

# **FACTORS AFFECTING EFFICACY OF THE PUBLIC PROCUREMENT LAW IN SECONDARY SCHOOLS IN NDHIWA SUB COUNTY, KENYA**

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## **Abstract**

*The objective of this study was to assess the factors that affect the effectiveness of the public procurement law in secondary schools in Ndhiwa Sub County, Homa Bay County. The specific objectives were to find out the extent to which personnel skills, monitoring, planning and control affects efficiency of procurement function. The target population for the study was 100 respondents in education sector comprising of bursar, teachers and principals of schools in Ndhiwa Sub County. Members tasked with the responsibility of overseeing the procurement process in the institution. Questionnaires were used to collect data. Data was subject to descriptive analysis. This study revealed critical components of procurement process, through the expected practices. Personnel skills, Procurement monitoring, Procurement control and Procurement planning were key and greatly influenced efficacy of procurement and therefore recommends that regular training of personnel to enhance competency of procurement professional workforce which can ensure Monitoring and Planning is a continuous process. This integrates all stakeholders and expenditure programs to enhance control over procurement.*

*Keywords: Procurement, Efficacy, Personnel skills, Procurement control, Monitoring*

## INTRODUCTION

Kenya's public procurement system has evolved to an orderly and legally regulated system governed by the public Procurement and Disposal Act (PPDA) 2005 and subsequent regulations of 2006 and 2009. Prior to this, the central Government was governed by Treasury circulars from 1969, then the supplies manual of 1978, before the promulgation of the Exchequer and Audit (Public procurement) Regulations, 2001 (Juma, 2010).

The Public Procurement and Disposal Act was assented to on 26<sup>th</sup> October 2005 (revised in 2009), the law became operational on 1<sup>st</sup> January, 2007 (Kiirugu, 2010). The PPDA (2005) aimed at bringing coherence and uniformity in public procurement as well as improve efficiency, transparency and accountability and value for money in public procurement. It also sought to eliminate corruption and allow for fair competition among others.

The Oxford Dictionary defines efficacy as the ability of something especially a drug or medical treatment to produce the intended results. Efficacy can therefore be used with effectiveness interchangeably to mean the ability to produce the desired results. The term efficacy in this context is used to refer to the effectiveness of the public procurement law in Kenya to achieve the government's objectives. PPDA (2005) defines procurement as the acquisition by purchase, rental, lease, hire purchase, license, tenancy, franchise, or by any other contractual means of any type of works, assets, services or goods including livestock or combination with the prime goal of gaining value for money. In the context of the study, procurement is a formal process of acquiring goods and services for secondary schools. The procurement law refers to the PPDA which is referred to as the Act.

According to the PPDA (2005), Public procurement refers to public entity making procurement. The PPDA (2005) defines public entity as the government or any department of the Government, the courts, the commissions established under the constitution public school, a public university, a college or other education institution maintained or assisted out of public funds (p55). Public secondary schools are in that category hence the applicability of the PPDA. Ndung'u (2010) states that the Public Procurement Oversight Authority (PPOA) has been carrying out Procurement and Disposal Reviews of the Kenya's public procurement system in order to establish its state of compliance with the procurement law, circulars and directives issued by the Authority. The principal goal is to help entities develop capacity building programs to enable them better apply the provisions of the procurement law. The reviews are carried out pursuant to section 49(1)(a) of the PPDA Act, 2005 with the purpose of ensuring that the public procurement and disposal activities are conducted in a manner that promotes transparency, accountability and fairness (Ndung'u, 2010).

According to Okello (2009) adherence to procurement law and regulations improves transparency, competitiveness, value for money and increases efficiency .A study by Akapumuza, Bakunda, Kayongo et al (2008) developed a conceptual framework for assessing the efficacy of the Public Procurement Law in Uganda. The study established that indicators of efficacy are conformance to specifications, satisfaction of user departments, compliance to the PPDA and achievement of PPDA objectives.

In Kenya ever since the implementation of the Act compliance has been an issue, a study conducted by the PPOA(2007)showed that there was a low level of compliance with the law and regulations in the sense that a low share of procurements were done through open tendering. Since there has not been an anticipated improvement in the level of adherence as a result of the said Law hence the need to find out the factors affecting its efficacy.

The Secondary schools headed by Head teachers/Principals who According to Cap 21 of the Education Act (1980), heads the management of financial resources provided by the government, parents, well wishers and development partners (Institute of Policy Analysis and Research (IPAR), 2007;World Bank, 2008; Transparency International (TI), 2010). Besides, the Secondary School Heads' Manual recognizes school heads as financial controllers and accounting officers, responsible for all school revenue and expenditure management Government of Kenya (IPAR, 2007).

The principal works with the Board of Management who represent the Cabinet Secretary and also as a check to ensure effective running and functioning of the institution, who are appointed members of school governing body appointed by the Cabinet Secretary through powers vested in his office by the Education Act who are required to refer cases for a decision to the Minister. As the Accounting Officer Head teacher works with the procurement committee who have the power to control the tendering and procurement process in public schools by setting of Tendering Committees to oversee the whole process of procurement with a preference given to open tender method of prequalifying suppliers for commonly used goods and service.

### **Statement of the Problem**

The aim of the Public Procurement Regulations law was to promote fairness, transparency and nondiscrimination in procurement in public institutions for instance secondary school setting with the main aim of ensuring efficient use of public funds. However, survey by KACC (2007), Mangu high school procurement review (2008) Report of auditor general on appropriation account (2013) and taskforce report on the realignment of the education sector to the constitution of Kenya (2010) Kenya education sector integrity study report (2010) and Assessment of the

Procurement system in Kenya (2007) revealed that even after the introduction of the Regulations there are losses of public funds and despite, the enactment of the new constitution which had helped to strengthen and promote values enshrined in procurement, devolution of funds and services hence making it possible for closer monitoring of this function, This study therefore sought to evaluate the factors affecting effective implementation of public procurement Act in secondary school

**General Research Objective:** To evaluate the factors affecting the efficacy of public procurement law in secondary schools in Ndhwa Sub County.

### **Specific Research Objectives**

1. To find out the extent to which personnel skills affect effectiveness of the procurement function.
2. To determine the extent to which monitoring of the procurement process affects effectiveness of the process.
3. To determine the extent to which procurement control affects effectiveness of procurement function.

### **Research Questions**

1. To what extent does a personnel skill affect effectiveness of the procurement function?
2. To what extent does monitoring of the procurement process affects efficiency of the process.
3. To what extent does procurement control affect effectiveness of procurement function?

### **Justification of the study**

This study was significant in the sense that it would help us to understand factors affecting effective implementation of public procurement act in secondary schools. This was a pointer on what ought to be done to strengthen implementation of the procurement act so as to ensure that procurement was done efficiently.

This identified loopholes that stakeholders were taking advantage of in order to enhance its implementation. The beneficiaries are policy makers and managers in education sector. The information obtained from the study would be useful to the government, all procurement units at the ministry and other interested stakeholders for guidance in coming up with a comprehensive policy that is supportive to effective management of the procurement function.

### **Scope of the study**

The study confined itself only to selected secondary schools in Ndhiwa Sub County. Its focus was on establishing the factors affecting the effectiveness of public procurement act in secondary schools in Ndhiwa Sub County.

### **Limitations of the study**

The researcher envisaged a number of limitations such as inability of the respondents to adequately fill the questionnaires as required. The inadequacy of the research instrument to capture all required information and failure of some respondents to fill the questionnaire are inherent weakness. Also the study was limited in that it only focused on Ndhiwa Sub County yet there were many other sub counties.

Reluctance by some respondents to provide information sought due to its sensitivity to overcome the respondents was assured of confidentiality of information provided and informed of the purpose of the study which was purely for academic purpose

## **THEORETICAL REVIEW**

This section comprised of review of theories that were relevant to the study and informed the Theoretical background of the study.

### **The system theory**

This theory was formulated in 1920 by Bertalanffy (von bertallanffy, Ludwig (1976) where the system theory was seen as a series of interrelated and interdependent parts in such a way that the interactions of any part of the system affect the whole system. That is, one part of the system must interact and depend on the other parts around it to function effectively. The system theory was relevant to the public .procurement because procurement is a system and the concept of interaction and interdependence of parts in such a way that the interaction of any part of any system affects the whole system.

