (8) had received their training in seminars, four (4) in workshops, two (2) at certificate level and one (1) at diploma level. Of the 23 suppliers who had been trained, three (3) had received their training in workshops, three (3) in seminars and eight (8) at certificate level. A further seven (7) had received education at diploma level, one (1) at degree and the other one (1) at post graduate level. All the principals indicated that they had received training on procurement, five (5) having received it in workshops and the other eight (8) in seminars.

Generally, as shown in the table, about 54% of the respondents indicated that they had received some training or education on procurement. This may be attributed to the fact that the Regulations require stakeholders in procurement to be trained on procurement matters.

#### 4.3.3 Extent of Knowledge of the Regulations

Table 4.3: Extent of knowledge of the Regulations

Category	Very Conversant	Conversant	Moderately Conversant	Less Conversant	Not Conversant
T.C Members	15%	17%	36%	23%	7%
Suppliers	31%	38%	23%	5%	3%
Principals	62%	15%	15%	8%	0%
<b>Total</b>	<b>27%</b>	<b>25%</b>	<b>28%</b>	<b>14%</b>	<b>5%</b>

Source: Field findings (2010)

The respondents were also required to indicate their level of knowledge about the Regulations. Table 4.3 above represents the results of the analysis from the data collected.

From the Table 4.3 above, it is revealed that 27% of all the respondents were very conversant with the Regulations, 25% were just conversant, 28% were moderately conversant and 14% were less conversant. This may imply that the Regulations have been

publicized well. Out of the four (4) respondents who said that they were not conversant with the Regulations, unavailability of the manuals containing the Regulations and complexity of the Regulations were cited as the reasons contributing to the lack of knowledge.

#### 4.3.4 Tendering Methods Used

Table 4.4: Tendering Method used

Method	Frequency	Percentage
Open Tender	42	44.2%
Direct Procurement	28	29.5%
Restricted Tendering	11	11.6%
Request for proposal	14	14.7%
<b>Total</b>	<b>95</b>	<b>100%</b>

Source: Field Findings (2010)

The results analyzed above in Table 4.4 represent responses from the data relating to the main method used in tendering in the Public Secondary Schools.

The results indicate that open tendering is the main method used in procurement. This may be an indication that the Regulations have had an influence on the method of tendering since open tender is the main method of tendering that should be used according to the Regulations because it more transparent.

#### 4.4 Results for Research Questions

This research sought to find out whether the PPDR had had any influence on transparency, lead time, quality of goods procured and pricing of the procured goods and services in Public Secondary Schools. The practices concerning transparency, quality, pricing and lead-time were tabulated and weighted using a five-point Likert Scale. The sum of the weighted frequencies was divided by the sum of the frequencies of the respondents from each category to obtain the weighted average. The model used was:

$$\text{Weighted Mean} = \frac{\sum w_i f_i}{\sum f_i}$$

where:  $w_i$  = weight      and       $f_i$  = frequency

#### 4.4.1 Influence of the Regulations on Transparency

Table 4.5: Analysis of the influence of the Regulations on transparency

Transparency Practice	Most effectively	Very effectively	Effectively	Moderately effectively	Less effectively	$\sum f_i$	$\sum w_i f_i$	$\frac{\sum w_i f_i}{\sum f_i}$
	5	4	3	2	1			
Advertisement of tenders	4	13	18	20	40	95	206	2.168
Opening of tenders	12	28	16	11	28	95	270	2.842
Evaluation of tenders	2	4	19	27	43	95	180	1.895
Criteria of awarding tenders	4	4	14	21	52	95	172	1.811
Selection of suppliers	5	7	11	20	52	95	178	1.874
Establishment of appeal systems	1	1	3	13	71	95	115	1.211

Source: Field findings (2010)

The initial objective of this study was to establish whether the PPDR had had any significant influence on transparency. Transparency-related practices were used to determine the level of respondents' perception on the effectiveness of the Regulations on transparency. The result of analysis based on this objective is shown in Table 4.5 above.

From the results of the data analysis in Table 4.5 above, it was observed that among the practices the research used to measure transparency, opening of tenders was thought to have been most influenced by the Regulations with a weighted mean of 2.842, while establishment of appeal systems with a weighted mean of 1.211 was the least influenced. This implies that opening of tenders is more transparent while appeal systems where those aggrieved by decisions concerning procurement would go for review may be limited. Generally, apart from opening of tenders, all the other transparency practices had a weighted mean of less than 2.500. These included advertisement of tenders, which had a weighted mean of 2.168, evaluation of tenders, with a mean of 1.895 and criteria for awarding tenders which had a weighted mean of 1.811. Selection of suppliers also had a mean of 1.874, which was below 2.500. All this implies that the Regulations have had no significant influence on transparency of the procurement process.

