

**PUBLIC PROCUREMENT AND DISPOSAL ACT AND THE
PERFORMANCE OF THE PROCUREMENT FUNCTION
IN PUBLIC SECONDARY SCHOOLS IN NAIROBI COUNTY**

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DECLARATION

This research project is my original work and has not been presented for a degree in any other university.

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DEDICATION

I wish to dedicate this project to my family especially my wife who encouraged me when writing this project.

ACKNOWLEDGEMENT

I wish to recognize a number of individuals who contributed to the successful completion of this research project.

Special appreciation goes to my supervisor Mr. Michael Chirchir .I wish to sincerely acknowledge his professional advice and guidance in the research project.

To my family and friends for their moral support and encouragement during the study.

To all of you, kindly accept my appreciation for your great support.

LIST OF ABBREVIATIONS/ACRONYMS

BVR	-Biometric Voter Registration
CIPSA	-Chartered Institute of Supply Australia
COMESA	-Common Market for Eastern and South Africa
EACC	-Economic Assistance Coordinating Council
GDP	-Growth Domestic Product
GNP	-Growth National Product
ICT	-Information Communication Technology
IEBC	-Independent Electoral and Boundaries Commission
KACC	-Kenya Anti-Corruption Commission
KPA	-Kenya Publishers Association
KPMG	-Klynveld Peat Marwick Goerdeler
MSE	-Medium Small Enterprises
OECD	-Organisation for Economic Cooperation and Development
PPARB	-Public Procurement Authority Regulations Board
PPR	-Public Procurement Regulations
PPDR	Public Procurement and Disposal Regulations
PPDA	-Public Procurement and Disposal Act
PPOA	-Public Procurement Oversight Authority
PSS	-public secondary schools-
SSB	-Strategic Support Branch

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ABSTRACT

This research dealt with Public Procurement and Disposal Act and performance of the procurement function in Public Secondary schools in Nairobi County. The study concentrated on three valuables: Implementation of PPDA: Impact of PPDA on performance of procurement function and challenges faced in the implementation of PPDA. The study involved 60 Public Secondary Schools in Nairobi County. The study was conducted through a descriptive research design. The research study was guided by research questions based on the variables aforementioned. Literature related to this study was reviewed based on the valuables; Implementation, impact of PPDA on performance and challenges faced during implementation. Data was collected through the use of the questionnaire. A census was used to collect data from the respondents since the number of schools was not too large .The data collected was analyzed by descriptive statistics. Simple frequencies, percentages, means, standard deviation, correlation and regression analysis were used.Data was presented in descriptive form supported by frequency counts, percentages and means. From the research findings it can be concluded that most PSS in Nairobi County have implemented PPDA in their tendering process which have impacted positively on the performance of the procurement function. Challenges are also encountered in implementation due to majority of the procurement committee members lacking adequate training in public procurement procedures and regulations as per PPDA. This results in school principals and Boards of Management manipulating the process there by abusing the process which leads to unsuccessful suppliers becoming dissatisfied with the process due to lack of transparency. Further research should be undertaken in the following areas, implementation of PPDA and the performance of the procurement function in public hospitals or judiciary, e-procurement adoption in public secondary schools in Nairobi County and the impact on the performance of the procurement function.

CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

In today's world the need for organizations to be competitive in the global market place cannot be overstated. Firms are under intense pressure from consumers for goods and services that meet high service level requirements. Consequently firms are in search for new opportunities to create the competitive edge required to make business successful. One of such opportunities has been identified in the area of procurement which accounts for a high proportion of total expenditure in firms. Procurement is now in a position to affect organizations profitability faster and more dramatically than any other corporate function (Bukhala,2003).

Procurement can be defined as the business management function that ensures identification, sourcing, access and management of the external resources that an organization needs or may need to fulfill its strategic objectives .The rise of procurement to a key function in the private and manufacturing industry is the long term goal of considerable attention since 1990s.Governments the world over play a key role in providing essential social services to its citizens such as education, defense, security, health and infrastructure (Basheka &Mugabira,2010).

