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Factors Affecting the Implementation of the Public Procurement and Asset Disposal Act 2015 in Kenya (A Survey in Public Universities in Mombasa County)

Diana Wanjiru Maina

Student, Jomo Kenyatta University of Agriculture and Technology, Kenya

Dominic Omboto

Lecturer, Jomo Kenyatta University of Agriculture and Technology, Mombasa, Kenya

Abstract:

Modern and sound public procurement regulations are not always matched by satisfactory implementation. The Public Procurement and asset Disposal Act 2015 and the Public Procurement and Disposal Regulations 2014 provide a strong legal framework for public procurement. However, without proper implementation and compliance to the guidelines provided in the Act and the Regulations, the objectives will not be met. The general objective of the study is to establish the factors affecting implementation of the Public Procurement and Asset Disposal Act 2015 in public universities in Mombasa County. The specific objectives of the study, focusing on public universities in Mombasa County were; (1) to establish the effect of procurement staff competence on implementation of the Public Procurement and Asset Disposal Act 2015; (2) to evaluate the influence of staff awareness on implementation of the Public Procurement and Asset Disposal Act 2015 and; (3) to evaluate the effect of procurement planning on implementation of the Public Procurement and Asset Disposal Act 2015. The study was conducted using a descriptive survey research design. The target population will be the campus director, finance departments and procurements departments in public universities in Mombasa County. The study used purposive sampling. A questionnaire was used to collect primary data, while books, journal and websites on the internet will be used to access secondary data. Descriptive statistics was used to process and analyze data. The study shows that staff competence, awareness of the public procurement regulations and procurement planning contribute to a small extent to the implementation of the PPAD Act 2015. The PPOA should carry out sensitization for procurement personnel specifically so that they are familiar with the changes in the new Act.

1. Introduction

1.1. Background

Public procurement is an important area in any country with procurement by public entities taking up a significant proportion of a country's gross domestic product (GDP). The Benchmarking Public Procurement 2016 report by the World Bank shows that about 50% of developing countries government budget is spent on procuring goods and services; while high income countries spend an estimated 29% of total general government expenditure on public procurement (The World Bank, 2016). In the European Union for example, public authorities spend approximately 14% of GDP on the purchase of goods, works and services. Globally, public procurement accounts for approximately one-fifth of global GDP (European Commission, 2016).

Public procurement can be defined as the acquisition of works, supplies and services by public bodies or entities (EPA, 2015). The Public Procurement and Asset Disposal Act (PPAD) 2015 Kenya defines public procurement as the acquisition by purchase, rental, lease, higher purchase or by any other contractual means of any type of works, assets, services or goods by a public entity such as the government and its departments, the courts, commissions established under the constitution, local authorities, state corporations, the Central Bank of Kenya, a co-operative society, public schools, universities, colleges and other educational institutions assisted out of public funds (Republic of Kenya, 2015). Due to the large amounts of public funds used in public procurement, it is a key variable in determining development outcomes and vulnerable to corruption. It is therefore important that it be carried out in an efficient and transparent manner so as to deliver more effective public services. Weaknesses in public procurement, including vulnerability to corruption, are a global problem with approximately 400 billion USD (Ksh 34.9 trillion) reported as being lost to bribery and corruption in procurement globally (Gichio, 2014). Proper regulations for public procurement are therefore important in ensuring that the process is competitive, transparent and fair.

The conduct of public procurement is usually governed by controls taking the form of formal regulatory rules, which are often legally binding on procuring entities and procuring officers to whom they are addressed. In Kenya, the public procurement system is guided by the PPAD 2015 and the Procurement Regulations of 2014. In the 1960s, colonial and post-colonial periods, there were no regulations. Today however, the public procurement system has evolved to one that is now well legally regulated comparing well with

international standards (Mokaya, 2013). In the past, the Government's Procurement system was contained in the Supplies Manual of 1978 and supplemented by circulars issued from time to time by Treasury (PPOA, 2016). This was not an effective system as the Supplies Manual did not unify procurement in the government; it did not cover state corporations and parastatals. Furthermore, the circulars made decision making difficult for practitioners as they had to refer to multiple circulars to make any decision (Mokaya, 2013).

The turn of the century brought the Exchequer and Audit (Public Procurement) Regulations of 2001; these centralized government procurement and central government, corporations and parastatals were subject to public procurement regulations (Mokaya, 2013). The regulations caused positive changes as public procurement entities were required to establish a procurement unit. Previously, procurement was done under the Personnel Division and Finance department.

The PPAD 2005 came into operation in 1st January 2007 after the Public Procurement and Regulations were gazetted in 2006. Public Procurement is guided by both the Act (2015) and the most recent version of the regulations (the Public Procurement and Disposal Regulations, 2014). According to the legislation, the purpose of the act is to establish procedure for procurement and the disposal of unserviceable, obsolete or surplus stores and equipment by public entities (Republic of Kenya, 2015). On the 24th December 2015 the government gazetted the latest version of the act now referred to as the 'Public Procurement and Asset Disposal Act 2015', which came into force on 7th January 2016. Some of the PPAD 2015 objectives are to maximize economy and efficiency, promote competition and ensure that competitors are treated fairly, to increase transparency and accountability in those procedures and to increase public confidence in those procedures. (PPOA, 2015)

The target group of this study will be public universities in Mombasa County. Public universities are a public entity as described by the PPAD 2015 and are therefore subject to the regulations set out in the act. A university is "a high-level educational institution in which students study for degrees and academic research is done" (Oxford University Press, 2016). A public university is one which is maintained or assisted by public funds. As an entity, a public university needs to purchase various works, goods and services from the supply market in order to perform its duties. The PPAD 2015 and the Public Procurement and Disposal Regulations of 2014 set out procedures and guidelines which are to be followed to ensure that a public university, as a public entity, obtains these competitively, transparently and fairly (equal treatment). They are however various factors that affect the implementation of the procurement regulations.

1.2. Statement of the Problem

Hunja (2003) observes that a strong and well-functioning procurement system would be one that is governed by a clear legal framework that establishes the rules for transparency, efficiency and mechanisms of enforcement together with an institutional arrangement which ensures consistency in both policy formulation and implementation. The World Bank report, *Benchmarking Public Procurement 2016*, found that modern and sound public procurement regulations were not always matched by satisfactory implementation. It also found that regulatory requirements for procurement in different economies did not translate to better performance by those economies (Allens, 2016). The PPAD 2015 and the Public Procurement and Disposal Regulations 2014 provide a strong legal framework for public procurement however they do not automatically guarantee effectiveness in public procurement. It is estimated that 25 per cent of public expenditure could be saved through the proper implementation of public procurement regulation (Ambasa, 2014). Procurement in public entities is faced with various challenges that stand in the way of implementing the Act and its Regulations.

A study conducted in Kenya by the PPOA and the OECD (2007) has shown that the integrity of a public procurement system is premised on control mechanisms namely an effective control and audit system, an efficient appeals mechanism, a comprehensive information sharing system, an enabling civil society and interested stakeholders to conduct social audits, and effective ethics and anti-corruption measures (PPOA, 2007). The public procurement system in Kenya has all the necessary control mechanisms to ensure transparency and accountability through the creation of the Public Procurement Oversight Authority (PPOA) and the Public Procurement Complaints Review and Appeals Board (PPRB). The key functions of the PPOA are to provide oversight on public procurement in Kenya, to report on and facilitate the implementation of the PPAD and to build capacity and advice procuring entities on public procurement (PPOA, 2015).

Kenya has the necessary legal framework to ensure procurement is done transparently, competitively and fairly. However, without proper implementation and compliance to the guidelines provided in the Act and the Regulations, the objectives will not be met.

