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Legal and Regulatory Requirements and Project Implementation in the Public Sector: Case of Bura Irrigation Scheme, Kenya

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Abstract:

Implementation of irrigation projects within the public sector is a critical component of achieving the nutritional development and food security agenda of any nation. It remains the most viable method of ensuring food production in arid and semi-arid areas such as in Kenya's northern frontier. Governments across the world and even in Africa have continuously grappled with several challenges in a bid to ensure food security for their citizens amid the exponential growth in population. These vast populations require food for survival and hence the need to find sustainable means of food production. However, implementation of such irrigation projects continues to be riddled with a variety of challenges, that are assumed to have had an impact on such public sector projects are implemented. In an effort to meet one of Kenya's Big Four Agenda of Food Security and Nutrition it is vital that some of the determinants that affect the implementation of irrigation projects by the public sector such as the Bura Irrigation Scheme are sufficiently explored and addressed. It is the aim of the government to complete the projects on time; under a stipulated budget as well as that it should be accepted and utilized by the clients it is meant for, that is, the citizens. The purpose of this study was to find out how legal and regulatory requirements determine project implementation in Bura Irrigation Scheme. A literature and empirical survey indicate that legal and regulatory requirements within the public sector as some of the likely variable with regard to implementation of projects in the public sector. Some of the theories that have been identified in relation to these variables include the Resource Dependence Theory and the Systems Theory. It was therefore the purpose of the study to investigate this variable using the Bura Irrigation Scheme as the case of study. The study adopted descriptive research design using questionnaires as the primary research instrument of collecting data in a confidential and cost-effective manner from a target population of 50 respondents. The sample size was determined through census study which identified all the 50 respondents as the sample size due to their knowledge of the intricacies surrounding the project. The data collected was analyzed and presented using regression analysis. The study found that legal and regulatory requirements positively and significantly influence project implementation in Bura Irrigation Scheme. There is therefore need to improve bureaucracy in the implementation of the Bura Irrigation Scheme.

Keywords: Legal and regulatory requirements, project implementation, public sector

1. Background

The Project Management Institute (PMI) notes the essential elements of a project as a defined beginning and end time as well as defined resources and time. It also details the uniqueness of the operations therein and their designation towards achieving a singular purpose (Pmi.org, 2019). Ndabezinhle Dube notes Atkinson's argument about the ability of measuring the success in implementation by cost, quality and time which are evidently illustrated by the PMI (Dube, 2015). Indeed, the argument by Pinto and Slevin was that the process of project implementation was made complex by the ever-present need for simultaneous attention to a vast array of technical, human and budgetary variables as explained in the elements of a project above (Sikudi and Otieno, 2017).

However, Caliste posits that the success of a project cannot usually be measured solely on the basis of expected time of delivery. She argues that projects are started for a specific reason, to meet a particular need as well as to address a given matter and may therefore possess a stated objective or an unstated set of objectives. Hence the success of a project must consist of a 'measure against these objectives' which is usually possible sometime after the project has been implemented or in the long term (Caliste, 2012). Notably, in Kenya, accomplishing a project at the specified excellent requirements, on time, within budget, and vitally without price escalations is primary criterion of attainment of adequate implementation (Doloi, 2011). On the other hand, Adzewodah in noting the myriad implementation challenges within the public sector alludes to Cusworth and Franks' description of project failure in two categories. These, he adds are failure to effectively implement the project within the set budget, on time and on time as well as the inability to achieve the planned

impact by the project facilities (Adzewodah, 2009). He attributes these failures to weak financial and institutional arrangements within the public sector.

The public sector comprises of the set of organisations that deliver government services and goods either at the local or national level. Its size usually differs within different countries and based on the political philosophy of the said country. For example, the whole economy belongs to the public sector in communist nations. This will often determine the ultimate goals and set the objectives whenever any projects are undertaken by the government. Despite its evolution over time some of the most consistent aspects of the public sector include: public transportation, fire services, water services, healthcare, electricity and gas, waste management, social security, police service and social welfare and children (Njeru, 2018).