The theory was relevant to the study because all organizations interact with outside world as they are often systems. Sections of organizations interact amongst themselves in exchange of key information and materials

### **Principal-Agency Theory**

The Principal-Agent Theory is an agency model developed by economists that deals with situations in which the principal is in position to induce the agent, to perform some task in the principal's interest, but not necessarily the agent's (Health & Norman, 2004). Several studies

(Eisenhardt 1988; Bergen et al., (1992); and Rokkan & Buvik (2003) had contributed to the literature on principal agent theory. All these contributions had one main theme which is the relationship between a principal and an agent.

This relationship works well when the agent is an expert at making the necessary decisions, but does not work well when the interests of the principal and agent differ substantially.

In general, a contract is used to specify the terms of a principal – agent relationship. A number of studies have shown that procurement contributes about 60%-70% of an organization's expenditures.

Following the operational nature of procurement expenditures, decisions must be taken by the organization's management (agents) on behalf of the company owners (principals) under the power entrusted to them through their employment contracts. The theory also answers two specific problems that is, the goals of the principal and agents are not in conflict (agency problem) and that the principal and agent reconcile different tolerances for risk. The principals and agents seek to maximize their utility from the same organizations.

Procurement management is an essentially risky function that involves management decisions in optimally allocating the limited resources that are provided by the shareholders hence the need to minimize the involved risks so as us ensure competitiveness.

### **The Institutional Theory**

Institutional theory describes the effects of external institutional pressures on organizations and defines institutions as regulatory structures, government agencies, laws, courts, and professions, as well as interest groups and public opinion (Lowell, 1994).. A strength attributed to institutional theory is its ability to explain non-choice behavior of organizations how they conform to norms without questioning them and undertaking public function (Lowell, 1994).

The PPDA (2005) requires that proper maintenance and keeping of records be implemented in all public procuring entities hence need to have policies, norms and rules to the effect. Borrowing from this theory, public procuring entities are guided by rules and regulations like the PPDA (2005), PPDR (2006) and policies to be used in implementing the act as well as the regulations hence policies on records management. From the three pillars of institutions propounded by Scot (2003) such as organizational culture, social influence, organizational incentives and enforcement are identified as antecedents of compliance to procurement records management.

## Legitimacy Theory

The Legitimacy Theory states that the organization has the mandate to state its activities to the stakeholders, more specifically to the public and state the benefits the society will get from it (Wilmshurst & Frost, 2000). A state that is their when an organization's value system is in line with the value system of the society that the organization exists (Lindblom, 1993). Legitimacy is a perception that the acts of the organization are acceptable in the constructed system of behavior in the society that it exists in (Suchman, 1995).

The legitimacy theory argues that officers make the disclosure practice as a way of building a good reputation among the stakeholders and the society at large (Magness, 2006).

## Theory of Internal Control

A system of effective internal control is a critical component of an organization's Management and a foundation for its safe and sound operation. A system of strong internal control can help to ensure that the goals and objectives of an organization will be met, that it will achieve long-term targets and maintain reliable financial and managerial reporting. Such a system can also help to ensure that the organization will comply with laws and regulations as well as policies, plans, internal rules and procedures, and reduce the risk of unexpected losses and damage to the organization's reputation.

The following presentations of internal control in essence cover the same ground. In USA, the Committee of Sponsoring Organizations of the Tread way Commission(COSO) issued Internal Control – Integrated Frame working 1992, which defined internal control as a process, effected by an entity's board of directors, management and other personnel, designed to provide reasonable assurance regarding the achievement of objectives in the following categories: Effectiveness and efficiency of operations; Reliability of financial reporting; Compliance with applicable laws and regulations. The Rutteman Report (1994) in UK defined internal control as the whole system of controls, financial and otherwise, established in order to provide reasonable assurance of effective and efficient operations; internal financial control and Compliance with laws and regulations. The theory was relevant to the study because it outlined the internal control policies, procedures and rules to be followed in the procurement department

## The Four Pillars Model

This model was developed by the World Bank, Development Assistance Committee (DAC) of the Organization for Economic Cooperation and Development (OECD) and a number of developing countries for assessing the quality and effectiveness of national public procurement systems (OECD, 2005). The legislative and regulatory framework pillar is based on the

existence, availability, quality and use of the legal and regulatory framework from the highest level (Act and Regulations) down to the more detailed operational procedures, guidelines, model tender documents, and standard conditions of contract (PPRA,2007). Integrity and transparency pillar is based on the public procurement system that rely on a number of control mechanisms, including an effective control and audit system, an efficient appeals mechanism, a comprehensive information sharing system enabling civil society and interested stakeholders to conduct social audit, and effective ethics and anti-corruption measures. Without such control mechanisms, flaws in the procurement system may not be detected and addressed.

### **Organizational Performance Theories**

Public entities operate under an environment that affects their performance (Bolton, 2006). The external forces affecting the implementation of the procurement legal framework include: political, economical, social and technological factors. The following theories explain the effect of implementation of the public procurement legal framework on organizational performance Theory emphasizes the importance of organization resources and, their influence on performance and competitive advantage in the market. According to RBVT, every organization has its own unique resources that enable it to remain competitive in the market, by addressing the rapidly changing environment (Helfat, 2007). Critiques of the RBVT have pointed out that some resources contribute to competitive advantage while others do not; hence, not all resources of an organization have the ability to contribute to competitive advantage. Secondly, the mere availability of resources does not contribute to competitive advantage, until such resources are coordinated and integrated (Lopez, 2005).

Implementation of the PP legal framework requires state corporations to have capabilities in terms of professionally trained and experienced staff in the field of procurement and competent leaders capable of directing the organization staff on how to effectively execute procurement functions as stipulated in the provisions of the legislation (SPMA, 2007). The study will adopt this theory to assess if PEs employs professionally qualified and trained procurement staff, level of staff competency, and the extent to which the procurement staff are familiar with procurement rules and regulations.

### **THE CONCEPT OF PROCUREMENT**

Procurement which as defined by the Software Engineering Institute (2008) at Carnegie Mellon, is a set of activities performed as part of an acquisition effort. Public procurement is the acquisition by purchase, rental, lease, hire purchase, license, tenancy franchise or any other contractual means of goods or services by the government. (Telgen 1998). It starts from the



identification of needs to the end of service contract or end of useful life of an asset. Darrel (2002) says the term procurement is used to describe the purchase of goods and services which are not directly used in the main business of a company. The demand side (i.e. where there are users of products who have needs to procure) and the supply-side which does the production and provision of goods and services to be supplied (Ngogo 2008).

### **Public procurement Systems and Practices across the World**

The importance of public procurement in terms of size relative to world GDP and world trade is highlighted by an OECD report (OECD, 2001 quoted by Odhiambo and Kamau 2003). In this report, the value of the contestable government procurement market was estimated at over \$2 000 billion in 1998. This is equivalent to 7 per cent of world GDP and 30 per cent of world merchandise trade. In a related study, Trionfetti (2000) quoted by Odhiambo and Kamau (2003) estimates that the size of public procurement varies between 5 and 8 per cent of GDP in most industrialized countries. For Middle East and Africa, the magnitude of central government purchases ranges between 9 and 13 per cent. Kipchilat (2006) quoting a Comesa report (2004) noted that procurement absorbs 60 percent of government expenditure and this means that accountability at all levels is important. These figures indicate that public procurement is important in the economies of both developed and developing countries.

Public procurement had become an issue of public attention and debate in both developed and developing countries, and had been subjected to reforms, restructuring, rules and regulations. According to Roodhooft and Abbeele (2006), public bodies had always been big purchasers, dealing with huge budgets. Mahmood, (2010) also reiterated that public procurement represents 18.42% of the world GDP.

Consequently, various countries both in developed and least developed countries had instituted procurement reforms involving laws and regulations. The major obstacle however, had been inadequate regulatory compliance. De Boer and Telgen (1998) confirmed that noncompliance problem affected not only the third world countries but also countries in the European Union. This position was further supported by Gelderman et al., (2006) who contended that compliance in public procurement was still a major issue.