1.3. Objective of the Study

1.3.1. General Objective

The general objective of the study was to establish the factors affecting implementation of the Public Procurement and Asset Disposal Act 2015 in public universities in Mombasa County.

1.3.2. Specific Objectives

The specific objectives were:

- i. To establish the effect of procurement staff competence on implementation of the Public Procurement and Asset Disposal Act 2015 in public universities in Mombasa County.
- ii. To evaluate the influence of staff awareness of public procurement regulations on the implementation of the Public Procurement and Asset Disposal Act 2015 in public universities in Mombasa County.

- iii. To evaluate the effect of procurement planning on implementation of the Public Procurement and Asset Disposal Act 2015 in public universities in Mombasa County.

1.4. Research Questions

- i. How did procurement staff competence influence the implementation of the PPAD 2015 in public universities in Mombasa County?
- ii. How did staff awareness of public procurement regulations affect the implementation of the PPAD 2015 in public universities in Mombasa County?
- iii. How did the procurement planning affect the implementation of the PPAD 2015 in public universities in Mombasa County?

1.5. Significance of the Study

With Public Procurement in Kenya being wrangled with cases of corruption and inefficiency in some public entities, findings on factors that would contribute to the effective implementation of the PPAD 2015 would be of great value to procurement officers, the PPOA and all public entities that carry out public procurement. Specifically, it is intended that the findings of this research will be useful to public universities in Mombasa County. The research informs government policy on the factors that are affecting the implementation of the PPAD 2015 to ensure the Act is meeting its objectives. The effective implementation of the PPAD 2015 would streamline procurement in public entities in order to improve transparency and competitiveness and ensure taxpayers money is used to provide public services and not lost in corrupt activities. The study should form a basis for further academic research on implementing public procurement regulations.

1.6. Scope

The study was conducted in public universities in Mombasa County to find out the factors affecting the implementation of the PPAD 2015. Mombasa County is convenient for the researcher and public universities, being public entities, are required by law to ensure transparency thus allowing the public to have access to procurement information. The study will focus on three factors only namely procurement staff competence, staff awareness of procurement regulations, procurement planning and how they influence the implementation of the PPAD 2015.

2. Literature Review

2.1. Introduction

This chapter will discuss existing theories related with the research question, the conceptual framework of the proposed research, an evaluation of previous studies related to the variables being investigated, a review of the findings and the current research gaps.

2.2. Theoretical Framework

The following is a review of various existing theories relating to the research question.

2.2.1. Agency Theory

Agency theory was expounded by Alchian and Demsetz (1972) and further developed by Jensen and Meckling (1976) (Awino & Marende-Getuno, 2014). In a principle - agent relationship, one party – the agent – is required to perform some service on behalf of the other party - the principle (Soudry, 1998). Two parties have an agency relationship when they cooperate and engage in an association wherein one party delegates decisions or work to another to act on its behalf (Rungtusanatham *et al.*, 2007 as cited in Awino & Marende, 2014).

The assumptions underlying the agency theory is that there is a potential goal conflict that exists between principles and agents; secondly, each party acts in its own self-interest, information asymmetry frequently exists between principles and agents and agents are more risk averse than the principals (Xingxing & Kaynak, 2012 as cited in Awino & Marende, 2014). Langevoort (2002) asserts that compliance with procurement rules and regulations may be as a result of principal-agent problem. Procurement compliance is the extent to which procurement stakeholders comply with the existing Public Procurement and Asset Disposal Act 2015 and Public Procurement and Disposal Regulations 2006 (Ombuki, et al, 2014). Accounting officers and procurement managers in state corporations play the agent role for the government and the organization stakeholders.

The agent-principle theory is useful in explaining the relationship between the government (principal) and the state corporation (agent) in compliance to the procurement legal framework. According to Muranda (2006) this theory explains how the actions of the state corporations affect the government and other stakeholders; for example, when state corporations make non-optimal decisions concerning the utilization of public funds.

2.2.2. Stakeholders Theory

Freeman (1984), the proponent of the stakeholder theory, defines it as “any group or individual who can affect or is affected by the achievement of the organization’s objectives.” Stakeholder theorists suggest that managers in organizations have a network of relationships to serve that include the suppliers, employees and business partners (Awino & Marende-Getuno, 2014). This theory therefore explains how different stakeholders influence effective implementation of the Public Procurement rules and regulations and

how this affects organizational performance. In public procurement, stakeholders include the general public, government, civil society, suppliers, procurement professional organizations and so on.

Value should be created for all stakeholders; the theory argues that it is important to pay special attention to the various stakeholder groups which have a stake in the operations of a firm (Gibson, 2000). The stakeholder theory model depicts stakeholders in a typical large corporation where the stakes of each are reciprocal; each stakeholder can affect the other in terms of harms and benefits as well as rights and duties (Freeman, 2004).

2.2.3. Organizational Performance Theories

Organizational Performance theories state that public entities operate under an environment that affects their performance (Bolton, 2006). Therefore external political, economic, social and technological factors affect the implementation of a procurement legal framework. For example, public procurement can be used as a policy tool to empower disadvantaged groups in an economy. For example, the President of Kenya, Uhuru Kenyatta, directed that 30% of all government contracts be awarded to youths, women and persons with disability without competition from established firms. (AGPO, 2016)

2.2.4. Public Value Theory

The Public Value Theory was formulated in 1995 by Mark Moore from the Harvard University, School of Government with the aim of providing public sector managers with a greater understanding of the constraints and opportunities within which they work, and the challenge they have to create valuable outcomes for the public (Moore, 1995). A manager's purpose is envisioned to go beyond simply implementing policy and adhering to institutional norms, but includes seeking out opportunities to make significant improvements to the lives of the public. (Moore & Khagram, 2004)

2.2.5. Resource Based Theory

The Resource Based theory of the firm was initiated by Penrose (1959) as the resource perspective of the firm. Wernerfelt (1984) came up with the resource-based view of the firm (RBV) and it was later popularized by Barney (1991). Other scholars have made significant contribution to its conceptual development such as Nelson & Winter (1982), Dierickx & Cool, (1989), Zahra & George (2002) and Winter (2003 as cited in (Awino & Marendi-Getuno, 2014).

According to the RBV theory, every organization has its own unique resources that enable it to remain competitive in the market in a rapidly changing environment. The unique resources must be valuable, rare, in-imitable and non-substitutable. They include all resources whether financial, human, physical, technological or information. The resources should display each of the four characteristics to be a possible source of a sustainable competitive advantage (Barney, 1991). However, as critiques have pointed out, not all resources in an organization have the ability to contribute to competitive advantage. Lopez (2005) also points out that the availability of resources does not automatically contribute to competitive advantage, until the said resources are coordinated and integrated.

According to the Suppliers Practitioners Management Act (SPMA) 2007 the implementation of the public procurement framework requires state corporations to have capabilities in terms of professionally trained and experienced staff in the field of procurement, as well as competent managers able to direct and organize staff to carry out procurement activities as stipulated in the PPAD 2015 and the Public Procurement and Disposal Regulations 2014.

2.3. Conceptual Framework

Shields and Rangarajan (2013) define conceptual framework as "the way ideas are organized to achieve a research project's purpose." According to Miles & Huberman (1994 cited in (Maxwell, 2013), the system of concepts, assumptions, expectations, beliefs, and theories that supports and informs research is a key part of a research design. They define a conceptual framework as "a visual or written product that explains, either graphically or in narrative form, the main things to be studied and the presumed relationships among them" (Maxwell, 2013).