The Kenyan public sector consists of various departments that have specific mandates in public service delivery. These services are formulated and implemented in terms of projects to the public. Successive governments have had to outline these project frameworks through legislations, policy documents and creation of delivery units that are assigned the specific task of handling particular projects. For example, the Vision 2030 which was launched by former president Mwai Kibaki entails Kenya's development plan from the year 2008 to the year 2030. It was focused on helping the nation in the transformation towards an industrializing middle-income economy with a provision for high quality of life among the citizens (Njeru, 2018).

In his second term, President Uhuru Kenyatta unveiled the Big Four Agenda whose plan is 'to create 1.3 million manufacturing jobs' by the year 2022 as well as achieving a hundred per cent in health coverage for all Kenyans. The specific key projects that underpin this development agenda are manufacturing, affordable housing, food security as well as universal healthcare (Lang'at, 2018). These legal frameworks form part of the elements that ensure successful implementation of projects within the public sector. In line with its mandate to achieve food security, it has been the Kenyan government's effort to ensure the agricultural productivity is fostered. Regrettably, agricultural productivity has steadily stagnated in the current years notwithstanding the continuous growth in population. Furthermore, only about twenty percent of land in Kenya is arable. In these arable lands, there has been no attainment of maximum yields which leaves a significant potential for boosting productivity (Maina, 2018). It is with these objectives in mind that the government started the National Irrigations Board (NIB) through ACT Cap 347 to 'provide for development, control and improvement of irrigation schemes and for purposes incidental thereto and connected therewith' (NIB, 2018).

The Constitution of Kenya 2010 was as a legal tool changed the operational, legal, statutory as well as the context of management of irrigation in Kenya. The Act mandates NIB to manage seven public schemes in the country. These include: Bura, Bunyala, Ahero, Tana, Mwea, Perkerra and West Kano irrigation schemes. These are public schemes established on land that is held by NIB in trust on behalf of the government. Some of the irrigation flagship projects that NIB is implementing include: Bura Irrigation Rehabilitation Project, Mwea Irrigation Development Project as well as the Galana Kulalu Food Security Project (GKFSP) (NIB, 2018). Despite its transfer to other government ministries between after 1985, it was later returned to the management of the National Irrigation Board in December 2005 (NIB, 2018). It was the intention of this study to explore the determinants of project implementation in the public sector with the case of Bura Irrigation Scheme. Some of the determinants identified for this study include: Legal and regulatory requirements which include policies, laws and regulations that are formulated by other government agencies and the legislature that are meant to ensure the effective implementation of a project (Adzewodah, 2009). While these are meant to ensure accountability, fairness, transparency and adherence to quality standards, they may also impede the effective delivery of projects especially within the public sector (Caliste, 2012).

1.1. Statement of the Problem

Even after, the epoch of the county governance structure and a national governance change, Kenya has continued to face major hurdles towards the implementation of projects within the public sector. Government efforts to ensure effective implementation began as early as 1965 with the creation of an institutional framework, Sessional Paper No. 10 (Hope, 2013). This has been especially noted in the need to ensure sustainable food production through measures such as irrigation. Kenya has made huge investments on various aspects of the public sector to ensure the implementation of public sector projects especially on ensuring food security to no avail. The government made several attempts to ensure public sector transformation over the following years in an attempt to ensure effectiveness in implementation in of public sector projects. This included an attempt at decentralization as a development approach in the 1970s. However, the continuous changes in development governance structures and the political turmoil of the time created massive impediments to the implementation of most government projects (Hope, 2013). A great proportion of public sector projects in Kenya have experienced delays, stalled and been entirely eliminated.

1.2. Research Questions

How do legal and regulatory requirements determine implementation of Bura Irrigation Scheme?

2. Review of Related Literature

2.1. Project Implementation

The findings of Johari (2010) lead us to the general conception of the success of implementation of a public sector project as one that is: completed on time; completed on the stipulated budget as well as that which is accepted and utilized by the clients (Johari, 2010).