The magnitude of procurement outlays has a great impact on the economy of a county and needs to be well managed. The estimates of the financial activities of government procurement in most countries are believed to be in the order of 10% - 30% of GNP. Handling this size of procurement outlay has been a policy and a management concern as

well as a challenge for public procurement practitioners (Callendar et al., 2003). According to Roodhooft and Abbeele (2006), public bodies have been big purchasers dealing with huge budgets. Kenneth et al., (2006) defines procurement as the acquisition of goods and services at the best possible total cost of ownership, in the right quantity and quality, at the right time, at the right place and from the right source for the direct benefit of corporations or individuals generally via a contract. Therefore public funds must be utilized in the most prudent manner for the benefit of the citizens of the country. This ensures that tax payers get value for their money (Wanyama, 2010).

1.1.1 Public Procurement and Disposal Act 2005

The Act became effective on 1st January 2007. The purpose of the act was to establish procedures for procurement and the disposal of unserviceable, obsolete or surplus stores and equipments by public entities. The act aimed at achieving six main objectives. To maximize economy and efficiency, promote competition and ensure that the competitors are treated equally, ensure integrity and fairness of procedures is promoted, increase transparency and accountability in those procedures, and facilitate the promotion of local industry and economic development (PPDA, 2005)

The Act is organized into eleven parts. Part I consists of preliminaries, part II explains bodies involved in the regulation of public procurement, part III explains the internal organization of public entities relating to procurement. Part IV explains general procurement rules, part V explains open tender, part VI explains alternative procurement procedures, part VII explains administrative review of procurement proceedings. Part VIII describes the Authority's powers to ensure compliance. Part IX touches on debarment from participation

in procurement proceedings. Part X describes procedures for disposal of store and equipment and part XI which is the last describes miscellaneous provisions (PPDA, 2005).

1.1.2 Public Procurement Regulations of 2006

According to Kenyanya et al., (2011), Kenya has undergone significant developments in the past three decades. In 1960s no regulations were in place but in 1970s, 1980s and 1990s the procurements system was regulated by Treasury Circulars. PPDA of 2005 became affective in Kenya in 1st January 2007 after the gazettelement of the Public Procurement and Disposal Regulations of 2006. The purpose of the Act was to establish procedures for procurement and disposal of unserviceable, obsolete or surplus stores and equipment by public entities to achieve efficient management of public funds.

The introduction of PPR of 2006 introduced new standards for public procurement in Kenya. Public entities include: central and local governments, courts, commissions, state corporations, cooperatives and educational institutions such as colleges, schools and Universities. This Act does not regulate the private sector though it regulates its interaction with public entities. PPR, ensures the following issues: maximize efficiency and economy, promote competition and ensure competitors are treated fairly, promote the integrity and fairness of procurement procedures, increase transparency and accountability in those procedures, increase public confidence in procedures, enhance the promotion of local industry and economic development (Odhiambo, 2005).

The PPDA of 2005 created the public procurement oversight Authority (PPOA) which is mandated with the responsibility of ensuring that procurement procedures established under the Act are complied with in the implementation; monitoring the procurement system and

reporting on its overall function; initiating public procurement policy; assisting in implementation and operation of the public procurement system; preparing and distributing manuals and standard tender documents; providing advice and assistance to procuring entities and to develop, promote and support training and professional development of staff involved in procurement (PPDA,2005).According to PPR (2006), a good public procurement system must be economical and efficient. Purchases should be based on market prices to generate savings and avoid wastage. It should also be transparent, participatory and should also have a good information flow system, as well as arbitration systems that work well.

1.1.3 Public Procurement

Procurement practice entails the exercise of acquiring goods and services for an organization as per set policies that govern the choice of suppliers, products and methods that aim to utilize sound business practices which maximize value for the organization (Transfetti, 2000). Public procurement therefore encompasses the acquisition by purchase, retail, lease, hire purchase, license, franchise or by any contractual means of any type of works, assets, services or goods including livestock or any combination using public funds (Akech, 2005).