The dependent variable in this study is the implementation of the PPAD 2015 in public universities in Mombasa County while the independent variables are procurement staff competence, staff awareness of procurement regulations and procurement planning. The relationship between the dependent and independent variables is depicted in Figure 1 below. The level of compliance will be used as a measure of the implementation of the Act. The independent variables are discussed further in the next part of this chapter.

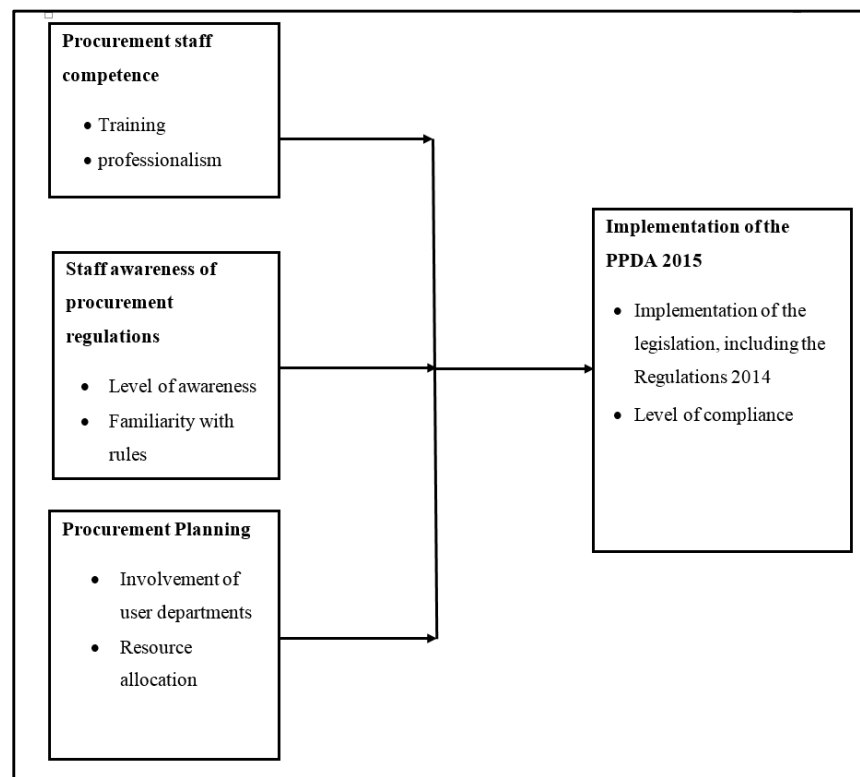


Figure 1: Conceptual Framework

2.4. Review of Variables

2.4.1. Staff Competence in Procurement

Many procuring organizations have staffs that do not have the right competence needed for good procurement management (Banda, 2009). Barsemoi *et al.* (2014) find that most of the personnel carrying out procurement functions in the local authorities in Kenya have not been sensitized on procurement regulations. The Public Procurement law requires that each procuring entity establishes a procurement unit with procurement professionals.

The lack of professionalism has been explained as a cause of non-compliance to procurement laws (De Boer & Telgen, 2006). Professionalism in public procurement relates to the levels of education and qualifications of the workforce as well as the professional approach to the conduct of business (Raymond, 2008). When the procurement workforce is not adequately educated in procurement there are serious consequences such as breaches of codes of conduct. Raymond (2008) links the level of professionalism with corruption, which has been shown to impede compliance to public procurement regulations. De Boer and Telgen (2006) also attribute non-compliance in public procurement to lack of purchasing professionalism in the public sector.

Another cause of non-compliance is the lack of staff training. The PPOA Audit Report (2008 as cited in (Ndumbi & Okello, 2015) shows that inadequate training is high amongst public procurement officers in Kenya, although this may be attributed to the profession still being relatively young in Kenya. In October 2007, the Government of Kenya (GoK) passed the Suppliers Practitioners Management Act (SPMA) 2007 that came into effect in October 2008. The SPMA 2007 is expected to enhance professionalism and ethical behavior by requiring procurement staff to undergo a qualifying exam and be registered with the Kenya Institute of Supplies Management (KISM) as the professional association. Boyan (2003) argues that there are clear benefits in ensuring procurement staff are professionals, this is because their competence can ensure that the benefits of new products and services are brought to the attention of the right person in an organization. According to Sultana (2012), technological developments and organizational change have led employers to the realization that their success relies on the skills and abilities of their employees, which means that they have to continuously invest in training and development.

2.4.2. Staff Awareness of Public Procurement Regulations

Public Procurement in Kenya is guided by the PPAD 2015 and the Public Procurement and Disposal Regulations, 2014. These provide specific guidelines for all activities carried out with regard to procurement and disposal of assets; staff involved in the procurement process that are not aware of the regulations will not be able to follow the set guidelines. A study by the PPOA (2007) and the KISM (2008) found that procurement staff in many procuring entities have a general lack of information about the legal framework, principles, procedures and processes of procurement. This may be attributed to the regulations being relatively new in the industry; however, it may also mean that procurement professionals know how to take advantage of loopholes that exist in the current laws. (Public Procurement Oversight Authority, 2007)

According to Gelderman *et al.* (2006) lack of clarity increases the possibilities for deliberate or un-deliberate non-compliance to procurement regulations. Their study, based on EU tendering directives, showed that purchaser's familiarity has a statistically significant impact on compliance. Public purchasers will comply with the rules if they perceive them as clear, therefore level of familiarity or awareness with procurement regulations is one factor that causes non-compliance with procurement regulations. It is therefore recommended that public purchasers are educated and trained so as to improve compliance with procurement regulations (Gelderman, Paul, & Brugman, 2006). In Kenya, the PPOA is streamlining procurement activities by carrying out procurement sensitization programs to familiarize the trainees with procurement problem areas and possible solutions. It is expected that these training will create awareness and develop procurement expertise in staff in procurement entities in Kenya. (Sang & Mugambi, 2014)

2.4.3. Procurement Planning

A procurement plan describes and documents all of the purchases from outside suppliers that will be needed to support the needs of a particular department (Kiage, 2013). Wile (2010) describes it as the process used by companies or institutions to plan purchasing activity for a specific period of time which is usually completed during the budgeting process; each department is required to request a budget for staff, expenses and purchases. According to Edler and Georgia (2007), procurement plans serve as a road map and the goal should be to enable efficient use of available resources.

Procuring entities in Kenya are required by the existing legal framework to first consolidate departmental procurement plans before providing the entities corporate procurement plan which then gets the accounting officers approval before being implemented. (Kiage, 2013) A procurement plan is used to implement the budget; it should be prepared by user departments so as to minimize excess votes in an entities budget and to ensure there are funds to make payments before procurement is done. Resource confirmation and resource allocation helps make procurement effective when carried out appropriately (Kiage, 2013).

The ultimate goal of any public procurement is to satisfy the public interest as entrusted in the public procurement Act (Ouma & Kilonzo, 2014). In their study, Ouma and Kilonzi(2014) find that resource planning is significant and contributes to public entity procurement and it is an important aspect in determining how effecting the procurement process will be. Therefore public entities should balance resource allocation and even allocate more funds to procurement departments. According to Professor Arrowsmith(2010), conflicts may sometimes arise between the objective of preventing corruption and ensuring efficiency in the administration of the procurement process. Measures to prevent corruption may add to the cost of procurement, therefore she asserts that it is up to governments to decide whether the prevention of corruption is so important that financial resources should be spent to prevent it.