It is the principles above that underline the concept of implementation success within the public sector. In discussing the time scales defined for the implementation of a given public sector project, it is important not to give vague figures but realistic estimations. It is vital to provide the justifications for the given time scales. Johari (2010) study details both phase-1 and phase-2 projects that had different time scales. However, these respondents could not provide any justification for the timescales of the project that they were assigned. It is also noted that the delivery schedule was not attached as an appendix to the contract document but prepared separately by the Project Management Consultant (Johari, 2010).

This is a critical failure in the implementation of most public sector projects. It is the study's view that there ought to have been adequate analysis between the government and all relevant stakeholders on the period of implementation of the project. This is a critical factor to ensure that projects are handled efficiently and effectively. Further, this would ensure that those tasked with these projects are held to account by legally binding agreements since these periods required for implementation of the specific project are outlined in the contract. The effect would be to ensure full commitment which would prevent delays and unnecessary stalling of the project.

Abdalla and Otieno's study notes that project implementation depends on the previous project cycle phases and most precisely on the formulation stage and it calls for use of resources according to the activity schedule which subsequently leads to achievement of results and ultimately recognition of the project which contributes to the project's overall goal, that is, project implementation (Abdalla & Otieno, 2017). This means that project implementation cannot be looked at in isolation but other factors must be examined in relation to it so as to provide context.

Johari's study further notes the fact that while the users appreciated having the presence of Information Communication and Technology (ICT) in their academic learning, there was a major deficiency of the computer facilities. There was no proper syllabus or even the required software for facilitating the subject of Information technology from the relevant ministry. His study further enunciates the issue of prioritization of the new study to the examination-year students (Johari, 2010). This is notably as a result of the failure to involve the relevant stakeholders that he highlights in his initial findings. It is no wonder, that implementation and the actual rolling out of this mode of learning became a major challenge in Malaysia.

This has not just been the case in Malaysia as is elaborated from Johari's findings; rather it has been a major challenge in Kenya where the implementation of the school laptop program was rolled out without consideration that some schools did not have the vital facilities needed to ensure not just the security of these products but also the usability (Johari, 2010). It is important that the necessary infrastructure is laid before such costly projects are carried out in the public sector. This will prevent wastage and improve acceptance and utilization.

Part of ensuring successful project implementation is ensuring that the project is completed within the stipulated budget. Notably when the factors above are devotedly adhered to, then there is a minimal risk of running beyond the budget. However, this must be coupled with not just a clear understanding of the goals and objectives of the project but also flexibility. These must all be elaborated at the beginning of the project. Johari's study reveals a wanton lack of adherence to these fundamental principles (Johari, 2010). It is because of the failure to adhere to these factors that the implementation of the Information Communication and Technology programme in Malaysia has continued to encounter such challenges.

2.2. Legal and Regulatory Requirements and Project Implementation

Government policies and regulations are vital, pervasive and often exert a positive influence on the economic development as well as the business environment in the United States. These have been cited as critical in providing a stable environment for implementation of projects in the public sector. In Kenya for example, some of the laws that have been previously used in the implementation over the past twenty years include, the Public Procurement and Disposal Act 2005, Companies Act, the Constitution of Kenya, County Governments Act as well as the Public Finance Management Act. These may also be specific depending on the type of public sector project being undertaken (Njeru, 2018).

Recently, there has been increased attention on legal institutions as well as the role of the law in the implementation of projects in the public sector and general development. This has been marked by a parallel shift in analysis of the role of the state as well as the reorientation of strategies of governance in promoting implementation initiatives especially in the public sector. The Food and Agricultural Organisation have found that good laws as well as functioning legal institutions form critical contributions towards flexibility, predictability as well as security that are necessary in defining such environments. Contrarily, poorly implemented and designed laws have the effect of inhibiting and constraining investment, discourage appropriate interventions by the government as well as distort the economic incentives.

This has been determined as a major cause especially in housing projects in Tanzania (Kavishe & An, 2016). Usman et al in their study on the impact of policy and procedural framework on project performance have noted that there is a greater link in performance improvement by complying with procedural and policy frameworks. Their study details that these do not just have an impact on performance but also promote ethical adherence and professionalism within the sector (Usman, Kamau & Mireri, 2014). In Jambol's study on the building industry in the Nigerian public sector, he notes that the major cause for underperformance, indiscipline and uncoordinated implementation within the Nigerian public sector is because of disrespect for the constituted authority and the inability of the professionals to adhere to these legal frameworks in project delivery (Jambol, 2012).