Hui et al., (2011) while analyzing procurement issues in Malaysia established that procurement officers were blamed for malpractice and non-compliance to the procurement policies and procedures. Citing Yukl (1989), Gelderman et al., (2006) stipulated that compliance occurs when the target performs a requested action, but is apathetic about it, rather than enthusiastic, and puts in only a minimal or average effort. However, as an organizational

outcome, compliance had traditionally been understood as conformity or obedience to regulations and legislation (Snell, 2004) cited in Lisa, (2010).

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

In the past three decades, the public procurement system in Kenya had undergone significant developments. From being a system with no regulations in the 1960s to a system regulated by Treasury Circulars in the 1970s, 1980s and 1990s, the introduction of the Procurement Regulations of 2006 brought new standards for public procurement in Kenya. Many studies were carried out on procurement before the Public procurement and Disposal Regulations to evaluate the efficiency of the procurement process in existence at the time, (Kipchilat, 2006). The major findings of the studies were that public procurement was not operating efficiently and that the state was losing a lot of money through shoddy deals.

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

These regulations became effective on 1st January 2007 after the gazettelement of the Public Procurement and Disposal Regulations Act 2005. The act contains eleven (11) parts. Part II of the Act deals with the establishment of bodies involved in the regulation of public procurement, namely, The Public Procurement Oversight Authority (PPOA), Public Procurement Oversight Advisory Board, and the Public Procurement Administrative Review Board.

Part III of the Act deals with the internal organization of public entities as far as procurement is concerned; Part IV of the Act makes general provisions for procurement by public entities. Under Part V or alternative procurement procedure under Part VI. Part V makes provisions for preparation of tender documents, advertisement and invitation to tender, tender securities, as well as opening of tenders. In addition, it provides for responsiveness of tenders, evaluation, and notification of award, contracting and extension of tender validity. Part VI deals with alternative procurement procedures

.Part VII provides administrative review of procurement procedures. It recognizes that any aggrieved party in a procurement process has a right to seek administrative review of a tender award. Part IX provides for debarment from participating in public procurement. Part X deals with the disposal of stores and equipment by public entities. Part XI makes miscellaneous provisions for example that defense and national security organs are required to comply with the Act.

In public secondary schools, procurement matters have been vested in the Schools Tender Committee whose membership structure is the Deputy Principal who is the Chairman of the Committee, the person in charge of finance (bursar), who will be the Deputy Chairman, at

least six Heads of Departments including the Matron, and the officer heading the procurement unit who will be its secretary.

### **Effects of the public Procurement Regulations in Kenya**

The Principal reason for the enactment of the Act was to have a legal regime that weeds out inefficiencies in the procurement process, remove patterns of abuse, and the failure of the public purchaser to obtain adequate value in return for the expenditure of public funds. However, these objectives had never been fully achieved in practice, (Wanyama, 2010). Wanyama notes further that key provisions of the Act and the Regulations are replete with textual weaknesses that have often been abused by procuring entities. The Regulations do not envisage contemporary market realities hence the need to continuously revise them to keep pace with these developments. .

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

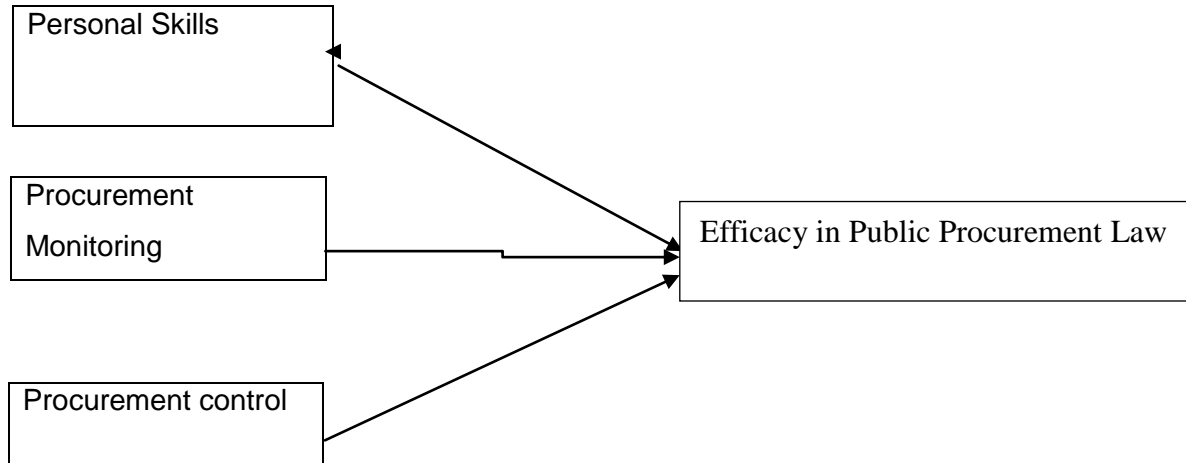
In a study by KPMG International carried out after the introduction of the Regulations, it was still found out that public procurement still suffers from fraud and misconduct (KPMG, 2008). In yet another study by KACC, it was noted that public officials distort the Regulations to restrict the participation of interested firms in procurement, or still direct the outcome of others. In many developing countries, governments do not have the financial and technical capacity to effectively exercise such oversight and control functions, track and report on allocation, disbursement and use of financial resources (Smee, 2002). Political and bureaucratic leakage, fraud, abuse and corrupt practices are likely to occur at every stage of the process as a result of poorly managed expenditure systems, lack of effective auditing and supervision, organizational deficiencies and lax fiscal controls over the flow of public funds (Peters, *et al.*, 2000).

### **Conceptual Framework**

According to Mugenda and Mugenda (2003), a conceptual framework refers to conceptualization of the relationship between variables in the study and it is shown diagrammatically. The independent variables for this case were Personnel skills, Procurement

monitoring, and procurement control and, the dependent variable is efficacy in public procurement.

Figure: 1 Conceptual Framework



### Personnel skills

A skill is the ability either to perform some specific behavioral task or the ability to perform some specific cognitive process that is related to some particular task (Peterson and Van Fleet, 2004).

The quality of procurement and procurement related workforce influences the efficiency of the procurement process and the degree of compliance to the procurement laws, regulations and policies.

According to Thai (2001), procurement professionals and personnel have dual responsibilities. They make sure that operational agencies comply with procurement regulations and they are directly involved in procuring goods, services and capital assets as authorized and funded.

According to Lysons and Farrington (2006), making high quality decisions in a short amount of time with confidence is a requisite competency for success in procurement. According to Raymond (2008), professionalism in public procurement relates not only to the level of education and qualifications of the workforce but also to the professional approach in the conduct of business activities .if the workforce is not adequately educated in procurement matters serious consequences including breaches of conduct occur. In order to do their work effectively, however procurement professionals have to be well equipped with a set of skills

These professionals need to be equipped with procurement techniques and methods and process management skills which are pertinent to their work. Procurement literature by Jensen and Stone Cash (2004) and others suggests that the core procurement methods and

techniques required by procurement professionals include; negotiation skills, price analysis, cost analysis and procurement cycles.

In Uganda, the PPDP Audit Report (2008) revealed that lack of professionalism was high among public procurement officers. This position was also echoed by Basheka and Mugabira (2008) who state that the level of professionalism in public procurement in Uganda is low or nonexistent.

While some entities are able to attract qualified professionals for procurement positions, the vast majority of procuring entities suffer from a serious lack of qualified candidates when attempting to recruit new officials. The problem is further aggravated by the fact that the existing qualified candidates often choose to seek employment in the private sector where the salary package is more attractive (Office of the Director of Public Procurement Malawi, 2007).

Kwagbenu (2003) observed that general lack of procurement professionals in Uganda is a major problem for procurement disposal entities in both central and local government and it has been difficult for the ministry of public service to find enough qualified procurement professionals for all the entities (Uganda CPAR, 2004).

Professionalism is the discipline whereby educated, experienced and responsible procurement officers make informed decisions regarding procurement operations. It is in the recognition of this fact that the Public Procurement Authority focuses its resources on the training, professional development, promotion and support for individuals that are engaged in public procurement to ensure adherence to professional and ethical standards (Adjei, 2006).