2.4.4. Implementation of the PPAD 2015

To implement is to carry out or to give practical effect to and ensure actual fulfillment by concrete measures; while implementation is to provide means of expression for the same (Merriam-Webster, 2015). The implementation of the PPAD 2015 results in compliance to the rules and guidelines laid out in the Act, therefore the level of compliance will be used as a measure of the implementation of the PPAD. According to Ombukiet *al.*, (2014) procurement compliance is the extent to which procurement stakeholders comply with the existing PPAD 2015 and Regulations 2014.

The Public Procurement and Asset Disposal Act 2015, which came into force on 7th January 2016, replaces the previous Act that guided public procurement in Kenya. The Act applies to all state organs and public entities with respect to procurement planning, procurement processing, inventory and asset management, disposal of assets and contract management. (Republic of Kenya, 2005)According to the legislation, the purpose of the act is to establish procedure for procurement and the disposal of unserviceable, obsolete or surplus stores and equipment by public entities (Republic of Kenya, 2015). The new Act takes into consideration the existence of counties and gives a directive on the responsibilities of the county government with respect to public procurement and asset disposal.

According to the act, the accounting officer in a public entity is primarily responsible for ensuring that the entity complies with the Act. The accounting officer may establish systems and procedures to facilitate decision making for procurement and asset disposal. The procurement unit carries out its function under the leadership of the accounting officer and is involved in carrying out the processes as stipulated in the act.

A research conducted by the PPOA (2007) shows that there is a low level of compliance with the law and regulations despite the fact that procedures supporting systematic procurement had been established. Procurement reviews by the PPOA have established that most of the public entities have a below minimum level of compliance. Additionally, the National Enterprise Survey on Corruption (KACC, 2009) noted that misconduct exists where public officials distort the regulations to restrict the participation of interested firms in procurement or direct the outcomes of others.

2.5. Critique of Existing Literature

Existing literature relating to public procurement legislation is primarily focused on procurement compliance and procurement reforms and how these affect procurement performance. Professionalism and/or staff training in procurement come up repeatedly in almost all studies regarding procurement performance and compliance to laws. The impact of having staff competent in procurement laws and regulations is therefore significant. Employees in procurement are an important stakeholder group, therefore according to the stakeholder theory, special attention should be paid to this stakeholder group so that value is created for all stakeholders (Gibson, 2000). The lack of professionalism affects not just performance but has been linked with corruption which in turn impedes compliance

to public procurement regulations (Raymond, 2008). Non-compliance is also said to contribute to lack of professionalism in procurement (De Boer & Telgen, 2006).

The agency theory captures the relationship that the government has with procuring entities, where the objectives of the government may be in conflict with those of the accounting officers and managers in state corporations. The governments objectives in public procurement, of value for money, integrity, accountability, efficiency, equal opportunities and equal treatment for providers (Arrowsmith S, 2010), may be in conflict with the objectives of the accounting officers and procurement management in state corporations. Extra resources may be needed to implement public procurement procedures, including time, compromising on the quality of items procured so as to give equal opportunity to providers and so on. In some cases the management in state corporations will make non-optimal decisions for their own interest thus misusing public funds. Therefore an agency problem does exist between the government and other stakeholders and accounting officers and procurement managers acting on their behalf.

Much has not been researched on the effect of external factors on compliance to public procurement regulations. Organizational performance theories are not clear as to the extent to which external factors affect the implementation of a procurement legal framework. However, the impact of external factors cannot be ignored as decisions concerning legislation of public procurement are done by politicians and since public procurement is a major expense for the government, such decisions affect and are made with economic and social objectives in mind too. (Bolton, 2006)

The Public Value theory explains the difference in operations between state corporations and private enterprises, emphasizing on a managers role as going beyond implementing policy to seeking out opportunities to make significant improvement to the lives of the public (Moore & Khagram, 2004). Whereas the resource based theory as applied in public procurement can be applied to procurement staff as a significant resource able to create competitive advantage. Professional and well trained procurement staff can be a source of competitive advantage in state corporations and public entities in general. The assumption is that they will implement public procurement legislation leading to compliance thus meeting the objectives of value for money, integrity, accountability, efficiency, equal opportunities and equal treatment for providers.

2.6. Research Gaps

Existing literature on the subject of public procurement legislation focuses on factors affecting compliance to public procurement regulations in general. (Ambasa, 2014) They are few that focus on factors that affect implementation of the Kenyan public procurement legislation. (PPOA, 2007) Additionally, much has been investigated on the impact of procurement staff competence and staff awareness or familiarity with procurement regulation and the influence on compliance and performance. (Ndumbi & Okello, 2015) The research aimed to find out the influence of these factors on the implementation of the PPAD 2015 in public universities in Mombasa County. Procurement planning is also seen as a determining factor in the implementation of the Act; focus has been on resource allocation and the impact on performance. (Ouma & Kilonzo, 2014) This research will also focus on procurement planning and its effect on the implementation of the PPAD 2015 in public universities in Mombasa County.

2.7. Summary

Procurement staff competence is an important factor as they are directly concerned with the implementation of the public procurement legislation, therefore their knowledge and competence is a great factor on whether or not public entities comply with procurement regulation. The aim of the study is also to investigate the effect of procurement staff competence on implementation of the PPAD 2015 in public universities in Mombasa County.

The existence of legislation to guide procurement is not enough if procuring entities are not aware of them and actively work towards implementing them. Literature shows that public purchasers will comply with regulations if they perceive them as clear. Lack of familiarity with procurement rules has been said to be responsible for non-compliance. This study aims to evaluate the effect of staff awareness of procurement regulations and how that affects the implementation of the PPAD 2015 in public universities in Mombasa County.

Procurement planning is a legal requirement and an important step in ensuring all procurement processes are carried out in the correct way and that they are funds available to meet all the needs identified before the process begins. It is an important aspect in determining how effective the procurement process will be. This study aims to investigate the effect of procurement planning on the implementation of the PPAD 2015 in public universities in Mombasa County.

3. Research Methodology

3.1. Introduction

This chapter outlines the research design chosen for the study, the population, the sampling frame, sample and sampling technique as well as the instruments chosen and the data collection procedure. It also outlines the plan for data processing and analysis.

3.2. Research Design

A research design is a blueprint for fulfilling objectives and answering questions, as well as collection, measurement and analysis of data (Cooper and Schindler, 2006 as cited in (Harmse, 2012)). The study was conducted using a descriptive survey research design. A descriptive survey is an attempt to collect data from members of a population in order to determine the status of the population with respect to one or more variables (Wallen, 1993 as cited in (Chemoiywo, 2014)). It involves acquiring information about one or more

groups of people by asking them questions with the aim to learn about a large population by surveying a sample of that population (Selamat, 2015). A survey design determines how things are.

3.3. Population

A research population can be defined as a large collection of individuals or objects that are the main focus of a scientific query and who have similar characteristics (Explorable, 2016). It is the entire set of units for which the study data is to be used to make inferences (Kothari, 2004). The population for the study was staff directly involved in procurement decisions in public universities in Kenya. There are 22 public universities in Kenya; for this study the population was public universities in Mombasa County of which there are 7. However, for the purpose of the study, the target population will be the campus director, finance departments and procurements departments in public universities in Mombasa County. The campus director, procurement department and finance department are directly involved in procurement decisions at different levels; therefore they are able to know the factors that affect implementation of the PPOA 2015. The study focused on Mombasa County due to the researcher's resource constraints.

3.4. Sampling Frame

Sampling frame refers to a list of elements from which a sample may be drawn (Saunders et al., 2009 as cited in (Harmse, 2012)). The sample for the study was chosen from staff working in the seven public universities in Mombasa County. Staff from the finance department and the directors of the campuses are included in the sample.