#### 4.4.2 Influence of the Regulations on Price Competitiveness

Table 4.6: Analysis of the influence of the Regulations on price competitiveness

Price Practice	Most influential 5	Very influential 4	Influential 3	Moderately influential 2	Less influential 1	$\sum f_i$	$\sum w_i f_i$	$\frac{\sum w_i f_i}{\sum f_i}$
Bidding	9	24	36	18	8	95	293	3.084
Ranking of tenders by price	9	20	42	15	9	95	290	3.052
Awarding of tenders by price	9	12	23	20	31	95	233	2.453
Establishment of Procurement Committee	2	6	7	45	34	95	179	1.884

Source: Field findings (2010)

The research also sought to find out the influence of the Public Procurement Regulations of 2006 on price competitiveness of procured goods and services. Practices measuring the level of change in price competitiveness were tabulated and the opinions of the respondents concerning price competitiveness were sought. The results were analysed as shown in the Table 4.6 above.

The analysis from Table 4.6 above shows that the Regulations were most influential on bidding with a weighted average of 3.084 while they had had the least influence on establishment of procurement committees, with a weighted average of 1.884. The indication here is that Procurement Committees which are a requirement by the Regulations for any public procuring entity do not exist in many Public Secondary Schools. However, it may be observed that tenders are now ranked by price more, indicated by a weighted average of 3.052.

Since most of the price-related practices have a weighted average of more than 2.500, we may conclude that pricing of goods and services procured by public secondary schools has improved significantly since the introduction of the Regulations.

### 4.4.3 Influence of the Regulations on Quality of Goods

Table 4.7: Analysis of the influence of the Regulations on quality of goods

Quality Practice	Most influential 5	Very influential 4	Influential 3	Moderately influential 2	Less influential 1	$\sum f_i$	$\sum w_i f_i$	$\frac{\sum w_i f_i}{\sum f_i}$
Submission of samples	9	14	14	28	30	95	229	2.411
Inspection of goods received	3	21	17	23	31	95	227	2.389
Testing of goods received	13	10	25	14	33	95	241	2.537
Rejection of substandard goods	8	5	14	12	56	95	182	1.916

Source: Field findings (2010)

The other objective of this study was to establish whether the Regulations had had any significant influence on the quality of goods and services procured by public institutions. The opinions of the respondents concerning the Regulations' influence on the quality of the goods and services were sought. Table 4.7 above shows the analysis of the findings based on this objective.

It can be inferred from Table 4.7 above that among the four practices carried out in public institutions to ensure quality goods are procured, testing of goods received for quality had been most influenced by the Regulations. This is because it had the highest weighted mean of 2.537. It was also revealed that substandard goods are mostly not rejected since the practice had the least weighted mean of 1.916. The practice of not rejecting substandard goods may indicate the presence of corruption practices.

Generally, it was concluded that the Regulations have had no significant influence on the quality of goods and services procured in public institutions since three out of four of the quality-related practices received a weighted mean of less than 2.500.

#### 4.4.4 Influence of the Regulations on Lead Time

Table 4.8: Analysis of the influence of the Regulations on lead time

Lead time Practice	Most influential 5	Very influential 4	Influential 3	Moderately influential 2	Less influential 1	$\sum f_i$	$\sum w_i f_i$	$\frac{\sum w_i f_i}{\sum f_i}$
Preparation of procurement plans	16	19	18	26	16	95	278	2.926
Delivery of goods	24	17	24	22	8	95	312	3.284
Payment of suppliers	11	14	32	21	17	95	266	2.800

Source: Field findings (2010)

The last objective of this research was to find out the opinion of the respondents on the influence of the Regulations on lead time. Three practices were used to measure this aspect: preparation of procurement plans, delivery of goods and payment of suppliers. These practices were tabled and the respondents were asked to rate them as they thought they had been influenced by the Regulations. The analysis is as shown in Table 4.8 above.

From the analysis in Table 4.8 above, most of the respondents perceived delivery of goods, with a weighted mean of 3.284, as being the one that has been most influenced by the Regulations. All the three practices measuring lead-time received a weighted mean of more than 2.500 which means that the Regulations have significantly influenced the lead-time.