According to the Public Procurement and Disposal Act 2005, procurement shall be staffed with procurement professionals whose qualifications have been recognized by the authority. The authority shall facilitate the establishment of an examination body for procurement professionals and shall ensure support for their professional association. Two legislations define procurement professionalism in Kenya: the Supplies Practitioners Management Act 2007, and the Public Procurement and Disposal Act 2005; the latter is applicable in the public sector while the former is applicable in all sectors.

According to Government of Kenya (2005) a procurement professional should have professional qualifications in procurement and supply management, is engaged in a calling for procurement practice, and is a member of a recognized professional association for procurement and supply.

This definition leaves out the academic qualifications that such professionals should possess; the Public Procurement Oversight Authority is supposed to define the required minimum academic qualifications. The Kenya Institute of Supplies Management has partnered with the Kenya Accountants and Secretaries Examination Board (KASNEB) to develop and offer

exams in procurement and supply chain management pending the establishment of the Kenya Institute of Supplies Examination Board (KISEB). These exams will form the basis for locally certifying procurement and supply chain professionals. KISM currently hosts two certification programs; Chartered Institute of Purchasing and Supplies (CIPS) and International Trade Centre -Modula Learning System (ITC-MLS) which is offered on an in- company basis because of its application to the industry challenges.

In practice however, procurement rules that require management by tender committees, evaluation committees, inspection and acceptance committees, etcetera, undermine the ability of procurement professionals to contribute strategically to organizational goals. Conversely, there is little to show society that if procurement professionals had a freehand to make professional judgment and be autonomous in decision making, they could gain confidence of the public regarding value for money and elimination of procurement related corruption.

### **Procurement monitoring**

According to Public Procurement Oversight Authority manual (2009), Procurement monitoring and evaluation is a process that must be routinely conducted by both the procurement entity and by public procurement authority to: Ensure that procurements are within the annual procurement plan for the procuring entity, to identify weaknesses and delays in the procurement process, Compare prices against market standards, Assess performance of procurement units and committees, Assess performance of suppliers ,contractors and consultants and lastly to Identify any necessary remedial action.

The PPOA leads and coordinates monitoring and evaluation process through sourcing for information which is obtained from. Request for deviation from procurement procedures submitted by Procuring entities, Monthly reports of procurement on form SPF5, Regular meetings with stakeholders, Routine procurement reviews/audits of procuring entities etc. Meanwhile the Tender Committee has the general responsibility to monitor procurement activity and remedy any defects before giving approval for procurement actions, where the advice of the PPOA is sought if the committee is unsure of compliance with the regulations.

The organization also has to examine the procurement cycle to prevent fraudulent practices or purchases. The organization undertakes periodical supplier evaluation to ensure good quality of the goods and services supplied Mullin (2003) asserts that one of the supplier management strategic tasks is competitiveness. Therefore as part of supplier management, the organization periodically evaluates suppliers to a great extent and this directly affects the quality of goods and services. And obstacles in the procurement process are mitigated in a timely manner.

Monitoring of procurement is a continuous process so that obstacles towards achieving intended objectives should be identified and mitigated (Mlinga, 2011). Close supervision of purchases is done as a way of controlling costs. This implies that the organization controls its costs through close supervision of the procurement system. According to ( Ellram, 1998) purchasing decisions quite often affect a large part of a company's total costs, not only in terms of direct acquisition costs but also regarding indirect costs in the areas of inventory management, quality assurance, administration, and payment, among others

### **Procurement control**

According to a report on assessment of procurement system in Kenya, OECD, PPOA (2007) The integrity and transparency of a public procurement system rely on a number of control mechanisms, including an effective control and audit system, an efficient appeals mechanism, a comprehensive information sharing system enabling civil society and interested stakeholders to conduct social audit, and effective ethics and anti-corruption measures. Without such control mechanisms, flaws in the procurement system may not be detected and addressed.

As Bishop has observed (1990), the public control system is, and must be, more elaborate and more formal than that of a private corporation because the problem of agency control is much less tractable. Probably the most important method of control is through the definition of the obligations and duties of public agents *ex ante* by means of procedural regulations

An example of the latter is the *Verwaltungsverfahrensgesetz* in Germany, or the US Administrative Procedure Act (1946), both of which lay down general procedural requirements for public servants. In a public procurement context, procedural control usually takes the form of substantive obligations and formal rules, such as tendering procedures, publication duties, obviously the way in which procedural regulation is drafted has important consequences on the degree of autonomy and discretion public officials have in implementing specific policies. For example, legislation that is drafted in the form of *standards*, such as “the public official is instructed to act in the best interest of the government,” leaves the question of how such objectives must be pursued under different circumstances open, and does not determine the level of effort the public official must take. Conversely, legislation may also be *rule-based* and be comprised of an advance determination regarding what kind of conduct is required in different situations, leaving only the determination of factual issues to the public official (Schafer, 2003). The latter leaves little or no discretionary power with those who administer the legislation and thereby reduces the opportunities for shirking and corruption.

Control practices include periodical reviews where the organization ought to periodically review its procurement policies so as to minimize losses and thus improve performance. Then Bid opening which is to be done by an independent committee since if bids are not opened and evaluated by an independent committee in the organization may impair objectivity. Receiving, opening and evaluation of bids by the same tender committee personnel may impair their objectivity in case they are interested in a specific supplier. The organization has to separate these functions in order to further improve its performance. The organization therefore has to review this area to further improve its performance. The technical ability of the suppliers is evaluated before awarding contracts. Supplier technical ability assessment is done in order to avoid frustration.

According to Lisa *et al.*, (2007) lack of supply management involvement in services supplier identification, screening, and selection exposes the organization to new risks.

Measuring effectiveness and ensuring proper business controls includes conducting periodic supplier audits to correct compliance errors (Lisa *et. al.*, 2007). Invoices are checked against the local purchase orders and delivery notes before payment Verification of the invoices, delivery notes and local purchase orders The organization continuously checks its purchase processes in order to minimize operational losses and fraud.

### **Critique of the existing literature**

Public procurement operates as a system hence examined as such ,as an assembly of related elements both static and dynamic which interacts closely and continuously to generate outputs basing on the above it is characterized with five elements that is policy making and management ,procurement regulations /laws ,procurement authorization and appropriation ,public procurement function and feedback which interact closely to determine efficiency and effectiveness hence responsible for its success but this is only true where the legal framework is devoid of ambiguities which is not the case in Kenyan case .

The second assumption is that there is high degree of homogeneity within the procuring entities which is not true and that's is a reason enough for classification of procuring entities depending on its nature in terms of value of its expenditure which applies to secondary school they are many hence operate under a distinct environment. A third assumption by Thai (2001)was existence of competent procurement personnel which is not always the case in Kenyan case where there lacking hence not true in this situation hence a good reason to examine the interaction between the procurement at organizational level.



## Research Gaps

As one of the Developing countries Kenya has a need for a well functioning public procurement system. This also applies to all developing countries, where procurement usually accounts for a high proportion of total expenditure. As a country there should be more commitment to improving efficiency in the public procurement system at every opportunity for the purpose of enhancing: accountability in decision making structures; transparency in the procedures and policies, responsiveness to citizens of the country; professionalism to improve performance; and appeal rights to redress meritorious grievances of suppliers. However, this can only be achieved with a full understanding of the factors influencing the management of the procurement function at the basic level

There is lack of sufficient information on these variables locally to enable the government fulfill its commitment. It should be noted that these factors present themselves differently under different operational managerial environment .Given that the personnel responsible for manning the procurement function operate under a distinct composition Existing literature in Kenya fails to capture the influence of these factors on the effective management of the Procurement function at Sub-County level. Hence this study will evaluate the factors affecting effective management of the procurement function in this area

## RESEARCH METHODOLOGY

### Research design

A research design is the plan and structure of investigating so conceived as to obtain answers to research questions (Kothari, 2004). A research design functions as the research blue print for measurement and analysis of data (Creswell, 2003).

The purpose of this study being to describe the role of the principal and other stakeholders in procurement in secondary school, it meant to describe the phenomena as it exists. Therefore, descriptive research design was used as it was deemed to be the most appropriate (Orodho; Dane 2000) to produce information that is of interest to policy makers even in business.

### Population

A population is the total collection of elements about which inferences are made and refers to all possible cases which are of interest for study (Sakaran, 2003) the study targeted the principal, the bursar and teachers who are members of tender committee. These were selected because they were the ones tasked with the responsibility of overseeing the procurement process in the institution.