Public Universities	
1.	University of Nairobi
2.	Jomo Kenyatta University of Agriculture and Technology
3.	Kenyatta University
4.	Moi University
5.	Technical University of Mombasa
6.	Co-operative University College of Kenya
7.	Pwani University

Table 1: Public Universities in Mombasa County

3.5. Sample and Sampling Technique

Sampling is that part of the statistical practice concerned with the selection of observations intended to yield some knowledge about a population of concern. Mugenda & Mugenda (2003) advises that ten per cent of the total target population should be used as a good representative sample size. The study employed purposive sampling. This is a non-probability sampling technique whose aim is to focus on particular characteristics of the population of interest (Lund Research Ltd, 2012).

The sample was chosen since limitations do not allow the researcher to research on the entire population. However, according to Kothari (2004), one can make certain inferences about the characteristics of the population from which the sample is drawn when the sample is carefully selected and representative of the population. In the case of non-probability sampling techniques however the sample will not be representative of the population but will describe characteristics of the population.

3.6. Data Collection Instruments

A questionnaire was used to collect data for the purpose of this research. A data collection instrument is a device used to collect data (US Census Bureau, 2010). The questionnaire employed both close and open ended questions.

3.7. Data Collection Procedure

A questionnaire is a written form used to gather information on some subject, consisting of a list of questions to be submitted to one or more persons meant to elicit the feelings, beliefs, experiences, perceptions or attitudes of a sample of individuals or objects. Questionnaires provide the primary data, while secondary sources such as journals, books and websites will be used to collect secondary data so as to assess the factors that affect the implement the PPOA 2005. The main instrument for data collection is the questionnaire (Appendix II).

3.8. Data Processing and Analysis

Descriptive statistics were used to process and analyze data. Descriptive statistics permits the researcher to meaningfully pieces of data with a few indices. Major types of descriptive statistics i.e. measures of central tendency, measures of relative position and measures of relationship (Wiersma & Jurs, 2008). Data analysis is the representation of data gathered during a study (Orodho, 2010). Data collected was coded and analyzed using Statistical Package for Social Sciences (SPSS) computer software; this software is used because of its ability to appropriately create graphical presentations of questions, data for reporting, presentation and publishing. Additionally, SPSS is efficient in handling a wide spectrum of statistical procedures and can handle large amounts of data (Martin & Acuna, 2002). Tables are used as appropriate to present the data collected for ease of understanding and analysis.

4. Data Analysis, Presentation and Interpretation

4.1. Introduction

This chapter presents the findings and analysis of the study as set out in the research objectives and methodology. The objective as stated is to establish the factors affecting implementation of the Public Procurement and Asset Disposal Act 2015 in public universities in Mombasa County.

4.2. Response Rate

The response rate was low as most campuses do not carry out procurement activities in their Mombasa campuses. The number of questionnaires administered was 30 out of which only 17 people responded giving a response rate of 56.7% (as shown in Figure 2 below).

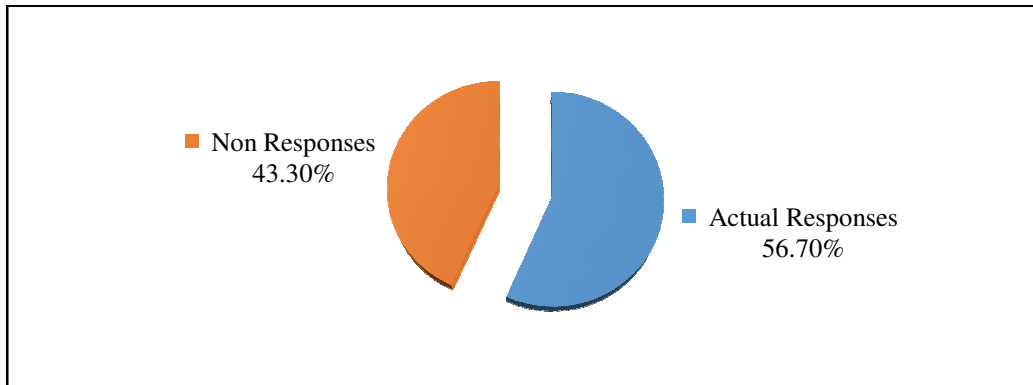


Figure 2: Respondents Response Rate

This response rate is acceptable according to Mugenda and Mugenda(2003) who state that a response rate of 50% and above is adequate for research purposes.

4.3. Demographic Data

The researcher used three demographic items in the questionnaire namely gender, job title and work experience. Table 3, 4 and 5 show the respondent responses.

4.3.1. Distribution of Respondents by Gender

The study findings show that majority of the respondents were female, according to Figure 3 below.

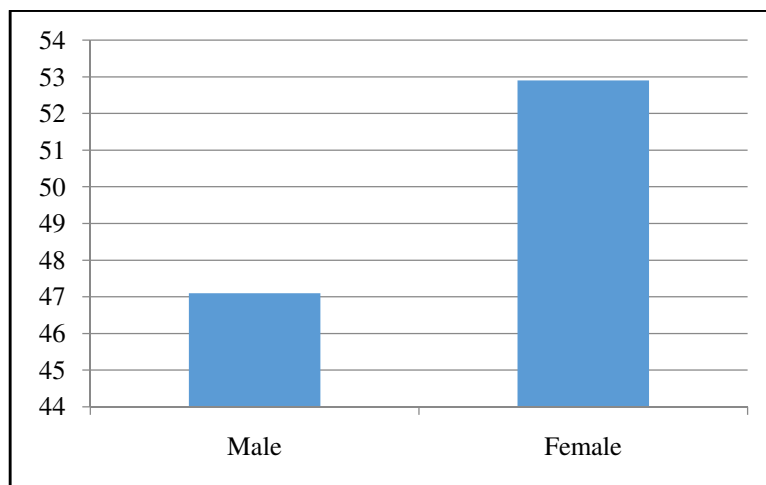


Figure 3: Distribution of respondents by Gender

Findings show that 52.9% of respondents were female while 47.1% were male. The gender of the respondents provides background; however, it is not significant in this researching in determining the objective on procurement staff competence.

4.3.2. Distribution of Respondents by Job Titles

Figure 4 (below) shows the different staff that work on procurement in the public universities in Mombasa County.

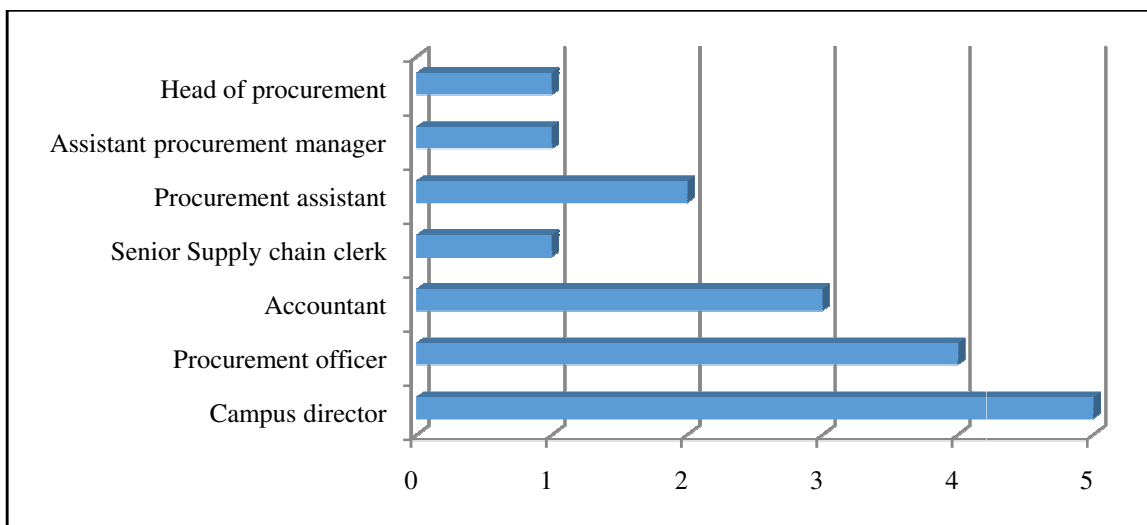


Figure 4: Distribution of respondents by job titles

In most of the campuses, the campus director sits in the procurement committee since procurement is centralized therefore most procurement activities are done in the main campuses.