Ede's (2010) study notes that while legal and policy frameworks are expected to be the directing principle, even government officials do not follow the standards set out in these provisions in Nigeria. He notes in his study on town

planning how, these same government officials often end up allocating plots without adherently following the laid down procedures and rules (Ede, 2010). This is a finding that is agreed upon by Ike (2012). In his study on the he discovers that most of these departments do not comply with the law with respect to their laws. This is partly attributed to the fact that they are the part creators and enforcers of some of these legal frameworks.

However, in Dubai, studies have illustrated that before any project commences, specialized consultants are engaged who study the soil and conduct investigations to ensure strict adherence to these frameworks. Here, studies have illustrated that contractors are not allowed to mobilize to site until after the approval process is complete. Materials must also be certified by the consultant before they are used in the site and every level and building process must be inspected before approval. Government as well as professional bodies are mandated by the legal requirements to monitor and track building from the initial to the final phases (Ike, 2012). Usman et al remark in their study that in Nigeria, it is not the absence of legal policies and guiding frameworks in the implementation of public sector projects but the lack of compliance that is the major cause of poor implementation of public sector projects (Usman, Chen &Lodson, 2010). The 2013 International Atomic Energy Agency report notes the profound challenge of legal enforcements in legacy sites. They explain that various jurisdictions have allowed governments to retroactively assign the liabilities realized to the successor companies even in cases where a project was implemented before the legislation came to force (IAEA, 2013).

3. Theoretical Framework

3.1. Resource Dependence Theory

The resource dependence theory was earliest elaborated by Jeff Pfeffer through his Stanford University PhD dissertation that demonstrated the significance of power relations and exchange around and in organizations. He further developed this concept through his later publications especially in 1972. This development was further enriched by Gerry Salancik's 'complementary micro-orientation' as well as other scholars such as Mike Hannan, Eugene Webb, James Miller and Dick Scott (Davis and Cobb, 2010).

This theory portrays the corporation as an open system that depends on contingencies within the external environment. Hillman et al quote Pfeffer and Salancik in this regard; "to understand the behavior of an organization you must understand the context of that behavior—that is, the ecology of the organization." It recognizes the existence of an uncertain environment within which the organisation exists that has a significant influence on the behavior of the organisation and the fact that despite this constrained environment, managers must act judiciously to reduce dependence and uncertainty caused by these critical factors. Principal to this is the power concept which arises from control of vital resources (Hillman, Withers and Collins, 2009).

3.2. Systems Theory

This theory has its conceptualization from Aristotle's Holism which is Aristotle's claim that knowledge results from the comprehension of not only single parts but the whole. It is upon this that researchers and scholars endeavored over history to find out the contents of organizations as well as the relative dynamics involved. This is what has given prominent rise to the Systems theory. It is therefore an interdisciplinary theory that is concerned with all systems in nature, society and other scientific domains including a framework for a holistic approach in the investigation of these phenomena. Mele et al in reference to von Bertalanffy's 1968 publication reiterate that the systematic perspective add that we are not conclusively able to understand a phenomenon simply by breaking the phenomenon into distinct elementary parts then remodeling it, rather, we require the application of a global vision so as to accentuate its functioning (Mele, Pels and Polese, 2010).

While noting the study of the dynamics of organizational culture and performance measurement using the systems theory, Onyango (2017) affirms that it is the best model in the study of critical factors determining public sector project implementation because of its specialization in organisation systems, its utilization on measurements of a psychometric nature, the accessibility of researched material data as well as the fact that it is the leading model for investigating service delivery within the public sector.

3.3. Research Methodology

This study utilized descriptive research design. Descriptive research design is mainly used in exploratory and preliminary studies. It enables the researchers gather, summarise, present, analyse and interpret the data gathered with the intent of clarification.