Table 1: Target Population

	Target population
Principal	15
Bursar	30
Teachers	65
Total	100

### Sampling

The sample must be carefully selected to be representative of the population and the researcher also needed to ensure that the subdivisions entailed in the analysis are accurately catered for (Denscombe, 2010). To ensure fair representation and generalization of findings to the general population, stratified sampling methods was used; specifically random stratified sampling technique which ensured different subgroups of the employees.

According to Mugenda and Mugenda (2003) a sample size of between 10 and 30% is a good representation of the target population. The researcher therefore targeted 100 respondents. The researcher used simple random sampling to pick the respondents from each stratum. The following formula was used to determine the sample population for the study

$$Pr(|\hat{p} - P| \geq \delta) = \alpha$$

Where:  $\hat{p}$  is the estimated proportion

$P$  is the unknown population parameter

$\delta$  is the specified precision of the estimate

$\alpha$  is the probability value (usually low)

The researcher used a 30% of the total target population which was approximate. The sampling was done using systematic random sampling of the targeted population

Table 2: Sampling Frame

	Target population	Ratio	Sample size
Principal	15	0.3	5
Bursar	30	0.3	9
Teachers	65	0.3	20
Total	100	0.3	34

### Data Collection Instrument

The study used both secondary and primary data. Secondary data was obtained from the handbooks and data base while primary data was collected through questionnaires which

contained questions designed to elicit data in accordance with the research questions. The questionnaire contained both open and closed ended questions. In case of the close ended questions, a five-point Likert-type scale, ranking from 1 (Strongly disagree) to 5 (Strongly agree) was used for all the constructs with 5 being the strongest/highest.

### **Data collection procedure**

The questionnaires were issued to the respondents through informal self-introduction. The questionnaires were sent to the respondents under a questionnaire forwarding letter accompanied by an introduction letter from the University. Follow ups were made and the fully completed questionnaires were picked from the respondents later.

### **Pilot test**

The questionnaire designed by the researcher based on the research questions were pilot tested to refine the questions before being administered to the selected sample. A pilot test was conducted to detect weakness in design and instrumentation and to provide proxy data for selection of a probability sample. Mugenda and Mugenda (2003) asserted that, the accuracy of data to be collected largely depended on the data collection instruments in terms of validity and reliability.

### **Validity**

According to Somekh, and Cathy (2005) validity is the degree by which the sample of test items represents the content the test is designed to measure. Content validity which is employed by this study is a measure of the degree to which data collected using a particular instrument represents a specific domain or content of a particular concept. Expert opinion was requested to comment on the representativeness and suitability of questions and give suggestions of corrections to be made to the structure of the research tools. It facilitated the necessary revision and modification of the research instrument thereby enhancing validity.

### **Reliability**

Reliability is increased by including many similar items on a measure, by testing a diverse sample of individuals and by using uniform testing procedures. The researcher selected a pilot group of 15 individuals from the target population to test the reliability of the research instruments. In order to test the reliability of the instruments, internal consistency techniques were applied using Cronbach's Alpha. Coefficient of 0.6-0.7 is a commonly accepted rule of

thumb that indicates acceptable reliability and 0.8 or higher indicated good reliability (Mugenda, 2008).

### Data Analysis

The researcher checked whether all questions in the questionnaires had been fully and accurately answered and the comments concerning all data collected were made. This paved a way for the analysis of the four objectives. The collected data was analyzed using descriptive statistics with the help of Statistical Package for Social Sciences (SPSS) and Microsoft version of Excel. According to Trochim (2006) descriptive statistics are used to describe the basic features of the data in a study or survey. They provide simple summaries about the sample and the measures. Together with simple graphics analysis, they form the basis of virtually every quantitative analysis of data. Descriptive statistics was used to describe the factors affecting efficiency of the public procurement law in secondary schools in Ndhiwa sub county. Descriptive statistics was calculated and presented in the form of tables, figures and percentages.

All conclusions and recommendations were made based on the study results.

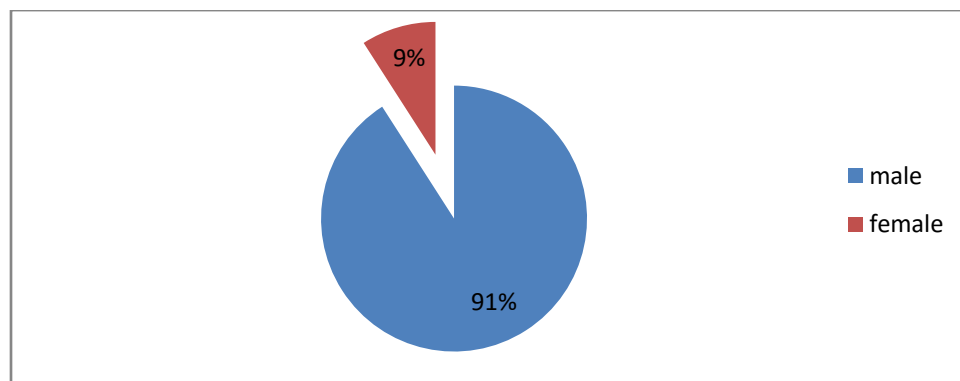
## EMPIRICAL RESULTS AND DISCUSSION

### Response rate

The study targeted a sample size of 34 respondents from which 33 filled in and returned the questionnaires making a response rate of 97.05%. This response rate was good and representative and conforms to Mugenda and Mugenda (1999) stipulation that a response rate of 50% is adequate for analysis and reporting, a rate of 60% is good and a response rate of 70% and over is excellent.

### Gender of the respondents

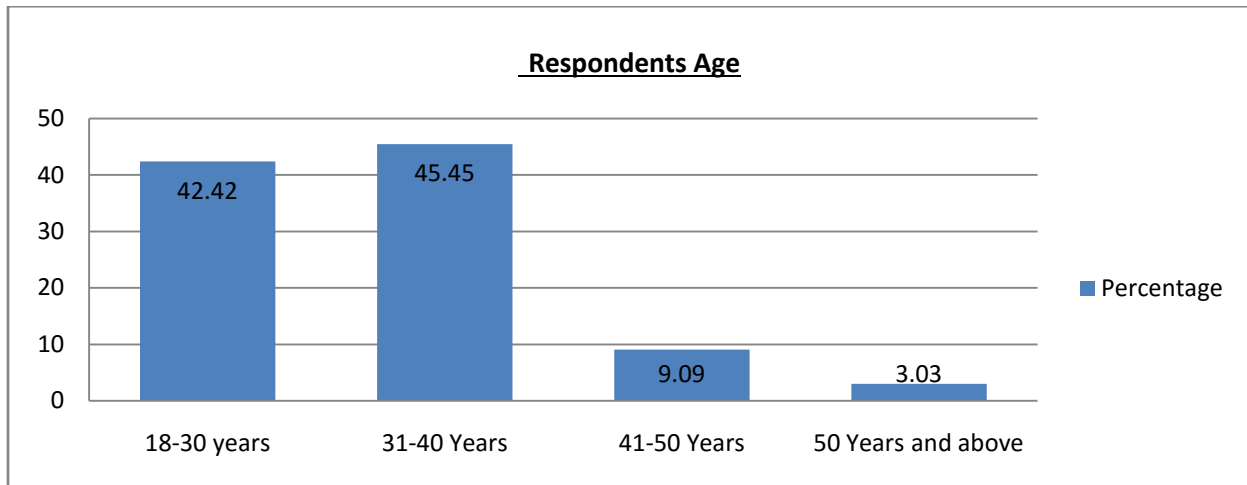
Figure 2. Gender of respondents



From the results shown, clearly most of the respondents indicated that they were males a fact associated with fewer numbers of female teachers and bursars due to poor promotion of Girl child education.