#### 4.5 Suggestions to improve the procurement process

Table 4.9: Suggestions to improve the procurement process

Measure	Frequency	Percentage
Adherence to the Regulations	17	18%
Training of all those involved in procurement	16	17%
Enhancing supervision	58	61%
Computerizing the process	3	3%
Shortening of the procurement process	1	1%
Total	95	100%

Source: Field Findings (2010)

The respondents were asked to give an opinion on one way of improving the procurement process if it needed to be improved. This was necessary so as to know the reasons why the procurement process may not be functioning well. The results are as shown in Table 4.9 above.

According to Table 4.9 above, most of the respondents (61%) thought that enhancing supervision was the best way to improve the procurement process. This may be an indication that supervision is weak at the implementation level of the Regulations. Adherence to the Regulations as a means of improving the process received 18% affirmation, while training of all those involved in procurement received only 17%. This result suggests that adherence to the Regulations and training alone may not be the main solutions to the problems that may be hindering effective procurement; supervision is.

## CHAPTER FIVE

### SUMMARY, CONCLUSION AND RECOMMENDATIONS

#### 5.1 Summary

Based on the objectives, research questions and the analysis of this study, this research came up with several findings. Firstly, almost half of those interviewed had been trained or had some kind of education on procurement. It was also revealed that a big percentage of the respondents had knowledge of the Public Procurement Regulations of 2006. Of those who were completely not conversant with the Regulations, 75% cited complexity of the Regulations as the reason why they did not seek to understand them, while others cited unavailability of the manuals containing the Regulations.

Secondly, it was revealed that there was no clear structural framework in the secondary schools' procurement to ensure that the Regulations are followed to the letter. Tendering Committees, for example, were found to be completely missing in four out of the sixteen schools. This is completely against the Regulations since every procuring public entity is supposed to have a Tendering Committee. However, open tender was the most widely used method of tendering, an indication that the Regulations had influenced the choice of tendering method. It was also found out that direct procurement, which is highly discouraged by the Regulations due to high chances of abuse, is still in use in some situations.

Thirdly, difficulty in access to a variety of readily available and complete procurement information such as procurement plans, tender notices and contract awards which is vital to a well functioning procurement system was revealed to be a major constraint to efficient procurement. Capacity constraints, both in staff undertaking procurements at public institutions level and the private sector offering their goods and services to the public institutions was also revealed as a major hindrance to the efficiency of the Regulations. This particularly was the case for smaller businesses which seemed to have a poor understanding of the requirements of participation in the procurement process.

The procurement Regulations were found to have significantly influenced some procurement practices more than others. Results from the study clearly showed that the respondents agreed that the Regulations have had a significant influence on lead-time and pricing of the goods and services procured. On the other hand, transparency and quality had been less influenced by the Regulations. This implies that the Regulations have had varied influences on various procurement practices.

## **5.2 Conclusion**

This study was necessitated by the fact that despite the potential advantages of the PPDR to suppliers, public institutions and the government, indications pointed to the fact that they had not significantly achieved their desired effects. As demonstrated above in the summary, although the established legal and regulatory framework has added some strength to the public procurement system, weaknesses still exist in the framework. For example, although open tenders were found to be the preferred method of tendering used by most of the public secondary schools thus bringing it closer to its intended status as the default method of procurement, it is clear that the procurement functioning needs to be developed further and considerable effort put into defining strategies for how to make open tendering the main method of procurement.

The current legal framework has provided for a fully decentralized procurement process leaving the full responsibility of undertaking procurement to tendering committees. This decentralization of the decision-making authority represents a milestone in the reform process towards a sound and efficient procurement system. However, application of the Regulations needs to be thorough so that they are applied to the letter in order to make all public schools establish the tendering committees.

It is therefore clear that many challenges face the stakeholders especially when it comes to applying the framework in practice and complying with the new provisions and standards. This has been revealed in this study by the considerable discrepancies between the legislative framework and the procurement function in the evaluated Public Secondary Schools. As a result, effective public financial management through efficient procurement especially by secondary schools is far from being achieved.

## **5.3 Recommendations**

In view of the above conclusions, this study makes several recommendations about the Regulations. First, there is need to review the procurement procedures and identify the underlying problems with a view to sealing the remaining loopholes through which dishonest participants are misusing the process. For instance the tendering committees should be established in all public institutions and empowered to be more independent in the execution of their duties to minimize opportunities for manipulation.

There is also need to offer more training to all those involved in procurement especially the Tendering Committee members and the suppliers to ensure that procurement knowledge is enhanced at all levels. This will lessen cases of malpractice. Fully-qualified procurement officers should be recruited by the secondary schools to ensure that only persons of high integrity are serving in recruitment.