The study was carried out in Kenya within Tana River County where the Bura Irrigation Scheme is located as well as the Nairobi where the Ministry of Agriculture, Livestock, Fisheries and Irrigation as well as the National Irrigation Board are located. The target population of this study consisted of fifty people. This consists of ten individuals from the Ministry of Agriculture, Livestock, Fisheries and Irrigation (MALFI), twenty individuals from the National Irrigation Board (NIB), ten project officials from the ground and ten community leaders. This was outlined in the table below:

Category	Target Population
MALFI Management	10
NIB Management	11
NIB Board	9
Project Officials (on ground)	10
Community Leaders	10
Total	50

Table 1: Target Population
Source: Ministry of Agriculture, Livestock, Fisheries and Irrigation

This study employed census study because of the small target population with defined characteristics embodied in the variables under investigation. This involved interviewing the entire target population. The sample size chosen for this study was fifty people.

The main instrument of data collection in this study was questionnaires. These have been selected due to the ease in administration to respondents.

Mugenda and Mugenda (2009) refer to validity as the meaningfulness as well as the accuracy of the results-based research inferences. Wiersma argues that validity assessments are opinions that are subjective based on the researcher's judgment.

This means that reliability is primarily focused the repeatability of a study's results. This is usually affected by random error. This was tested using the Cronbach's reliability coefficient.

From the findings presented in Table 2, legal & regulatory requirements had a Cronbach alpha value of 0.812, and project implementation 0.809. All the variables had Cronbach alpha value greater than 0.7. These findings suggest that all the variables were reliable because they had alpha values greater than selected threshold value of 0.7.

Variable	Cronbach's Alpha	No. of Items
Legal & Regulatory Requirements	0.812	3
project implementation	0.809	3

Table 2: Reliability Analysis

An introduction letter from the university was obtained which was presented to each stakeholder so as to facilitate the collection of the required data from the respondents. The drop and pick method were the most preferred in administering the questionnaires since it gives the respondents sufficient time to provide well thought out answers. The study involved data cleaning after collecting all the responses which enabled identification the inaccurate as well as the incomplete responses which were corrected so as to enhance the responses' quality. Afterwards, the data was entered, analyzed and presented using regression analysis. The regression model was as follows:

$$Y = F(X_1)$$

$$Y = \beta_0 + \beta_1 X_1 + \varepsilon$$

Where: Y= Project implementation

X1 = Legal & Regulatory Requirements

β_0 = Constant

ε = Margin of Error

3.4. Research Findings and Discussions

The selected sample for the study was 50 officers and personnel directly involved in the implementation of the Bura Irrigation Scheme. All the selected respondents were issued with questionnaires but the study was able to receive back 45 questionnaires having been dully filled. The returned questionnaires formed a response rate of 90%. According to Kothari (2016) a response rate of 50% should be considered average, 60% to 70% considered adequate while a response rate of above 70% should be regarded as excellent. This implies that the response rate of 90% was adequate for analysis, drawing conclusions and reporting.

3.5. Legal and Regulatory Requirements

Respondents were asked to select their level of agreement with various statements on whether legal and regulatory requirements determine the implementation of Bura Irrigation Scheme.

Response	Frequency	Percentage (%)
Yes	42	93
No	3	7
Total	45	100

Table 3: Legal and Regulatory Requirements

Based on the findings in Table 3, 42(93%) of the respondents agreed that legal and regulatory requirements determine the implementation of Bura Irrigation Scheme. Only 3(7%) of the respondents disagreed. These findings

suggest that implementation of Bura Irrigation Scheme is determined by legal and regulatory requirements as supported by majority (93%) of the respondents. This is supported by Njeru (2018) that government policies and regulations are vital, pervasive and often exerts a positive influence on the economic development as well as the business environment. These is because, they are critical in providing a stable environment for implementation of projects in the public sector.

Respondents were also asked to indicate the level of compliance to statutory regulations during the implementation of the Bura Irrigation Scheme. Table 4 presents the findings obtained.

