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Influence of Procurement Practices on Performance of County Governments in Kenya: A Case Study of Nairobi County

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Abstract:

Procurement is very critical in the performance of both private and public organizations. Many companies have incorporated and implemented procurement practices that have consequences that impact overall performance. There are many procurement practices that are adoptable in our county governments, especially those that have derailed operations and performance. The main aim of the study was to determine the impacts of procurement planning on the performance of county governments in Kenya. After the devolvement of county governments, they were given the autonomy to perform most of the purchases and acquisitions and hence are independent. However, many counties have failed to manage public funds and have lost a lot of money, especially in the procurement department. Failure to adhere to the rules and policies put in place in the procurement procedures and slow implementation of various procurement practices have led to low procurement performance. The study used Nairobi County government as the case study. The study employed procurement planning as one of the procurement practices. To aid in attaining the research objective, the study used the principal-Agency theory. The study adopted a descriptive research design. The study targeted procurement staff to gather information which included Heads of procurement, heads of departments, procurement officers, accountants, and clerks. A total of 112 respondents were targeted and the census method was applied. After the data were collected using open-ended and closed-ended questionnaires, graphs and tables were used to show the study's data in the form of frequency distribution tables. Standard deviation, percentages, and means were employed as the tools of descriptive statistics. In order to predict the values of the dependent variable, a regression model was employed. The findings indicated that there was a positive correlation between procurement planning and performance and it was statistically significant. The study recommended that the county should reduce operational costs related to procurement to ensure efficiency and effectiveness in the procurement department, proper follow-ups to be taken for all awarded contracts, implementation of e-procurement practices, and best sourcing strategy. Further recommendations were directed to the entire procurement team to ensure the whole procurement process is followed in purchasing all goods and services at the county level. The researcher recommended further research to be done in counties to compare the results.

Keywords: Procurement planning, principal agency theory, procurement

1. Introduction

1.1. Background of the Study

Procurement Regulations of 2015, Public Procurement Oversight Authority (PPOA), and other laws and regulations were enacted by the government to ensure fairness in bidding and that the concept of competitive procurement was firmly established in all government institutions. For efficient acquisition of products, services, or works, the Public Procurement and Disposal Act (2015) mandates procurement planning. As a result, people in charge of public procurement must make certain that their procurement strategies are established and implemented in accordance with their annual budgets.

Purchasing is a multifaceted process that necessitates the involvement of a wide range of stakeholders. In order for the procurement process to be successful, it is critical that all players work together and fulfill their responsibilities. According to the rules of the Public Procurement Oversight Authority, each procurement activity for the acquisition of products, services and works shall be allocated to the responsible officers and the timeframe within which it should be executed (PPOA).

Public procurement is a topic of public discussion and attention across the world, and it has undergone reforms, restructuring, laws, and regulations (Mahmood, 2012). Inadequately planned procurement processes harm organizations' stock prices and profitability over the long term and supply chain continuity planners should pay greater attention to this issue.

Only around a third of managers actively promote the use of organized procurement methods, as would be expected of someone in charge of the supply chain, according to the World Bank (2012). Only 20% of businesses claim to be using business analytics to improve their procurement procedures, and only 17% of businesses can identify which market category their procurement practices fit under.

According to Mahmood (2012), public procurement has gained attention in developing nations. In an effort to adopt a long-term and strategic perspective on their procurement practices, the majority of African nations have turned to developing restrictions and outlining their yearly procurement plans as a potential solution. For instance, in Uganda, there was a pressing need for procurement reforms that were made urgent by both internal and external pressure due to the government's massive financial losses from improperly handled procurement procedures that burdened the taxpayer.

However, academics contend that despite this, there is an ongoing violation of Uganda's public procurement legislation because the Public Procurement and Disposal of Public Assets Authority consistently note violation in its annual compliance reports (Kakwezi & Nyeko, 2013). Prior to 1994, South Africa's governmental procurement system was geared toward big, reputable companies. The government procurement procedure was difficult for new contractors to enter. However, public procurement has been recognized as a means to combat historically biased practices and laws and has since been given constitutional legitimacy in South Africa (Bolton, 2016). Even though a number of African nations have made attempts to improve their public procurement procedures, corruption, inefficiency, and secrecy remain surrounding the procedure. All of these situations squander a tremendous amount of resources (Odhiambo & Kamau, 2013).