Enhancement of access to procurement information to the public as a whole is another step that may be used to improve procurement in public institutions. For example, reasons for rejecting or awarding tenders need to be communicated to all stakeholders, and especially the parties who participate in tenders. This will assist in public audit which will enhance procurement. This can be done through the media, both electronic and print. The government should therefore ensure that access to regulations and procurement opportunities are disclosed as widely as possible in a consistent, timely and user-friendly manner.

More checks and controls should be introduced to check on the integrity of the tendering systems and ensure that it is as open as possible. For example the PPOA should blacklist and even prosecute principals, tendering committees' members and suppliers to the secondary schools who in their own have grossly flouted the laid down procedures. This can effectively be achieved if the PPOA sets up functional offices at the district levels.

Procurement planning and related expenditures are key to reflecting a long-term and strategic view of government needs. The government should link public procurement with public financial management systems in public institutions to foster transparency and accountability as well as improve value for money.

#### **5.4 Suggestions for Further Research**

This study suggests the following areas for further research:

- (i) The effects of the Public Procurement Regulations of 2006 on disposals by public entities.
- (ii) Challenges facing effective implementation of the Public Procurement Regulations of 2006 in Public Secondary Schools.
- (iii) The impact of the Public Procurement Regulations of 2006 on financial planning by public entities.

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**APPENDICES**  
**APPENDIX I - QUESTIONNAIRE**

You are kindly requested to take a few minutes of your time to respond to the following questions. You have been chosen to be a respondent because of your role in procurement. The information you will provide will be treated in confidence since this work is purely academic. Thanks in advance.

1. Tick who you are:
  - Tendering Committee Member ( )
  - Supplier ( )
  - Principal ( )
2. Tick how long you have been involved in procurement:
  - Below one year ( )
  - Between 1 and 2 years ( )
  - Between 3 and 4 years ( )
  - Over 4 years ( )
3. Tick if you have had any training/education on procurement:
  - Yes ( )
  - No ( )
4. If yes in (3) above, please indicate the type of training/education:
  - Workshop ( )
  - Seminar ( )
  - Certificate ( )
  - Diploma ( )
  - Degree ( )
  - Post Graduate ( )

5. Tick in the appropriate cell the extent to which you are conversant with the Public Procurement Regulations of 2006?

Very conversant	Conversant	Moderately conversant	Less conversant	Not conversant

6. If your answer in (5) above is “not conversant”, indicate which of the reason(s) below contributes to your answer.

- Manuals containing the Regulations are not easily available ( )
- The Regulations are too complex to understand ( )
- There has been no need to refer to the Regulations ( )
- There is inadequate time to read the Regulations ( )

7. Please indicate by ticking in the appropriate cell the method most frequently used in tendering, from the ones listed below.

- Open tender ( )
- Direct procurement ( )
- Restricted tender ( )
- Request for proposal ( )

8. Indicate by ticking in the appropriate cell how effectively you think the Public Procurement Regulations of 2006 have influenced the following procurement practices which relate to transparency of the procurement process:

Practice	Most effectively (5)	Very effectively (4)	Effectively (3)	Moderately effectively (2)	Less effectively (1)
Advertisement of tenders					
Opening of tenders					
Evaluation of tenders					
Criteria of awarding tenders					
Selection of suppliers					

Establishment of appeal systems					
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9. Tick in the appropriate cell below the influence you think the Public Procurement Regulations of 2006 have had on the following price-related procurement practices

<b>Practice</b>	Most influential (5)	Very influential (4)	Influential (3)	Moderately influential (2)	Less influential (1)
Bidding					
Ranking of tenders by price					
Awarding of tenders by price					
Establishment of Procurement Committee					

10. Indicate how effectively, according to you, the Public Procurement Regulations of 2006 have influenced the following practices relating to quality of goods and services:

<b>Practice</b>	Most effectively (5)	Very effectively (4)	Effectively (3)	Moderately effectively (2)	Less effectively (1)
Submission of samples					
Inspection of goods received					
Testing of goods received					
Rejection of substandard goods					

11. By ticking in the appropriate cell, please indicate the influence you think the Public Procurement Regulations of 2006 have had on the following practices relating to lead time i.e. time between ordering and delivery:

<b>Practice</b>	Most influential (5)	Very influential (4)	Influential (3)	Moderately influential (2)	Less influential (1)
Preparation of procurement					

plans					
Delivery of goods/ services					
Payment of suppliers					

11. In your view, which of the following measures will most likely help to improve (further) procurement in public secondary schools? Please tick one.