Response	Frequency	Percentage (%)
Very Great	15	33
Great	21	47
Not Sure	9	20
Total	45	100

Table 4: Level of Compliance Legal and Regulatory Requirements

The findings in Table 4 show that 21(47%) of the respondents indicated that they greatly comply with statutory regulations during the implementation of the Bura Irrigation Scheme, 15(33%) complied very greatly, and 9(20%) were not sure on the extent of their compliance. Based on the findings, Bura Irrigation Scheme complies with statutory regulations during its implementation. Only 33% agreed that their compliance was very great; this therefore suggest that they still have some room to improve their compliance levels.

Respondents were further asked to indicate their level of agreement with various statements by ticking only once in each of the statements. They were asked to use the scale 5=strongly agree, 4=agree, 3=neutral 2=disagree 1=strongly disagree. Table 5 presents the findings obtained.

Statements	1	2	3	4	5	Mean	Std. Dev.
Compliance to statutory regulations improves implementation of the project	6	0	9	9	21	3.867	0.932
Changes in statutory regulations have affected implementation of the Bura Irrigation Scheme	6	3	12	18	6	3.333	0.604
Are legal and regulatory requirements adhered to during the implementation of the project?	0	3	9	21	12	3.933	0.798

Table 5: Descriptive Statistics on Legal and Regulatory Requirements

From the findings in Table 5, the respondents agreed that legal and regulatory requirements are adhered to during the implementation of the project as indicated by a mean value of 3.933 and standard deviation of 0.798. The respondents also agreed that compliance to statutory regulations improves implementation of the project as indicated by a mean value of 3.867 and standard deviation of 0.932. The respondents also had neutral opinions on the statement that changes in statutory regulations have affected implementation of the Bura Irrigation Scheme as indicated by a mean value of 3.333 and standard deviation of 0.604. These study findings concur with Kavishe and An (2016) that good laws as well as functioning legal institutions form critical contributions towards flexibility, predictability as well as security that are necessary in defining such environments. Therefore, poorly implemented and designed laws have the effect of inhibiting and constraining investment, discourage appropriate interventions by the government as well as distort the economic incentives.

3.6. Regression Analysis

The study conducted regression analysis to investigate whether legal and regulatory requirements determine the implementation of Bura Irrigation Scheme in Kenya. The regression findings were presented in three tables discussed in subsections here-under.

4. Model Summary

Model summary is used to determine the amount of variation in dependent variable that can be explained by changes in the independent variables. In this study, the amount of variation in project implementation as a result of change in legal and regulatory requirements, professional expertise, financial resource availability, and bureaucratic red tape was sought.

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.861 ^a	.741	.723	.09275

Table 6: Model Summary

a. Predictors: (Constant), Legal And Regulatory Requirements

From the findings, the value of adjusted R² was 0.723 suggesting that 72.3% variation in project implementation can be explained by changes in legal and regulatory requirements. The remaining 27.7% suggest that there are other factors that can be attributed to change in project implementation that were not discussed in this project. The study also

established that the variables under investigation are strongly and positively related as indicated by correlation coefficient value (R) of 0.861.

4.1. Analysis of Variance

Analysis of variance is used to determine significance of the model developed. In this study, significance of the model was tested at 5% level of significance.

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	28.064	1	28.064	73.762	.000 ^b
	Residual	16.36	43	0.380		
	Total	44.424	44			

Table 7: ANOVA

a. Dependent Variable: Project implementation

b. Predictors: (Constant), legal and regulatory requirements

From the findings, the p-value obtained (0.000) was less than the selected level of significance (0.05); this therefore suggests that the model is significant and can be used to predict project implementation in the public sector. The findings also revealed that the f-calculated value (73.762) was greater than the f-critical value (2.606) an indication that legal and regulatory requirements significantly influence project implementation in Bura Irrigation Scheme.

4.2. Beta Coefficients of the Study Variables

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	1.236	0.144		8.583	.000
	Legal & Regulatory Requirements	0.284	0.068	0.301	4.176	.000

Table 8: Coefficients

From The Findings, the Fitted Regression Equation Was;

$$Y = 1.236 + 0.284 X_1 + \epsilon$$

Where: Y= Project Implementation; X1 = Legal & Regulatory Requirements

a. Dependent Variable: Project Implementation

The findings also show that legal and regulatory requirements have a significant influence on project implementation in Bura Irrigation Scheme (p-value=0.000<0.05). The findings further show that the influence of legal and regulatory requirements on project implementation is positive ($\beta=0.284$). These suggest that legal and regulatory requirements positively and significantly influence project implementation in Bura Irrigation Scheme. Therefore, a unit increase in legal and regulatory requirements will result to an increase in project implementation in Bura Irrigation Scheme by 0.284 units.