4.3.3. Distribution of Respondents by Period They Have Been in the Organization

The study found the number of years the respondents have been in the organization as part of background information.

Years in Procurement	Frequency	Percentage (%)
Between 1-5	6	35.3
Between 6-10	5	29.4
Between 11-16	6	35.3
Total	17	100

Table 2: Distribution of Respondents by Period they have been in the organization
Source: SPSS

Findings show that 35.3% of the respondents, had both 1-5 years’ experience and 11-16 years’ experience (Table 2 above). Therefore, there were as many experienced respondents as non-experienced respondents. Six out of the seven universities sampled were smaller campuses of the main campuses found outside Mombasa County, therefore staff who carried out procurement duties were not necessarily procurement professionals, thus explaining the lack of experience in procurement.

4.4. Procurement Staff Competence

The competence of staffs that carry out procurement activities in the universities was measured using their level of training and professionalism. One of the ways professionalism can be established is whether or not the staffs are registered with the Kenya Institute of Supplies Management (KISM), which is the body that registers professionals in procurement.

Below (Table 3) is a cross tabulation of the registration with KISM and their educational qualifications.

		Registration with KISM		Total
		Yes	No	
Formal Education	Bachelors	6	3	9
	Masters	2	5	7
	Professional Qualification	0	1	1
Total		8	9	17

Table 3: Procurement staff competence
Formal Education * Registration with Kenya Institute of Supplies Management Cross tabulation
Source: SPSS

8 out of the 17 respondents were registered by the professional body. Out of those who are registered, 6 are degree holders and two are post-graduate degree holders.

The study at this part aimed at identifying the effect of procurement staff competence on implementation of the Public Procurement and Asset Disposal Act 2015 in public universities in Mombasa County. Respondents were asked whether or not they were registered with KISM and have undergone training on public procurement; they were also asked to rate their degree of agreement/disagreement using the Likert scale: strongly disagree, disagree, undecided, agree and strongly agree. Table 4 below shows the study findings.

	Mean	Standard Deviation
Registration with Kenya Institute of Supplies Management	0.53	0.514
Training in Public Procurement (PP)	0.47	0.514
frequently undergoes training in PP	1.65	1.272
the training in PP is useful in carrying out operations	3.12	1.111
the institution is compliant with the PPAD Act 2015	3.47	1.007

Table 4: Procurement staff competence

Source: SPSS

On average, 0.53 of the respondents sampled are registered with the KISM, with a 0.514 standard deviation. The respondents that have been trained in public procurement are averagely 0.47 of those sampled with a variation of 0.514. This is consistent with the findings of Barsemoiet *al.*(2014)who found that most of the personnel carrying out procurement functions in the local authorities in Kenya have not been sensitized on procurement regulations. The data shows that more respondents (mean 3.47) view their institutions as being compliant with the PPAD Act 2015, while the least significant is the frequency of training, with a mean of 1.65.

4.5. Staff Awareness of Public Procurement Regulations

Table 5 below is a comparison of the respondent's familiarity with the PPAD Act 2015 and their opinion on the usefulness of the procurement laws in carrying procurement activities on a day-to-day basis.

familiarity with the PPAD Act 2015 or PPAD 2005 * the PP Act and Regulations are useful in carrying out procurement activities on a day-to-day basis Cross tabulation						
Count						
		the PP Act and Regulations are useful in carrying out procurement activities on a day-to-day basis				Total
		strongly disagree	neutral	agree	strongly agree	
familiarity with the PPAD Act 2015 or PPAD 2005	very familiar	1	0	1	1	3
	Familiar	0	1	6	2	9
	Neutral	0	2	1	1	4
	not familiar	0	0	1	0	1
Total		1	3	9	4	17

Table 5: Staff awareness of public procurement regulations

Source: SPSS

Majority of the respondents feel that they are familiar with the Act with only one who is not familiar with the Act. Those who are familiar with the Act agree that the Act is useful in carrying out procurement activities on a day-to-day basis. One respondent however who is very familiar with the Act strongly disagrees that the Act is useful in carrying out procurement activities.

The study aimed to evaluate the influence of staff awareness of public procurement regulations on the implementation of the Public Procurement and Asset Disposal Act 2015 in public universities in Mombasa County. Respondents were asked about their access to the Public Procurement (PP)Act and Regulations, the extent of their familiarity and their opinion on the usefulness of the Act and regulations in carrying out day-to-day operations, and if policies in the institutions are in line with the PP Act and Regulations.

	Mean	Standard Deviation
Do staffs have access to the Public Procurement Act and Regulations?	0.18	0.393
familiarity with the PPAD Act 2015 or PPAD 2005	1.18	0.809
the PP Act and Regulations are useful in carrying out procurement activities on a day-to-day basis	2.88	0.993
the extent to which the institutions policy is in line with PP Act	0.88	0.600
whether or not they've gone through sensitization of the PP Act 2015	0.65	0.493

Table 6: Staff awareness of public procurement regulations

Findings show (Table 6 above) that respondents have low access to the PP Act and Regulations with large variation from the mean (standard deviation of 0.393), showing that the responses varied. The PP Act and Regulations is to a large extent (mean 2.88) regarded as useful in carrying out daily operations. A significant number of respondents were familiar with the PPAD Act 2015 (mean1.18), though they level of access is low (mean 0.18). Few respondents have gone through sensitization of the PPAD Act 2015, with a mean of 0.65. The 2015 Act has been in existence for a short period of time.

4.6. Procurement Planning

Table 7 below is a comparison between two variables used to measure procurement planning; namely, the extent to which user departments are involved in procurement planning and the extent to which procurement units received additional support to implement the Act.

extent to which user departments are involved in procurement planning * extent to which the procurement unit received additional support in implementing the PP Act 2015 Cross tabulation							
Count							
		extent to which the procurement unit received additional support in implementing the PP Act 2015					Total
		very great extent	great extent	moderate extent	small extent	very small extent	
extent to which user departments are involved in procurement planning	very great extent	3	1	0	1	0	5
	great extent	1	1	5	0	0	7
	moderate extent	0	0	2	0	1	3
	small extent	0	0	0	0	1	1
	very small extent	0	0	0	1	0	1
Total		4	2	7	2	2	17

Table 7: Procurement Planning

Source: SPSS

Findings show that the procurement units in public universities in Mombasa are involved in procurement planning to a great extent, however they receive additional support in implementing the PPAD Act only to a moderate extent. Additionally, findings show that the procurement units that receive the greatest additional support to implement the Act also involve the various user departments the most in procurement planning. The institutions therefore comply with the legal requirement that a public organization's procurement plan should be a consolidation of departmental plans. (Kiage, 2013) On the other hand, the procurement units that were involved to a small extent in procurement planning also received minimal support (to a small extent) in implementing the Act.

The final objective of the study was to evaluate the effect of procurement planning on implementation of the Public Procurement and Asset Disposal Act 2015 in public universities in Mombasa County. Respondents were asked to rate their opinions on procurement planning activities using the Likert scale: very great extent, great extent, moderate extent, small extent and very small extent.