On a quarterly basis, the implementation of procurement strategies must be monitored, and any necessary adjustments made. Procurement planning is the job of people who are in charge of the organization's procurement activities. All stakeholders must be involved in the procurement process, which is a complex function. It is also critical for the effectiveness of the procurement function that all parties work together and carry out their responsibilities effectively. Procurement activities for purchasing products works, and services must be assigned to the relevant officials and given a completion date by the Public Procurement Oversight Authority's rules (PPOA).

Kenya has made tremendous progress in modernizing the nation's public procurement system throughout the years in an effort to make the system more open, equitable, and resistant to corruption. Article 227 of the Kenyan Constitution establishes procurement of public goods and services. The Act governs Kenya's procurement procedures. Public procurement now has a solid and complete legislative framework thanks to the passage of the Public Procurement and Asset Disposal Act. The PPADA lays out in detail the procurement procedures to be used, the advertising regulations and deadlines, the specific requirements and content of tender documents, the evaluation and award criteria for tenders, the submission, receipt, and opening procedures for tenders, and the structure and order of the complaints system.

Nairobi County, like 47 other counties, has been with corruption issues since the devolvement of government in 2013. The most affected departments are the revenue collection and procurement departments (EACC, 2016). The corruption cases have been linked to unethical practices in various departments that ought to be intervened. The corruption heat has been felt in road construction, the county's image, incomplete projects, and poor service delivery, among others. Inadequate accountability and back-door deals by high-ranked officers have formed the basis of corruption, according to EACC survey.

The Act outlines the duties of the Authority, which include ensuring that procurement rules are followed, keeping an eye on the public procurement system and suggesting changes, helping with its implementation and operation, and starting public procurement policy and Act revisions. The Review Board was created to support and protect the integrity of the public procurement process. In addition, it provides general legal counsel to the stakeholders in the procurement process on potential conflicts. There are various phases in the procurement process in Kenya. Planning the procurement process, defining the criteria, choosing a source, assessing and choosing a vendor, awarding the contract, carrying it out, storing the items, paying for the goods and services, and disposing of them are all steps in the process (EACC, 2016). Even though Kenya has a law in place to control procurement practices in the public sector, corruption nevertheless permeates every aspect of the process.

The 2010 Kenyan Constitution designated the County Governments as the geographical entities of devolved governance. The Republic of Kenya has 47 county governments, according to the First Schedule of the Kenyan Constitution.

According to the Article 202 of the Constitution, national and local governments must receive an equitable share of national tax income. According to Kenyan Constitutional Article 227, the Public Procurement and Asset Disposal Act (PPADA), 2015, governs public procurement in Kenya. The Public Procurement and Disposal (County Governments) Regulations, 2013, issued by the Minister of Finance, were published in the Gazette on April 5, 2013, under Legal Notice No. 60. County governments were the primary target of the Public Procurement and Disposal Act of 2005, which was created to encourage local industries and support socio-economic development.

1.2. Problem Statement

Devolution's objectives are outlined in Kenya's 2010 constitution, article 10, chapter 6, and include recognizing the country's diversity, democracy and accountability, national unity promotion, economic and social progress, and fair resource allocation. The goal of devolved governance was to enhance the lives of Kenyans by directing resources to the regional level.

Devolution is now close to ten years since it came into action in Kenya. Yet, many devolved units have been accused of corruption scandals hauling major projects, wasting public funds and resources, and indeed leading to underdevelopment. The PPDA's objectives of decreasing bottlenecks in procurement, reducing abuse patterns, and attaining the intent of government contracts to obtain an acceptable return on public monies spent were never fully accomplished in practice. The lack of proper execution of procurement practices has been linked to the corruption scandals experienced in the devolved counties. According to Njuguna (2017), Kenya has been in many serious scandals all related to public procurement, some of which remain unsolved till now. Among the scandals include 300 million losses from the land grabbing to use land that was supposed to be for Nairobi City Council and used as a cemetery, KEMSA drugs scandal, Anglo-Leasing, maize scandal, Triton Oil scandal, among others (Research & Transformation Department, 2015). In 2015 President His Excellency Uhuru Kenyatta presented and ordered for questioning of government officers in his disreputable list of fame. Out of the long list released by the Office of Public Prosecutor in 2016, 88 cases were linked with procurement functions. Additionally, a survey by EACC in 2010 indicated that of all reported case files, eighty percent are associated with public procurement.

While the PPOA study showed some potential benefits, it also uncovered some issues, including the high cost of procurement, the lengthy time it takes to act on investment opportunities, the challenge of trying to negotiate with vendors, the requirement for external approval procedures, and the issue of buying and selling branded items (Odero & Ayub, 2017). Compliance in public procurement in Kenya is still inadequate, which is why many public institutions have poor procurement performance, as reported by the PPOA Capacity Building Strategy Report, 2011-2014. Only about 10% of contracts awarded were awarded in accordance with procurement compliance regulations.