### Respondents Age

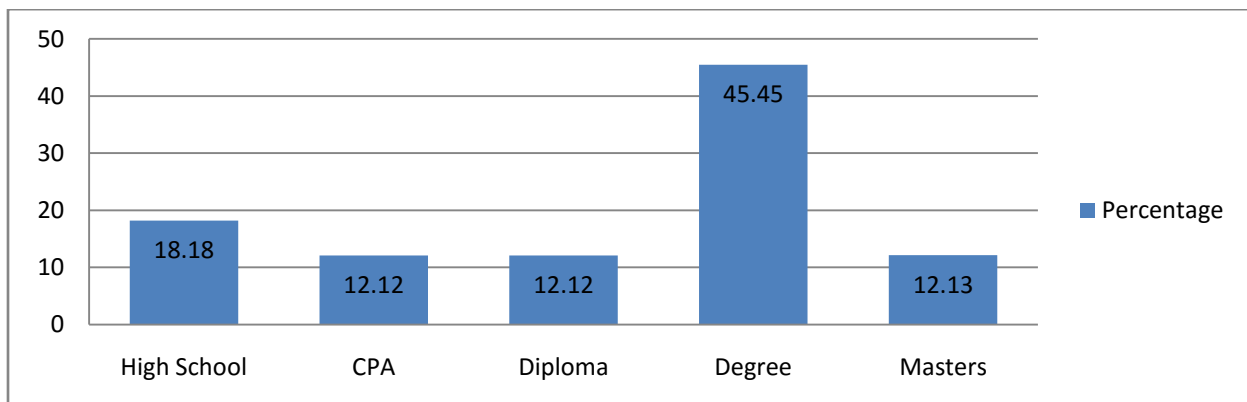
Figure 3. Respondents Age



From results shown 42.45% of the respondents indicated they were aged between 18-30 years, 45.45% were between 31-40 years, and 9.09% were between 41-50 and 3.03% indicated over 50 years. Clearly most of the respondents were aged between 31-40 years. Evidence that the workforce tasked with procurement is clearly comprised of mainly youthful workforce with little or no experience.

### Academic Qualifications

Figure 4. Academic qualifications

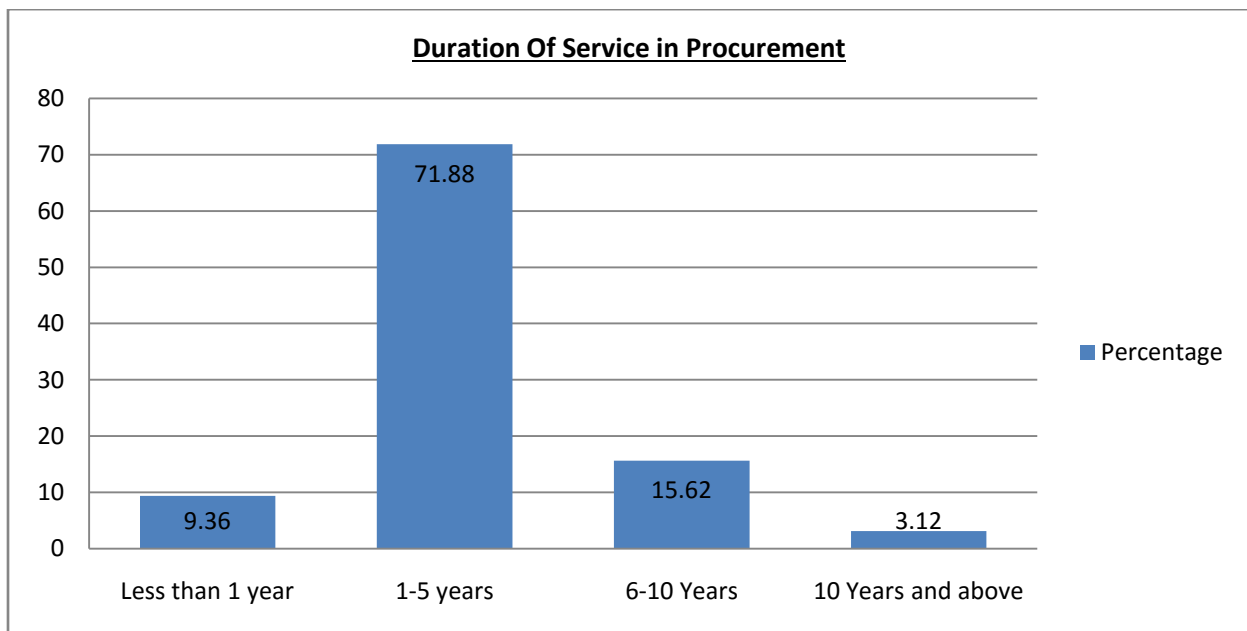


According to the findings shown in the figure above 18.18% of the respondents indicated that they had studied up to High school, 12.12% had CPA and any other Professional paper, 12.12% Diploma 45.45% had Degree and 12.12% had Masters while there was none with a PhD .meaning that there was a fraction that was not aware of how procurement operates hence affecting efficacy of procurement

**Duration of service in procurement**

Many respondents agreed that they had served for a period of less than six years with those that had served for 1-5 years forming the majority representing 71.8% as shown below. This posed a challenge on efficacy as the respondents lacked adequate experience on procurement. This is because the number of years one has worked within a department gives understanding about the operations of the department or inner working of the organization. This result concur with PPDA report (2008) that lack of professionalism was high .Position echoed by Basheka and Mugabira (2008) state that the level of professionalism in public procurement I Uganda is low or nonexistent.

Figure 5. Duration of service in procurement



**Personnel Skills on Efficacy of Procurement**

Respondents gave their opinions on aspects of personnel skills influence on efficacy of procurement and the results were tabulated in table 3.

Table 3. Aspects of Personal Skills on efficacy of procurement

Aspect Contribution to Efficacy %	SD(1)	D(2)	N(3)	A(4)	SA(5)
(a)The organization utilizes formal training through training programs	6.06	3.03	12.12	60.6	18.18
(b)Training in procurement practice has improved staff knowledge, skills and experience	12.12	3.03	9.09	54.54	21.21
(c)The organization has documented policies that guide training in procurement practices	3.03	00	3.03	75.75	18.18
(d)Inadequate training in procurement practices leads to poor performance of the organization	9.09	3.03	00	78.78	9.09

From table 3 it's evident that formal training and procurement policies were the key aspects that respondents felt that greatly influence the efficacy of public procurement as twenty six (26) and thirty one (31) respondents attested to this fact respectively. It is in recognition of this fact that the PPOA focuses its resources on the training, professional development, promotion and support for individuals that are engaged in public procurement to ensure adherence to professional and ethical standards. (Adjei, 2006) This is in agreement with Lopez (2005) that the mere availability of resources does not contribute to competitive advantage, until such resources are coordinated and integrated.

The findings revealed that 78.78%of the respondents agreed that the organization utilizes formal training through training programs while 9.03 % disagreed. This in turn improves personal skill. 54.54% and 21.21% of the respondents agreed that by training in procurement practices there was an improvement in staff knowledge, skills and experience while 15.15 % disagreed

It was also revealed by overwhelming majority of the respondents at 93.93% that most organization had documented policies which guide training in procurement practices. It was also noted by 87.87 % respondents that inadequate training in procurement hampers organization performance

### **Procurement Monitoring on Efficacy of Procurement**

Respondents gave their opinions as regards to aspects of procurement monitoring influence on efficacy of procurement and the results were tabulated in table 4.

Table 4. Aspects of Procurement Monitoring on Efficacy of Procurement

Aspect	SD(1)	D(2)	N(3)	A(4)	SA(5)
(a)Reviews of procurement system are done at regular intervals	24.24	30.3	21.2	12.12	12.12
(b)Corrective actions are taken once discrepancy is identified in these processes	15.15	9.09	3.03	60.6	12.12
(c)Supplier evaluation is periodically undertaken to ensure good quality of the goods and services	00	9.09	3.03	12.12	75.75
(d)The organization examines the procurement cycle to prevent fraud	9.09	3.03	00	75.75	12.12

Monitoring was another aspect influencing efficacy of procurement. It is clear from table 4 that reviews of the procurement system were not done at regular intervals. Respondents representing 54.54% attested to this fact against those who disagreed representing 24.24%. which concurs with (Agaba and Shipman, 2007) that many central government ministries and agencies had not followed prescribed practices. Affirming that many developing countries do not have the financial and technical capacity to effectively exercise such oversight control functions, track and report on allocation (Smee, 2002)

Respondents representing 72.7% stated that corrective action was taken once a discrepancy is identified it was also clearly noted by respondents representing 87.85% who agreed that evaluation of supplier is done periodically so as to ensure good quality of goods and services. On examination of procurement cycle, respondents representing 87.87% agreed that it is done to prevent fraud while supplier evaluation was done periodically to ensure quality of goods and services as respondents representing 87.87% were of similar opinion. This result concurs with (Oliveira-cruz, et al., 2001) that financial accountability using monitoring, auditing and accounting mechanisms defined by the country legal and institutional framework is a prerequisite to ensure that allocated funds are used for intended purposes.