Public procurement accounts for a high proportion of total government expenditure. Mahmood (2010), reiterated that public procurement represents 18.42% of the world GDP. For instance, public procurement accounts for 70% of Uganda's public spending (witting, 1999). In Kenya it accounts for 60% of total budget (Akech, 2005). Angola spends 58%, and in Malawi 40% respectively (Basheka & Mugabira,2010).This percentage is very high when compared with a global average of 10% - 30% (Froystad et al,2010).In view of the evidence

on cases mentioned above, and the colossal amounts of money involved, there is need for accountability and transparency. This makes it even more critical owing to the fact that it is the tax payers' money (Hui et al., 2011). Consequently, various countries both in developed and developing countries have instituted procurement reforms involving laws and regulations.

1.1.4 Public Procurement Performance

Performance has been described as the degree of achievement of certain effort or undertaking. In public procurement performance, three major elements are considered: time, cost and quality of goods, services or works. For any organization to change its focus and become more competitive performance is a key driver. Its absence or use of inappropriate means can act as a barrier to change, and may lead to the deterioration of the purchasing function as suggested by Amaratunga and Baldry (2002). For any public organization to experience any meaningful growth, the procurement function must be efficient and effective. Efficiency reflects that the organization is doing things right while effectiveness implies that the organization is doing the right things (CIPS, 2005).

A survey carried out by De Boer et al, (1998) revealed that the performance of the procurement function in many countries across the globe falls short of expected standards including developed countries in North America and in the European Union. A study by Nakamura (2004) confirmed that in the district of Columbia USA, the government wasted hundreds of thousands of dollars in revenue by selling used emergency vehicles for “bargain basement prices” in auctions run by untrained government agents. According to the research findings by Transparency International (undated) in the United States, corruption in

government contracts had been reported. Criminal prosecutions against state officials for violations of state procurement laws were in progress.

While analyzing procurement issues in Malaysia, Hui et al (2011) established that procurement officers were blamed for malpractice as a result of violating procurement practices and procedures. Procurement audit reports from Uganda carried out by PPDA confirmed that out of 322 contracts audited at the end of 2005, only 7 were assessed as having complied with procurement regulations (Onyikwa et al., 2013).

1.1.5 Public Secondary Schools in Kenya

The introduction of PPDA coincided with the introduction of free secondary education in 2007 whose procurement systems were to be regulated. This was due to mismanagement of school funds by School Management Boards and poor quality work by contractors. This necessitated the government to introduce regulations governing procurement of goods, works and services to ensure the public gets value for their money. These regulations were contained in the Act which was to be implemented fully. In 2008, the Ministry Of Education increased its support to public secondary schools by providing some level of funding to support schools, operational and development expenditure. Some of these resources are used for procurement of books, other educational learning materials and facilities for the learning institutions. Various publications and guidelines have been produced by the ministry of education to ensure that the procedures in the procurement of goods, services and works for schools are transparent and that they guide the school management committees at all stages of procurement.

The secondary schools and colleges procurement manual (2007) provides procurement guidelines on Kenyan public secondary schools expenditure. The manuals make reference to other ministry of education publications that set out in a more comprehensive manner the processes to be observed in the procurement of particular items such as instructional materials and school infrastructure. As public procuring entities, education institutions are required by the PPDA of 2005 to establish tender committees to be responsible for procurement at various levels. The composition of such committees has also been determined in law. Although some schools have set up tender committees, a number of schools have yet to do so and the responsibility of this committee has been exercised by the school management committees. Additionally other committees are formed to procure specific items in learning institutions.

The manual has been prepared to address the specific procurement requirement of schools and colleges. The procurement processes set out in this manual have reference to the salient provisions of the Act. Important general steps leading to effective procurement for schools and colleges have been incorporated. Managers of schools and colleges are therefore required to familiarize themselves with the guidelines provided in this manual and adhere to them. The procurement of goods, services or works is done by a tender committee whose composition and roles were outlined in PPDA and in the schools and colleges procurement manual. The Act grants the school tender committees power to oversee and control the whole tendering process. The committee is constituted as follows; The Deputy Principal is the Chairman, the Bursar is the Deputy Chairman and at least six Heads of Departments including the Matron. The officer heading the procurement unit is its secretary (Kenya Gazette, 2006).