	Mean	Standard Deviation
extent to which procurement plans are prepared and implemented	1.53	1.281
extent to which user departments are involved in procurement planning	1.18	1.131
extent to which procurement unit receives support from management	1.53	1.179
extent to which the procurement unit received additional support in implementing the PP Act 2015	1.76	1.300
extent to which financial commitments are approved before starting the procurement process	1.29	1.404
extent to which the unit adheres to the budgetary allocation	1.35	1.272

Table 8: Procurement Planning

Source: SPSS

Findings show (Table 8 above) that in all institutions surveyed procurement plans are prepared and implemented, with a mean 1.52. More respondents agree that the procurement unit in their institutions receives additional support in implementing the PP Act 2015, mean of 1.53 with minimal variations in the data (standard deviation 1.3). The least significant area is the extent to which user departments are involved in procurement planning whose mean is 1.18 and standard deviation of 1.131.

4.7. Implementation of the Act

According to majority of the respondents, public procurement policies have changed in the public universities in Mombasa County with the enactment of the PPAD Act 2015. Table 9 below compares the responses concerning whether or not the procurement policies have changed with the enactment of the Act and whether there are practical measures that have been put in place to implement the Act.

Whether or not policies have changed with the enactment of the new Public Procurement Act (2015)? * practical measures have been placed to comply with the Act Cross tabulation						
Count						
		practical measures have been placed to comply with the Act				Total
		disagree	undecided	agree	Strongly agree	
Whether or not policies have changed with the enactment of the new Public Procurement Act (2015)?	yes	1	0	7	3	11
	no	1	1	2	2	6
Total		2	1	9	5	17

Table 9: Implementation of the Act
Source: SPSS

Table 9 shows that there were policies that have changed, there has also been practical measures put in place to comply with the Act. Although in few cases, policies did not change yet practical measures were put in place to comply with the Act. The following variables were used to measure the extent of implementation of the Public Procurement and Asset Disposal Act 2015 in public universities in Mombasa County. Table 10 below shows the findings for the implementation of the Act.

	Mean	Standard Deviation
Whether or not policies have changed with the enactment of the new Public Procurement Act (2015)?	0.35	0.493
there is visible support for PP from top level management	3.06	0.966
practical measures have been placed to comply with the Act	3.00	0.935
the institution has measures to engage stakeholder in carrying out procurement lawfully	3.06	0.966
Monitoring and evaluation is carried out periodically to ensure compliance to the Act	2.82	1.015
the PP manual for schools and colleges by the PPOA helps in compliance to the Act	2.76	1.348

Table 10: Implementation of the Act
Source: SPSS

The policies in the institutions sampled have changed to a small extent according to the sample mean (0.35), however practical measures have been put in place to ensure compliance with the Act; the sample mean is 3.00. Two statements were considered most significant according to the findings namely, there is visible support for PP from top level management and the institution has put in place measures to engage stakeholder in carrying out procurement lawfully, both with the highest mean in this section, 3.06.

5. Summary, Conclusions and Recommendations

5.1. Introduction

The objective of the study is to establish the factors affecting the implementation of the Public Procurement and Asset Disposal (PPAD) Act 2015 in public universities in Mombasa County. The PPAD 2015 and the Public Procurement and Disposal Regulations 2014 provide a strong legal framework for public procurement however they do not automatically guarantee effectiveness in public procurement. As estimated by Ambasa (2014), 25% of public expenditure could be saved through the proper implementation of public procurement regulation.

5.2. Summary

The summary of the major findings have been analyzed considering each variable as follows.

5.2.1. Procurement Staff Competence

The study found that there is low level of registration with the procurement registration body, Kenya Institute of Supplies Management (KISM). Those that were registered were all degree holders (post-graduate and undergraduate). There is therefore a low level of professionalism which has been observed to be a cause of non-compliance to procurement laws (De Boer & Telgen, 2006). The low level of professionalism may be attributed to the lack of procurement units in most of the institutions in Mombasa County (six out of the seven universities sampled) are campuses of the main institution located in other counties. Procurement in public universities is centralized therefore the campuses have representatives who may be professionals in other fields carrying out the duties of procurement at the local level with guidance from the procurement unit in the main campus.

5.2.2. Staff awareness of Public Procurement Regulations

The study found that a significant number of procurement personnel sampled in the public universities were familiar with the PPAD Act 2015, though they do not have access to the same. Respondents agree that the Act 2015 and Regulations 2014 are useful in carrying out daily operations. Few respondents have gone through sensitization of the PPAD Act 2015. Therefore, findings show that there is awareness of the PPAD Act; however, more sensitization needs to be done so that procurement personnel have more information about the legal frame-work, principles, procedures and processes of procurement which will enable them to comply to the requirements stated.

5.2.3. Procurement Planning

The study finds that public universities in Mombasa County involve procurement units in preparing the procurement plan; findings show that the procurement units in public universities in Mombasa are involved in procurement planning to a great extent. Additionally, procurement units receive additional support so as to implement the PPAD Act 2015. Those institutions that involved user departments received the greatest additional support to implement the Act.

5.2.4. Implementation of the Act

This study shows that the public universities in Mombasa County have changed their policies to comply with the PPAD Act 2016 to a small extent and there is visible support from top level management. Additionally findings show that policies have not changed in all institutions however measures have been put in place to comply with the Act.

5.3. Conclusion

In conclusion, this study shows that staff competence, awareness of the public procurement regulations and procurement planning contribute to a small extent to the implementation of the PPAD Act 2015. There is low level of professionalism among procurement personnel in the public universities in Mombasa County. This may be attributed to the lack of a procurement unit in the campuses in Mombasa County that are branches of the main campus. Procurement personnel in the campuses are aware of the PPAD Act 2015; however they have low levels of access and familiarity to the Act. Public officers will not be able to comply with the Act if they are not familiar with it. Not many of the respondents were sensitized about the Act by the PPOA. In terms of procurement planning, the public universities involve user department in planning and also the management is supportive in terms of providing additional support for implementing the Act.

Six out of seven of the public universities are smaller campuses of the main campuses located outside Mombasa, therefore procurement is centralized and only a few personnel carry out procurement in the campuses. Due to this, the findings may not be an accurate representation of public universities and their implementation of the PPAD Act 2015.

5.4. Recommendations

The PPOA should carry out sensitization for procurement personnel specifically so that they are familiar with the changes in the new Act. All staffs that carry out procurement in public institutions should be trained as not all staffs that carry out procurement activities are procurement professionals. This is true for the public universities in Mombasa County as procurement is centralized.

5.5. Limitations of the Study

The study focused on public universities in Mombasa County only; this limited the findings since the public universities in the county are branches of the main universities located outside Mombasa. The study did not have the capacity to evaluate the effect of the staff competence, staff awareness of public procurement and procurement planning on the implementation of the PPAD Act 2015 in public universities throughout the country. Additionally, factors that affect the implementation of the Act may be evaluated using other public entities, such as parastals.

5.6. Suggestions for Further Study

This study focused on the factors affecting implementation of the Public Procurement and Asset Disposal Act 2015 in public universities in Mombasa County. Further research should be done to find out the factors affecting the implementation of the PPAD 2015 in public institutions. Additionally, further research should be done on procurement staff competence and how it impacts compliance to the legal framework on public procurement in Kenya.