### Procurement Control on Efficacy of Procurement

Respondents gave their opinions regarding aspects of procurement control influence on efficacy of procurement and the results were tabulated in table 5.

Table 5. Procurement control on efficacy of Procurement

Aspects	SD(1)	D(2)	N(3)	A(4)	SA(1)
(a)The organization periodically reviews the existing procurement policies	21.21	6.06	00	69.69	3.03
(b)The technical abilities of the suppliers are evaluated before contract awarding	9.09	15.15	00	60.6	12.12



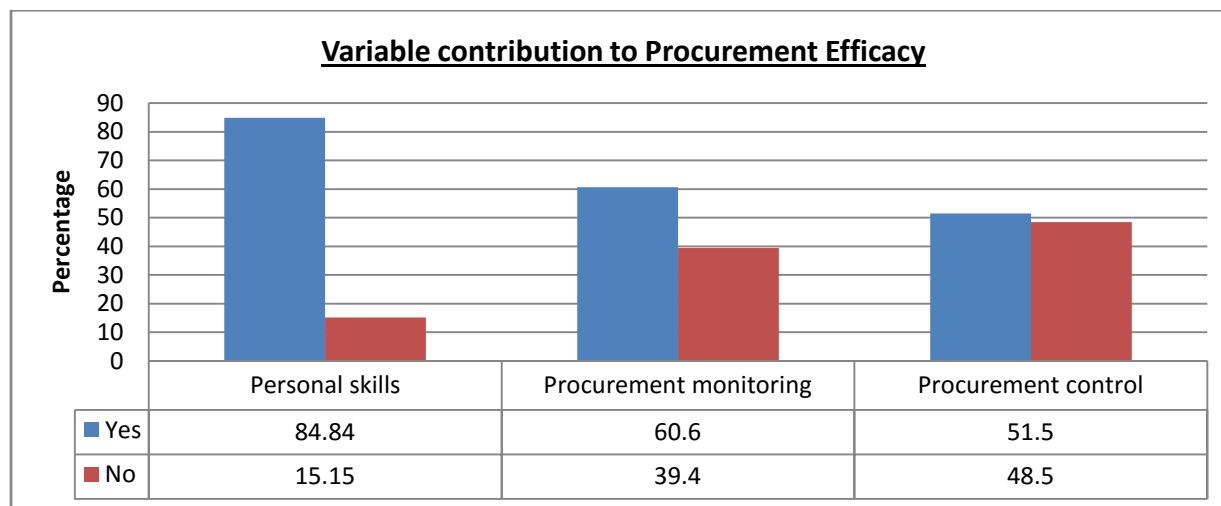
(c)Received goods and services are checked against the local purchase order	12.12	3.03	3.03	57.57	24.24
(d)Losses are prevented through continuously checking the purchase processes	9.09	00	3.03	87.87	00

Respondents representing 72.7% revealed that organization periodically reviewed the existing procurement policies while 27.2% did not agree to that view. It was noted that evaluation of the supplier's technical ability is done before contract is awarded. with respondents representing 72.7% percent while 24.3% disagreed to this perception.

The findings revealed that goods and services are checked against the local purchase order, 81.8%of the respondents agreed while 15.2% disagreed. Meanwhile, 87.9% agreed that losses had been prevented by continuously checking the purchase process. These results agree with (Lisa et.al, 2007) that measuring effectiveness and ensuring proper business controls includes conducting periodic supplier audits to correct compliance errors and procurement report on assessment of procurement system in Kenya ,OECD,PPOA (2007) That the integrity and transparency of a public procurement system rely on a number of control mechanisms ,including an effective control and audit system without which flaws in the procurement system may not be detected and addressed.

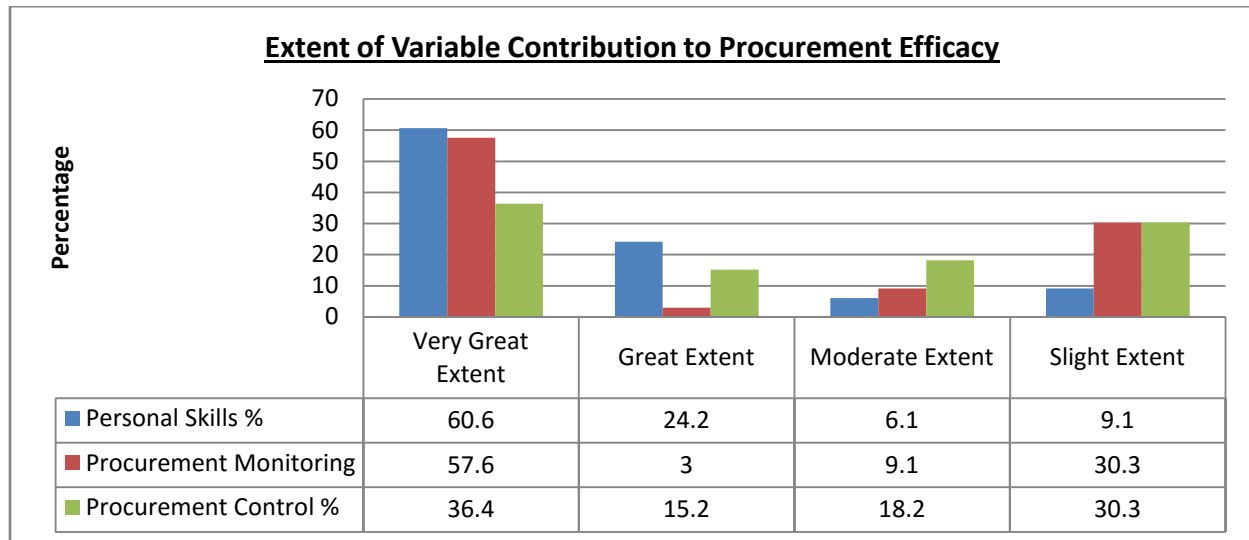
Respondents were required to give their opinion on whether Personal Skills, Procurement monitoring, Procurement Control and Procurement Plan have any impact on efficacy of public procurement law. And the findings were as shown in Fig 6 where more than 50% did agree that these variables influenced effectiveness of procurement.

Figure 6. Extent of variables contribution to efficacy of Procurement



This finding were affirmed by more than 50 % of the respondents who agreed that this variables influenced greatly the efficacy of procurement as shown in Fig 7 which is in agreement with organization performance theory which emphasizes the importance of organization resources and their influence on performance and competitive advantage in the market.

Figure 7. Extent of variable contribution to efficacy of Procurements Discussion



The findings indicated that 87.8% of the respondent were aged below 40 years this means that there was little understanding of this institutions and their operations since the number of years that an individual has worked with an institution gives them better understanding of that entity. But this is not the case. Evidence that the workforce tasked with procurement is clearly comprised of mainly youthful workforce with little or no experience.

It was also clear that majority of the respondents that is 81.3% had not served under procurement for more than 5 years meaning that they lacked experience. This is attributed to the fact that one gains more knowledge and skills through experience. Evidence that the workforce tasked with procurement is clearly comprised of mainly youthful workforce with little or no experience.

The findings revealed that a certain fraction of respondents that is 18.2% had attained education up to high school while the rest had a CPA, Diploma or were Degree holders who were the majority meaning that there was a fraction that did not have the requisite knowledge of how procurement operates. This is because level of education relates with skills and knowledge.

These findings were in harmony to past studies. According to Lysons and Farrington (2006) making high quality decisions in short amount of time with confidence is a requisite

competence for success in procurement .According to Raymond (2008) professionalism in procurement relates not only to the level of education and qualification of the workforce but also to professional approach in the conduct of the business activities. If the workforce is not adequately educated in procurement matters serious consequences including breaching of conduct occurs

### **Personnel Skill effect on Efficacy of Procurement**

The findings revealed that all aspects of personal skills were key and greatly influenced the efficacy of public procurement as respondents attested to this fact. And overall 84.6%were in agreement that personal skills to a great extent influenced the effectiveness of procurement.