A survey carried out by KACC(2010) on booksellers revealed how distributors collude with school principals to embezzle funds set aside for Free Secondary Education in PSS in Kenya. Procurement audits carried out by KACC (2010) in Nyamache district revealed partial implementation of PPDA in public secondary schools. It also established that school tendering committees distort the regulations to restrict the participation of interested suppliers in procurement or direct the outcome of others.

Another study by Kenyanya et al (2011) revealed that many of the tender committee members had not received any formal training. Most of them had received their training in seminars and workshops. The study noted that open tendering had been adopted in many schools. However the evaluation and awarding of tenders to deserving suppliers has not been transparent. The study also revealed that pricing of goods and services procured by PSS had improved significantly due to the implementation of some of the guidelines in PPDA. The tendering committees had been established in most schools except that the laid down procedure for constituting the committees as spelt out in the Act was not adhered to. It was also confirmed that there was considerable discrepancies between the legislative framework and the procurement function in the evaluated PSS.

The same study by Kenyanya et al (2011) revealed that the implementation of PPDA in PSS has been an ongoing process and had been adopted in some schools . This has added some strength to the public procurement system though weaknesses still exist. For instance, open tenders were found to be the preferred method of tendering used by many of the PSS. This brings it closer to its intended status as the default method of procurement. However it is clear that the procurement function needs to be developed further and considerable effort put into defining strategies on how to make open tendering the main method of procurement.

1.1.6 Performance Measures in Public Secondary Schools in Kenya

Performance is a key driver to improving quality of services in any organization. Performance measurement is a good practice undertaken to ensure that procurement services are continually improved. The areas measured are mostly based on internal customer satisfaction. These measures includes timelines of suppliers, availability of supplies in terms of supply range, quality and continuity of supply, reduction of lead time in the procurement process, quality in terms of appropriateness to requirements, cost reduction and cost avoidance and customer service in terms of provision of information and technical support to schools and problem solving. This is aimed at having capable and reliable suppliers. Performance is also based on the effectiveness and efficiency of the procurement process (PPOA, 2009).

Organizations which do not have performance measures in their processes, procedures and plans experience lower performance and higher customer dissatisfaction and employee turnover. (Amaratunga& Baldry, 2002). Performance measurements are recognized as an important element of Total Quality Management programs. Performance is based on process optimization through increased efficiency and effectiveness of the tendering process and products procured (Simons, 2000).

1.2 Statement of the Problem

The growing concern on how public funds are expended in the provision of goods and services, and the wastages reported of public funds in procurement procedures and processes is an issue of global importance. According to research findings by De Boer and Telgen

(1998), non compliance in the implementation of public procurement reforms affect not only the developing countries but also countries in the European Union. A study conducted by Hui et al,(2011)in Malaysia revealed that the government was reviewing its public procurement system to enhance efficiency in public procurement practices. The study mainly focused on the efforts the government was putting in place to ensure compliance to the PPDA.

A research study by Odhiambo and Kamau (2003), revealed that big strides have been made by several developing countries to reform their public procurement systems. The findings were that the process is shrouded by secrecy, inefficiency, corruption and undercutting. A study by KPMG (2008) revealed that procedures supporting the systematic procurement planning have been established to guide the procurement process in government institutions. The focus was more on public procurement systems and compliance with PPR of 2006.

A survey carried out by KACC(2010), revealed how book distributors collude with school principals to embezzle funds set aside for free education in public secondary schools in Kenya as cited by Wanyama,(2010).The findings failed to explain the measures the government was taking to eliminate such malpractices in the procurement process in public secondary schools in Kenya. Another study by Onyikwa et al (2013), revealed that tendering committees in Secondary Schools in the district distort the regulations to restrict the participation of interested suppliers in procurement or still direct the outcome of others. The study did not point out the extent to which the PPDA was being implemented and the impacts on performance of procurement function in public secondary schools in Nairobi county. From the studies highlighted above it is evident that though the government has published guidelines that are supposed to be adhered to in the procurement process. The

procurement officials in public secondary schools are not keen in implementing the Act fully so that they can continue with the status quo where procurement of goods, works and services was left to school heads and management boards of schools. This gives them room to manipulate the process to award tenders to their preferred suppliers. Also it is evident that there have not been sufficient studies that link the implementation of PPDA to the performance of the procurement function in public secondary schools in Nairobi county. Hence this study seeks to bridge the gap by answering the following questions: To what extent are the PPDA implemented by public secondary schools in Nairobi county? What is the impact of PPDA on the performance of the procurement function in public secondary schools in Nairobi county? What are the challenges faced in the implementation of PPDA in public secondary schools in Nairobi County.