Major challenges that the devolved units have faced have been associated with procurement practices. These procurement practices have been misused and exploited to cause massive loss of public funds. Procurement acts as a revenue to siphon public funds in the public sector if not well managed. If adequate procurement practices are not in place, public monies may not be used effectively by devolved bodies. Many studies have been carried out on procurement practices, but very few have focused on devolved governments. Additionally, there has been no study that focused on Nairobi County Government. As a result, it is required to conduct an investigation into present procurement practices and their impact on the performance of the Nairobi County administration.

This case study is significant for its relevance to Kenya's present procurement challenges and to other nations with comparable procurement experiences and problems. This study concentrated on procurement planning in county governments.

1.3. Study Objective

The general objective of the study was to investigate the influence of procurement planning on the performance of county governments in Kenya through the use of a case study of Nairobi County.

2. Literature Review

2.1. Theoretical Framework

2.1.1. Theory of Principal-Agency

Principal agent theory was pioneered in 1970s to try and assess the associations between two parties in an organization, that is, the principal and the agent. The principal represented the high-ranked supervisor or manager, while the agent represented the low-level employees. Extensively the theory was modified to assess the interaction between various stakeholders within a business, including employees and others. The relationship emerges due to the County government's role as steward of public resources on behalf of its inhabitants (Caroline, 2018). This theory acted as a road map for this study, directing it from the conception of the topic of research through data collection and analysis. Due to practical procurement nature expenditures, organizational management (Agents) must make decisions in lieu of business owners (principals) utilizing the authority granted to them by their contract terms. Principals and agents in the same organization maximize their utility while pursuing the same ends.

The County government is the study's client and is responsible for authorizing and funding the work to be done. The procurement officers were operating as the employer's agents and conducting the procurement process, and the contractors were the successful bidders. The acts of the agent determine how well the major activities are carried out, and in the face of risk and uncertainty, decisions are taken by the parties to the connection.

2.2. Literature Review on Variables

2.2.1. Procurement Performance

Chapter 12 of Kenya's constitution lays out a framework for overseeing public finances via suitable methods of procurement planning. Additionally, it offers the rules and the Kenyan public procurement system. Accountability, transparency, and public participation are among the principles that are intended to lead the public in matters involving public procurement.

Public Procurement and Assets Disposal Act (PP and ADA), 2015 regulations govern procurement in Kenya's public sector. The primary intent of the Act is to ensure that public entities are maximizing efficiency and economy in their procurement and disposal of surplus, obsolete, or otherwise unsuitable equipment.

Procurement performance is the extent to which a company's procurement goals have been met. The best way to measure procurement performance is to look at how well it is able to get the most bang for the buck when purchasing goods and services for the company (Nakhwanga & Malenya, 2020). It is usual for procurement to include a wide range of activities, including establishing purchase plans, developing specifications, conducting supplier research, negotiating prices, and making purchases. Since the 1930s, inventory control has been a prominent accounting and procurement system concept in Africa to improve procurement performance. Internal control methods became widespread throughout the industrialization period, according to a paper from the Institute of Auditors Research Foundation. Inventory is seen as a vital link between production and sales, and as a result, many Nigerian companies have made considerable investments in inventory management software. As part of an organization's inventory control rules and long-term objectives, it is necessary for the organization's top management to be involved (Ogol & Muronge, 2017).

2.2.2. Conceptual Framework

Conceptual frameworks are the outcome of careful consideration by researchers. To get at these conclusions, we looked at various sources, many of which have inadequate data to support the hypothesis that has not been posited. As a whole, it provides a comprehensive comprehension of the subject matter. The independent variable in this study was procurement planning, with the County Government performance serving as the dependent variable.