A sound procurement has to have a competent professional workforce equipped with defined skills and knowledge for specified procurement jobs (OECD-DAC, 2006) It is in this regard therefore that public procurement Authority focuses its resources on the training, professional development, promotion and support for individuals that are engaged in public procurement to ensure adherence to professional and ethical standards (Adjei, 2006).

This finding were in agreement to Hui et al (2011) who while analyzing procurement issues in Malaysia established that procurement officers were blamed for mal practice and non compliance to the procurement policies and procedures.

### **Procurement Monitoring on Efficacy of Procurement**

The findings revealed that aspects of monitoring were key and greatly influenced the efficacy of public procurement as respondents attested to this fact .60.6% were in agreement that monitoring to a great extent influenced the effectiveness of procurement.

It was noted that reviews are not done at regular intervals inhibiting performance on examination of procurement cycle a confirmation it was noted that it is done to prevent fraud and supplier evaluation done to ensure quality of goods

These findings seem to agree to Ellram, (1998) who contends that purchasing decisions quite often affect a large part of a company's total costs, not only in terms of direct acquisition costs but also regarding indirect costs in the areas of inventory management, quality assurance, administration, and payment, among others.

This finding seem to agree to monitoring definition by ( Mlinga, 2011) Monitoring of procurement is a continuous process so that obstacles towards achieving intended objectives should be identified and mitigated. Hence the need for supplier evaluation, review and examination of procurement so to prevent fraud.

### **Procurement control on efficacy of procurement**

The findings revealed that all aspects of procurement control were important and influenced the efficacy of public procurement as respondents attested to this fact .51.6% of respondents were in agreement that procurement control to a certain extent influenced the effectiveness of procurement. It was noted that control is done in procurement regularly as a way of enhancing efficacy in procurement

According to (Lisa et.al 2007) measuring effectiveness and ensuring proper business controls includes conducting periodic supplier audits to correct compliance errors.

These findings were in agreement to Kimenyi (2005), who opined that public audits are a crucial link in the chain of accountability because they reinforce accountability, both upwards to elected or appointed members who provide resources and outwards to the consumers and beneficiaries, taxpayers and the wider community in general

### **CONCLUSION**

In developing countries like Kenya, having an effective procurement system will continue to be a challenge to the public schools because procurement is a function that takes place in complex political, economic, cultural, religious, environmental ,technological and ethical environments.

It is of importance that Public Procurement Act continues to play a central role in providing training, technical guidance and ensuring compliance to all set rules. It is of critical importance that components of procurement ranging from the process, through the expected practices, the responsible staff to be involved, to its conclusion.

The study concluded that procurement staff needs to be regularly trained to improve on their knowledge and skill because it's a factor that greatly influences the efficacy of public procurement in public institutions. Organization should have documented policies that guide training which in turn improves staff knowledge, skills and experience as a way of improving personnel skills. Reviews should be carried out regularly, even though corrective action are taken once discrepancy is discovered and supplier evaluation should be undertaken periodically, which leads to fraud prevention as a way of procurement control.

This study therefore, concluded that monitoring should be given attention it deserves because it is a stage characterized by abuse, theft and fraud. These findings were in agreement to James (2004), who noted that participation of both procurement Management Unit and user department are prominent actors in the whole process of Preparations and implementations of the annual procurement planning. This implies that all stakeholders must ensure that they are accountable in whatever decision they make concerning the use of public resources.

## RECOMMENDATIONS

Procurement is one area that needs careful attention from all stakeholders in institutions/ organizations because it takes big fraction of any budget whereas resources are limited while there is need to satisfy many demands and still be effective in service provision. Since procurement is important in determining the fitness and viability of an institution, hence, procurement officers need to be equipped with up to date skills to respond to technological changes.

This study therefore, recommends that they be offered with regular trainings in order to update their skills.

The study also established that institutions had their own procurement policies. This study therefore, recommends that institutional policies should be tailored in line with government procurement policies.

The study recommends that procurement entities carry out reviews, supplier evaluation and examination of the procurement cycle more often.

The study recommends that organizations document policies that guide procurement training and utilize formal training programs in procurement practice in order to improve staff knowledge, skills and experience.

Finally the study recommends that procurement be made a compulsory area of study in any discipline of study since it is applied in all fields of work.

## AREAS FOR FURTHER RESEARCH

A research is needed to establish the relationship between professional qualifications on efficacy of procurement in public institutions, given that most respondents were possessing degrees and below. In addition, a further research is needed to establish the impact of gender on efficacy in public procurement as little studies have been done in this area especially in public secondary institutions. Further research is needed to determine the impact of other skills: human skills, conceptual skills and technical skills on efficacy in public procurement in institutions. The present study established the efficacy of personal skills, procurement monitoring, and procurement control on public procurement. This study therefore, proposes another study to determine the influence of these independent variables on the continuity of inventory in procurement.

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**APPENDIX: QUESTIONNAIRE**

1. Indicate your gender

Male  Female

2. Indicate your age range

18-30  31 – 40  41-50  Over 50 years

3. Indicate your highest level of education completed.

High school  CPA  Certificate / Diploma  Degree  Masters  Ph D

4. Indicate the duration you have worked for this school.

Less than one 1 year  1 year to 5 years  6 years to 10 years  10 years and over

5. Indicate the duration you have worked in the education sector

Less than 1 year  1 year to 5 year  6 years to 10 years  10 years and over

**PART 1-Personal Skills**

Using a scale of 1-5 where (1-Strongly Agree, 2-Agree, 3-Neutral, 4-Disagree, 5-Strongly Disagree) rate the value corresponding to your view of each provided statement (what's the use of this)

	Strongly agree	Agree	Neutral	disagree	Strongly disagree
The organization utilizes formal training through training programs	①	②	③	④	⑤
Training in procurement practices has improved staff knowledge, skills and experience.	①	②	③	④	⑤
The organization has documented policies that guide training in procurement practices	①	②	③	④	⑤
Inadequate training in procurement practices leads to poor performance of the organization	①	②	③	④	⑤

5. Does Personal Skills have any impact on efficacy of public procurement laws?

Yes  No

6. To what extent  
 Very Great  Great extent  moderate  little extent  not at all

**PART 2-Procurement Monitoring**

7. Using a scale of 1-5 where (1-Strongly Agree, 2-Agree, 3-Neutral, 4-Disagree, 5-Strongly Disagree) rate the value corresponding to your view of each provided statement

Statements	Strongly agree	Agree	Neutral	disagree	Strongly disagree
Reviews of the procurement system are done at regular intervals	①	②	③	④	⑤
Corrective actions are taken once discrepancy is identified in these processes	①	②	③	④	⑤

Supplier evaluation is periodically undertaken to ensure good quality of the goods and services.	①	②	③	④	⑤
The organization examines the procurement cycle to prevent fraud					

9. In your considered view does monitoring serve as an effective tool in public procurement laws? Yes [  ]  
 No [  ]

10. To what extent does monitoring serve as an effective tool in public procurement?  
 [  ] Very Great      [  ] Great extent [  ] moderate      [  ] little extent      [  ] not at all

**PART 3-Procurement control**

11. Using a scale of 1-5 where (1-Strongly Agree, 2-Agree, 3-Neutral, 4-Disagree, 5-Strongly Disagree) rate the value corresponding to your view of each provided statement

Statements	Strongly agree	Agree	Neutral	disagree	Strongly disagree
The organization periodically reviews the existing procurement policies	①	②	③	④	⑤
The technical abilities of the suppliers are evaluated before contract awarding	①	②	③	④	⑤
Received goods and services are checked against the local purchase order	①	②	③	④	⑤
Losses are prevented through continuously checking the purchase processes	①	②	③	④	⑤

12. In your assessment have procurement control influence efficiency of public procurement laws?  
 Yes [  ] No [  ]

13. To what extent has procurement control influenced efficiency of public procurement laws?  
 [  ] Very Great      [  ] Great extent [  ] moderate      [  ] little extent      [  ] not at all