6. List of Acronyms

➤ GDP	Gross Domestic Product
➤ GOK	Government of Kenya
➤ PP	Public Procurement
➤ PPAD	Public Procurement and Asset Disposal
➤ PPAD	Public Procurement and Disposal Act
➤ KACC	Kenya Anti-Corruption Commission
➤ KISM	Kenya Institute of Supplies Management
➤ KSH	Kenya Shillings
➤ OECD	Organization for Economic Co-operation and Development
➤ PPOA	Public Procurement Oversight Authority
➤ PPRB	Public Procurement Complaints Review and Appeals Board
➤ RBV	Resource Based View
➤ USD	United States Dollar
➤ SPMA	Suppliers Practitioners Management Act
➤ SPSSA	Statistical Package for Social Sciences

7. Definition of Terms

Accounting officers	for a public entity (other than a local authority), it is the person appointed the Permanent Secretary to the Treasury or, if there is no such person, the chief executive of the public entity(The Republic of Kenya, 2005)
GDP	measures the monetary value of final goods and services produced in a country in a given period of time; it considers all of the output generated within the borders of a country(Callen, 2012)
Procurement	the acquisition by purchase rental, lease, hire purchase or by any contractual means of any type of works, assets, services or goods and includes advisory, planning and processing in the supply chain system. (Republic of Kenya, 2015)
Public Procurement	Procurement by procuring entities using public funds (Republic of Kenya, 2015)
Public entity	a public entity making procurement or asset disposal to which the Public Procurement and Asset Disposal Act 2015 applies(Republic of Kenya, 2015)
Procurement compliance	Procurement compliance is the extent to which procurement stakeholders comply with the existing Public Procurement and Asset Disposal Act 2015 and Regulations 2014 (Ombukiet <i>al.</i> , 2014)
Procurement performance	accomplishment of employees' task that result to customer satisfaction, efficient information flow and quality procurement management (Barsemoi <i>et al.</i> , 2014)

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APPENDICES
APPENDIX I: LETTER OF INTRODUCTION

Diana Wanjiru Maina,
Jomo-Kenyatta University of Agric. & Technology
Dear Respondent,

RE: RESEARCH STUDY

I am a Master of Science student at Jomo-Kenyatta University of Agriculture and Technology presently carrying out a study on the topic **factors affecting the implementation of the Public Procurement and Asset Disposal 2015 in public universities in Kenya** as part of the requirements to be awarded the MSc Procurement and Logistics degree.

I kindly request that you fill the questionnaire attached, in full, which will not take up much of your time. The results will be used for academic purposes and will be treated with utmost confidentiality. Should you have any enquiries or comments regarding this survey, you are welcome to contact me through phone or email.

Thanking you in advance for taking your time to participate in this study.

Yours Sincerely,
Diana Maina

APPENDIX II: QUESTIONNAIRE

This is a survey study to establish the factors affecting implementation of the Public Procurement Asset Disposal Act (PPAD) 2015 in public universities in Kenya, focusing on institutions in Mombasa County. Kindly read carefully and fill the questionnaire as honestly as possible. All information will be handled with utmost confidentiality. Do not indicate your name or any other personal detail anywhere in the questionnaire.

Please tick where appropriate and for any explanation please be brief.

1. Section A: Background Information

1. Gender

Male	<input type="checkbox"/>
Female	<input type="checkbox"/>

2. Kindly indicate your job title.....

3. How long have you worked in the procurement department

1 – 5 years	<input type="checkbox"/>
6 – 10 years	<input type="checkbox"/>
11 – 16 years	<input type="checkbox"/>
More than 16 years	<input type="checkbox"/>

2. Section B: Procurement Staff Competence

4. Kindly indicate your level of education

KCSE	<input type="checkbox"/>
Certificate	<input type="checkbox"/>
Diploma	<input type="checkbox"/>
Degree	<input type="checkbox"/>
Masters	<input type="checkbox"/>
Professional Qualification	<input type="checkbox"/>

Kindly specify _____

5. Are you a member of Kenya Institute of Supplies Management

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

6. Have you undergone any further training on public procurement?

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

If yes, please state _____

7. Kindly indicate the extent to which you agree with these statements

1 = strongly disagree, 2 = disagree, 3 = undecided, 4 = agree 5 = strongly agree

	1	2	3	4	5
I frequently undergo training in public procurement					
The training in public procurement is useful in carrying out operations					
The institution is compliant with the Public Procurement and Asset Disposal Act 2015					

3. Section C: Staff Awareness of Public Procurement Regulations

8. Do you have access to the Public Procurement and Asset Disposal 2015 and Regulations 2014 (or PPAD 2005 and Regulations 2016)?

Yes	
No	

9. How familiar are you with the Public Procurement and Asset 2015 (or PPAD 2005)?

Very familiar	
Familiar	
Neutral	
Not familiar	
Extremely not familiar	

10. The Public Procurement Oversight Authority user guide to the PPAD 2015 and Disposal Public Procurement and Disposal Regulations 2014 (or PPAD 2005) is useful in carrying out procurement activities on a day-to-day basis. Do you agree?

Strongly disagree	
Disagree	
Neutral	
Agree	
Strongly agree	

11. To what extent is the institutions procurement policy in line with the Public Procurement and Asset 2015 (or PPAD 2005)?

very great extent	
great extent	
moderate extent	
small extent	
very small extent	

12. Have you gone through any sensitization program on the Public Procurement and Asset 2015 (or PPAD 2005)?

Yes	
No	

If yes, kindly specify by which organization _____

4. Section D: Procurement Planning

13. Kindly indicate the extent to which the university practices the following activities relating to procurement planning

1 = very great extent, 2 = great extent, 3 = moderate extent, 4 = small extent and 5 = very small extent

Procurement planning	1	2	3	4	5
Preparing and implementing procurement plans annually					
Participation of user departments in preparation of plan					
Receiving management support in terms of resources needed					
Provide additional resources to carry out procurement in accordance with the PPAD 2015 e.g. measures to prevent corruption					
financial commitments are approved before starting the procurement process					
Adhering to annual budgetary allocations					

5. Section E: Implementation of the Act 2015

14. Have the policies in your institution changed with the enactment of the Public Procurement and Asset Disposal Act 2015 from the previous one (PPAD 2005)?

Yes	
No	

15. Kindly indicate the extent to which you agree with these statements

1 = strongly disagree, 2 = disagree, 3 = undecided, 4 = agree 5 = strongly agree

	1	2	3	4	5
There is visible support for public procurement procedures from the top level management					
Practical measures have been put in place to ensure the institution is compliant to the guideless set out in the Act					
The institution has measures in place to engage stakeholders in carrying out procurement lawfully					
Monitoring and evaluation is carried out periodically to ensure compliance to the Act					
The public procurement manual for schools and colleges by the PPOA is useful in ensuring compliance with the Act and regulations					

16. What are the challenges you face in carrying out procurement according to the rules and regulations set out in the Public Procurement and Asset Disposal Act 2015 (or PPAD 2005)?

APPENDIX III: WORKPLAN

The following is the projected plan of events leading up to the submission of the final project in August 2016

Activity	JANUARY	FEBRUARY				MARCH				JULY				AUGUST		
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	
Topic identification approval; literature review & drafting chapter 1- 3																
Submission of research proposal																
Presentation of the research proposal																
Correction of proposal																
Collection of data																
Drafting chapter 4 - 5																
Proof reading, printing & binding																
Submission of the research project																
Presentation of the research project																
Submission of the final project																

APPENDIX IV: ESTIMATED BUDGET

The following is an estimate budget needed to carry out the research, from the day the research begins to the presentation of the final report

S/N	DESCRIPTION	COST
1	Travelling expenses	5,000
2	Internet services	6,000
3	Printing services	10,000
4	Binding	3,000
5	Stationery	2,000
6	Miscellaneous	5,000
	TOTAL	31,000