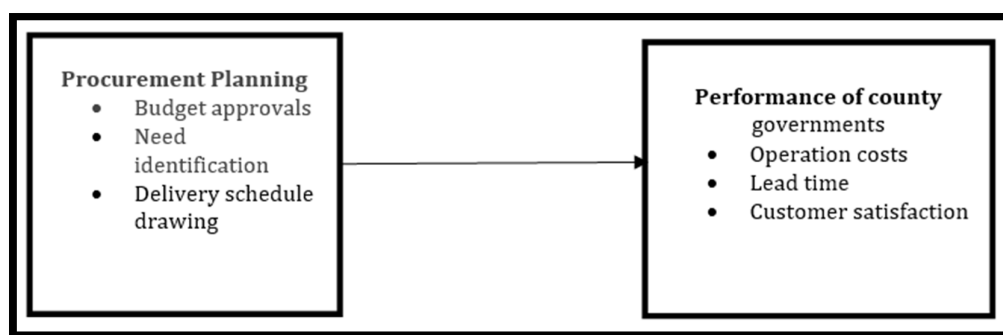


Figure 1: Conceptual Framework

2.3. Empirical Literature

2.3.1. Procurement Planning and Procurement Performance

Miriti and Mwangangi (2018) conducted research to look at how acquisition strategy has impacted the performance of the supply chain in the Kenya Medical Supplies Authority. The research shows that there is a discernable effect on the performance of the supply chain in Kenya Medical Supplies Authority while considering quality standards, procurement needs, supplier selection, and budgeting as variables.

Salim and Kitheka (2019) set out to determine the effect of procurement strategy on the performance of state-owned firms in Mombasa County, Kenya. It was discovered that the performance of government firms in Mombasa County, Kenya, in terms of procurement has a significant influence on the identification of procurement demands. In conclusion, public corporation procurement performance in Mombasa County, Kenya, is significantly impacted by the procurement budget expenses and estimates.

Research by Anane et al. (2019) addressed the impact of procurement activities on the delivery of services in Ghana. Among the practices examined in the study were sustainable procurement, procurement policy, and procurement planning. The study established a connection between the behaviors and the provision of services in the public sector.

3. Research Methodology

The study used a descriptive approach and it is focused on Nairobi County Government. A descriptive research design elucidates the existing terminology, conditions, and interactions pertaining to the research subject at hand (Kothari, 2004). The design was crucial in understanding the reasons for implementing various procurement techniques (procurement planning, contract management, e-procurement, and sourcing strategy) and assessing their influence on County government performance. The descriptive study was preferred because it provides an accurate account of the study's findings. Quantitative tools, such as numerical data, were used to describe the perceptions, attitudes, and observing procurement entities in Nairobi County.

The target population for the study was 112, comprising 2 heads of procurement, 10 heads of departments, 50 procurement officers, 20 accountants and 30 clerks. The study used census sampling since the population was too small. The objectives of the study sought to use both qualitative and quantitative data.

Questionnaires were selected as the best methods of data collection throughout the study. The goal of this study was to perform a descriptive survey, which necessitated the use of questionnaires. According to Mugenda & Mugenda (2019), questionnaires are the best methods for gathering data in case studies. Questionnaires are the best quantifiable tools for data collection. The study employed a drop-and-pick method where, after getting an official letter from the University, the researcher dropped the questionnaires and then picked them later.

After classifying and putting everything into a social science statistical tool, each item was categorized (SPSS). Qualitative data were analyzed using frequency distribution tables. Standard deviation, percentages, and means were employed for quantitative data.

Multiple regression and correlation analysis were used to analyze the data. For data interpretation, charts, graphs, and tables were used from SPSS. Data were later presented in regression models and tables.

4. Results and Discussions

4.1. Descriptive Analysis of Procurement Planning

This section looked at the use of procurement planning procedures by the County government of Nairobi. The practices and procedures under investigation were budget approvals, need identifications, delivery schedules and procurement process.

The research set out to determine what sort of impact procurement planning had on procurement performance. The respondents concurred that budget approvals are done on time and effectively in the county by a mean of 3.98 and SD of 1.16. This aligns with Salim and Kitheka's (2019) research that public corporation procurement performance is significantly impacted by procurement budget expenses and estimates. Additionally, they agreed that need identification is followed as part of the procurement process on all goods and services procured, with a mean of 4.23 (S.D=1.12). Respondents concurred with the statement that delivery schedules are drawn on time to a mean of 4.67 (S.D=0.97). Finally, the respondents confirmed that the whole procurement is done and followed strictly for all acquired goods and services to a mean of 3.56 (S.D=1.14). The variable recorded an aggregate mean of 4.11 and a standard deviation of 1.10.