5. Summary of Findings

The study found that implementation of Bura Irrigation Scheme is determined by legal and regulatory requirements. Government policies and regulations are vital, pervasive and often exert a positive influence on the economic development as well as the business environment. These is because, they are critical in providing a stable environment for implementation of projects in the public sector. The study also established that Bura Irrigation Scheme complies with statutory regulations during its implementation but they still have some room to improve.

The study also established that legal and regulatory requirements are adhered to during the implementation of the project as indicated. In addition, there was compliance to statutory regulations improves implementation of the project. Furthermore, it was no clear whether changes in statutory regulations have affected implementation of the Bura Irrigation Scheme. Good laws as well as functioning legal institutions form critical contributions towards flexibility, predictability as well as security that are necessary for successful project implementation. Therefore, poorly implemented and designed laws have the effect of inhibiting and constraining investment, discourage appropriate interventions by the government as well as distort the economic incentives.

6. Conclusions

The study found that legal and regulatory requirements have a significant influence on project implementation in Bura Irrigation Scheme. The study further shows that the influence of legal and regulatory requirements on project implementation is positive. These suggest that legal and regulatory requirements positively and significantly influence project implementation in Bura Irrigation Scheme. Based on these study findings, the study concludes that a unit increase in legal and regulatory requirements will result to an increase in project implementation in Bura Irrigation Scheme.

7. Recommendations

Legal and regulatory requirements were found to positively influence project implementation. The study therefore recommends Bura Irrigation Scheme to adopt good laws as well as incorporate functioning legal institutions in its projects in order to ensure flexibility, predictability as well as security that are necessary. Also, when laws are being designed and implemented, they should be done carefully done to avoid inhibiting and constraining investment, discouraging appropriate interventions by the government as well as distorting the economic incentives.

This study was limited to Bura Irrigation Scheme; the study recommends replication of the study in other public projects in the country. This includes Konza Technology City-Kenya. Konza Technology City is a smart city project that is coming up in the Eastern part of the country. Other projects include the LAPSET Corridor Program, Kenya Standard Gauge Railway, etc. The study also used a small sample (50), the study recommends replication of the research study using a large sample size to facilitate generalization of the findings. The study should also consider using interviews administered to government officials to provide additional information.