- Adherence to the Regulations of 2006 ( )
- Training of all those involved in procurement ( )
- Enhancing supervision ( )
- Computerizing the process ( )
- Shortening of the procurement process ( )

**Thank you for your time**

plans					
Delivery of goods/ services					
Payment of suppliers					

11. In your view, which of the following measures will most likely help to improve (further) procurement in public secondary schools? Please tick one.

- Adherence to the Regulations of 2006 ( )
- Training of all those involved in procurement ( )
- Enhancing supervision ( )
- Computerizing the process ( )
- Shortening of the procurement process ( )

**Thank you for your time**

## APPENDIX II - LETTER OF INTRODUCTION

Patrick N Kenyanya,  
Kisii University College,  
P.O.Box 304 – 40200,  
Kisii.

### **RE: TO WHOM IT MAY CONCERN.**

Dear Sir /Madam,

I am an MBA student at Kisii University College conducting a study on the topic: *Evaluating the Influence of Public Procurement Regulations of 2006 on Procurement Practices in Public Institutions: A case of Public Secondary Schools in Mosocho Division, Kenya.*

I am kindly requesting you to take a few minutes of your time to answer the questions in the attached questionnaire. You have been chosen to be a respondent because of your involvement in the procurement process in public schools.

The information you will provide will be treated in confidence. At no any point will your identity or indeed the identity of your school/business be revealed to anyone other than my academic supervisors and examiners of this project. Your name will not be recorded on any of the research notes that are made and kept as part of the research.

Thank you for the co-operation

Patrick N. Kenyanya

**APPENDIX III - REGISTERED PUBLIC SECONDARY SCHOOLS IN MOSOCHO DIVISION**

<b>School</b>	<b>Enrollment</b>
1. Cardinal Otunga High School	1233
2. Kioge Girls	563
3. Nyatieko Mixed Secondary School	498
4. Raganga mixed	258
5. St .Patrick's Mosocho Mixed	216
6. St. Lukes Kanunda Mixed	382
7. Matieko Mixed	203
8. St Ambrose Nyaore	438
9. Nyakeogiro Mixed	93
10. Nyagisai mixed	211
11. Ongicha mixed	206
12. Kiogo S.D.A School	179
13. St. Catherine Iranda	200
14. Riotero mixed	126
15. Kanyimbo mixed	256
16. Mosocho P.A.G Mixed School	155
<b>Total</b>	<b>5217</b>

**Source: District Education Office, Kisii Central District (2010)**

## APPENDIX IV - REGISTERED SUPPLIERS IN KISII MUNICIPALITY

- 1 Pritex School Supplies
- 2 Keboco Agencies
- 3 Navico Agencies
- 4 Smartex School Supplies
- 5 Statchem Agencies
- 6 Starocky School Supplies
7. Kejias Lab Supplies
8. Mokale Agencies
9. Chotate Lab Supplies
10. Laboma Lab Supplies
11. Dajian School Supplies
12. Gateway Agencies
13. Kipjoy Agencies
14. Emmymoke School supplies
15. Enolvan Agencies
16. Hejams School Supplies
17. Manga Chemicals
18. Tomex School Supplies
19. Himani Traders
20. Popy Traders
21. Kislab School Supplies
22. Sabiki Agencies
23. Japko School Supplies
24. Aska School Supplies
25. Suneka Best Bookshop
26. Jonzavike Printers and Stationers
27. Stage Stationers
28. Upfront Booksellers and Stationers Ltd
29. Mozamad Investments
30. New Getembe Bookshop
31. Kisii modern Business Agencies
32. Sahara Bookshop
33. Frankson Bookshop
34. Statex Printers and Bookshop
35. Pejate Booksellers
36. Wilma Stationery and General Supplies
37. Lintos Auto Agencies
38. Erandi School Equipment Suppliers
39. Grace Computers and Stationers
40. Enlva Booksellers
41. Kasoline Booksellers
42. Stabex Enterprises
43. Elya Booksellers
44. Benscom Agencies
45. Gusii Highlights Booksellers
46. Haniny Stationers and Bookshop
47. Reflex General Agencies
48. Elmero Enterprises
49. Sabiki General Suppliers
50. Joseline Investments
51. Noa Investments
52. Elico Agencies
53. Riali Enterprises
54. Mamba Booksellers
55. Stebo Enterprises

Source: Kisii Municipal Council (2010).