Statement	N	5	4	3	2	1	Mean	S.D
Budget approvals are done on time and effectively	95	25.7%	28.2%	18.7%	20.1%	7.3%	3.98	1.16
Need identification is followed as part of the procurement process on all goods and services procured in the county	95	34.2%	37.4%	10.3%	18.1	0%	4.23	1.12
Delivery schedules are drawn on time	95	18.5%	36.3%	28.4%	14.2%	2.6%	4.67	0.97
Whole procurement is done and followed strictly for all procured goods and services in the county	95	22.8%	35.7%	26.4%	7.5%	7.6%	3.56	1.14

Table 1: Descriptive Analysis of Procurement Planning

4.2. Correlation Analysis for Procurement Planning

The study found that procurement planning has a positive significant linear association with procurement performance in county governments in Kenya. This was evidenced by the Pearson product-moment correlation of .712 at a 0.01 significant level. This indicates that there was a significant link between procurement planning and procurement performance in county governments in Kenya.

Variable		Procurement Performance	Procurement Planning
Procurement performance	Pearson Correlation	1	
	Sig. (2-tailed)		
Procurement planning	Pearson Correlation	.712	1
	Sig. (2-tailed)	.000	

Table 2: Correlation Analysis for Procurement Planning

** Correlation Is Significant at the 0.01 Level (2-Tailed)

4.3. Regression Analysis

Regression analysis was used to assess the effect of procurement practices on the performance of county governments in Kenya: A case of Nairobi County government. The null hypotheses were as follows:

- H_{01} : Procurement planning does not significantly influence the performance of the county governments in Kenya.

This analysis was to provide an R square value to know if the regression model is accurate. Given that the value for R square was 0.789, it can be deduced that the procurement planning in the model is capable of accounting for 78.9% of the variation in the procurement performance.

Model	R	R Square	Adjusted R Square	Estimation std. Error
1	.887 ^a	.789	.779	.37276

Table 3: Summary of Regression Model
a. Predictor (Constant), procurement practices
Source: Research data (2023)

ANOVA test was carried out to determine the fitness of the regression model for the relationship between procurement planning and the performance of the county government. According to the findings in table 3, the regression model is significant. This gives the independent variable credit to forecast the dependent variable ($F=56.617$, $p=0.000<0.05$).

From the above results, it was evident that procurement planning is significant in forecasting the performance of Nairobi County government.

Model		Sum of Squares	Df	Mean Square	F	Sig.
	Regression	36.349	6	6.058	56.617	.000 ^b
1	Residual	9.537	89	.107		
	Total	45.886	95			

Table 4: ANOVA Test
Source: Research data (2023)

The coefficients in table 5 depicted a positive effect on the performance of the county government of Nairobi. There was a moderate and positive effect of procurement planning on the performance of county government, with a coefficient value of 0.356 and a t-value of 4.668 ($p=0.04$). This indicates that the null hypothesis tested was rejected. The regression findings above indicated that the enhancement of procurement planning shows a positive influence on county government performance.

The regression model is hence accredited as shown:

Procurement performance = $0.712 + 0.356 \text{Procurement planning}$Equation 1

Model	Unstandardized Coefficients		Standardized Coefficients	T	Sig.
	B	Std. Error	Beta		
(Constant)	.712	.267		.328	0.025
Procurement planning	.356	.076	.467	4.668	.004

Table 5: Multiple Regression Coefficients
Source: Research data (2023)

The result of the null hypothesis was:

Hypothesis	P-value	Decision Rule
H_{01} : Procurement planning does not significantly influence the performance of the county governments in Kenya.	$P=0.004<0.05$	Reject H_{01}

Table 6: Hypotheses Test

4.4. Key Findings

The researcher concluded that procurement planning had a positive and significant influence on the performance of the county governments in Kenya. The results conform with Anane et al. (2019), who addressed the impact of procurement activities on the delivery of services in Ghana and established that there was a connection between procurement planning and the provision of services in the public sector.

5. Conclusions and Recommendations

According to the findings, the researcher concluded that procurement planning has a positive impact on the performance of county government.

According to the study, procurement planning has a positive and significant impact on the performance of Kenyan county governments. The conclusions mean that if the budgets are approved on time and effectively, need identification is followed as part of the procurement process on all procured goods and services, delivery schedules are drawn on time, and the whole procurement process is followed on all procured goods and services in the county, the level of performance can increase to a higher level.

The study recommends that the county should reduce operational costs related to procurement to ensure efficiency and effectiveness in the procurement department. Further recommendations are directed to the entire procurement team to ensure the whole procurement process is followed in purchasing all goods and services at the county level. The omission of some processes leads to loopholes where public funds are siphoned and end up in the wrong hands. Again, the budget committee is recommended to approve the budgets on time and effectively to avoid delays in service delivery at the county level. Additionally, the study recommends proper follow-ups to be taken for all awarded contracts.

All legal processes should be followed in awarding contracts to avoid favoring, conflict of interests, and awarding incapable suppliers.

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