8. References

- i. Abdalla, A., & Otieno, M. (2017). Determinants of Implementation of County Government Projects: A Case of Infrastructural Projects in Kilifi County, Kenya. *International Journal of Latest Research in Engineering and Technology*, 3(9), 108-118.
- ii. Adzewodah, S. (2009). *An assessment of project implementation in the public sector: a case study of the Ghana prisons service* [Ebook]. Kwame Nkrumah University of Science and Technology. Retrieved from <http://ir.knust.edu.gh/xmlui/handle/123456789/894>
- iii. Caliste, A. (2012). *The Project Management Project - Challenges in the Public Sector*. Vancouver: Project Management Institute. Retrieved from <https://www.pmi.org/learning/library/project-management-challenges-public-sector-6033>
- iv. Davis, G., & Cobb, J. (2010). *Stanford's Organization Theory Renaissance, 1970–2000 (Research in the Sociology of Organizations, Volume 28)* (28th ed., pp. 21 - 42). Emerald Group Publishing Limited.
- v. Doloi, H. (2011). Understanding stakeholders' perspective of cost estimation in project management. *International Journal of Project Management*, 29(5), 622-636. doi: 10.1016/j.ijproman.2010.06.001
- vi. Dube, N. (2015). *Evaluating the Effect of Project Implementation Profile Tool on Interface Management in Public Sector Projects: Case Study KZN Department of Health Facilities*. University of Cape Town.
- vii. Ede, A. (2010). Building collapses in Nigeria: The trend of casualties in the last decade (2000-2010). *International Journal Of Civil And Environmental Engineering*, 10(6)
- viii. Hillman, A., Withers, M., & Collins, B. (2009). Resource Dependence Theory: A Review. *Journal Of Management*, 35(6), 1404-1427. doi: 10.1177/0149206309343469
- ix. Hope, K. (2013). Managing the Public Sector in Kenya: Reform and Transformation for Improved Performance. *Journal Of Public Administration And Governance*, 2(4), 128. doi: 10.5296/jpag.v2i4.2751
- x. IAEA. (2013). *Overcoming barriers in the implementation of environmental remediation projects*. (pp. 11-13). Vienna: International Atomic Energy Agency (IAEA).
- xi. Ike, A. (2012). Case histories of auditing collapses in Nigeria (pp. 41-57). Nigerian Building and Road Research Institute (NIBRRI).
- xii. Jambol, D. (2012). Building collapses phenomenon: Sanctions, Liabilities and Legal Implications (pp. 83-105). National Building and Road Research Institute (NBRRI).
- xiii. Johari, M. (2010). *Identifying Success Factors in a Public Sector Project* (PhD). University of Stirling.
- xiv. Kaboyakgosi, G., & Marata, K. (2013). An analysis of Botswana's implementation challenges. *Botswana Journal Of African Studies*, 27(49).
- xv. Kamau, J. (2016). The Sh50bn white elephant in Bura, Tana River. Daily Nation. Retrieved from <https://www.nation.co.ke/counties/tana-river/the-white-elephant-in-bura/3444928-3458308-si6o76z/index.html>
- xvi. Kavishe, N., & An, M. (2016). *Challenges for Implementing Public Private Partnership in Housing Projects in Dar es Salaam City, Tanzania*. Birmingham: Association of Researchers in Construction Management.
- xvii. Lang'at, P. (2018). Uhuru's game plan for Big Four agenda. Retrieved from <https://www.nation.co.ke/news/politics/How-Uhuru-hopes-to-achieve-Big-Four-agenda/1064-4275586-rdf4pq/index.html>
- xviii. Maina, A. (2018). *Agriculture and Food Security | Kenya | U.S. Agency for International Development*. Retrieved from <https://www.usaid.gov/kenya/agriculture-and-food-security>
- xix. Mele, C., Pels, J., & Polese, F. (2010). A Brief Review of Systems Theories and Their Managerial Applications. *Service Science*, 2(1-2), 126-135. doi: 10.1287/serv.2.1.2.126
- xx. Mugenda, O. Mugenda (2009). *Research Methods: Quantitative and Qualitative Approaches*. Nairobi: ACTS.
- xxi. NIB. (2018). History. Retrieved from <https://nib.or.ke/index.php/our-history/>
- xxii. Njeru, L. (2018). Tracking Vision 2030's progress 10 years later. Retrieved from <https://www.nation.co.ke/news/Tracking-Vision-2030-s-progress-10-years-later/1056-4602646-1445gatz/index.html>

- xxiii. Onyango, L. (2017). Critical Factors Influencing the Implementation of Public Infrastructure Projects in Kenya: A case of Thika Sub-County, Kiambu County Kenya. *International Journal Of Scientific And Research Publications*, 7(5), 202, 203. Retrieved from <http://www.ijsrp.org/research-paper-0517/ijsrp-p6520.pdf>
- xxiv. Sikudi, L., &Otieno, M. (2017). Factors Influencing Implementation of County Funded Development Projects by County Governments in Kenya (A Case of Kilifi County Government). *The Strategic Journal Of Business And Change Management*, 4(3). Retrieved from <http://www.strategicjournals.com>
- xxv. Usman, N., Chen, J., &Lodson, J. (2010).Environmental Sciences and the Challenges of collapse buildings in Nigeria. *Journal Of Environmental Sciences And Agriculture In Developing Countries*, 2(3).
- xxvi. Usman, N., Kamau, P., &Mireri, C. (2014). The Impact of Policy and Procedural Framework on Project Performance within the Building Industry in Abuja, Nigeria. *International Journal of Engineering Research & Technology*, 3(5).