1.2.1 Research Objectives

- i. To determine the extent to which PPDA is implemented by public secondary schools in Nairobi county.
- ii. To determine the impact of PPDA on the performance of the procurement function in public secondary schools in Nairobi county.
- iii. To establish the challenges faced in the implementation of PPDA in public secondary schools in Nairobi County.

1.2.2 Value of the Study

Numerous reforms have been undertaken through the legal framework to streamline procurement process and procedures in public institutions in Kenya since independence. Policy makers, decision makers and stakeholders in education for instance are expected to

use the findings of this research study to identify the loopholes that exists in the implementation of PPDA in schools and their impact on performance of the procurement function and put in place measures to seal them. The expectations are that they shall also be enlightened on the challenges encountered in implementation of PPDA in public secondary schools in Kenya and come up with ways of minimizing them to ensure the procurement process in educational institutions is efficient.

Policy makers in other public sectors apart from education may use this study to shed some more light on some of the challenges they face in implementing PPDA. The study is also expected to be of value to academia as it may contribute to the ever growing debate on public PPDA and their impact on the performance of the procurement function in their organizations. The research might also form a basis on which academic researchers can identify other areas in the same line for further study.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

The chapter presents past studies related to public procurement .The chapter is organized as follows: First it presents the concept of public procurement, followed by public procurement practices, then implementation of Public Procurement and Disposal Act, performance of the procurement function in public institutions in Kenya and finally challenges in the implementation of Public Procurement and Disposal Act in Kenya.

2.1.1 Public Procurement

The acquisition of goods and services in government institutions entails the hiring of contractors and consultants to carry out works and services (De-Boer et al,1998).Every item used in an organization ranging from stationary ,computers , fittings ,furniture and others such as cleaning materials and transport must be procured using the recommended procurement procedures Procurement is an important part of efficient management and supply of inputs in all organizations .Procurement is the business management function that ensures identification sourcing, access and management of the external resources that an organization needs to fulfill it strategic objectives (Callander,2003)..Therefore public procurement is an important function of the government for several reasons.

Efficient handling of huge procurement outlays is a policy and a management concern. Public procurement has been utilized as an important tool for achieving economic, social and other objectives (Arrowsmith, 1998). In its report to the Congress, The Commission on

Government Procurement, states: “the magnitude of government outlays for procurement and grants creates opportunities for implementing selected national policies”(Thai,1999).The magnitude of procurement outlays has a great impact on the economy of a country and needs to be well managed. For instance, in most countries in the world, estimates of the financial activities of government procurement managers are believed to be in the order of 10% - 30 % of GNP (Callendar et al., 2000).

In public procurement there are three concepts that are critical to the success of the procurement process. These are: information, financing and transparency. Information is critical to an effective and efficient procurement process. Financing is the engine that drives it. Transparency helps to document and disseminate information on the scope and consequences of corruption. A good public procurement system must be economical and efficient. This implies that purchases are not wasteful, are based on market prices and can generate savings (Froystad,2010) .

2.1.2 Public Procurement Practices

There are certain principles in public procurement that must be adhered to for effective and efficient operationalization of the guidelines in PPDA of 2005. One of the principles in procurement is transparency. According to Pearson (2007) appropriate record keeping is an important process in achieving transparency. Supporting documentation should be created and maintained to enable scrutiny of decisions taken and to demonstrate the applications of the guiding procurement principles and compliance with established requirements. All personnel need a clear understanding of accountability as a procurement principle. Accountability requires those entrusted with public resources to work to clear objectives in a

transparent manner, accept responsibility for their decisions and actions, seek to achieve the best use of resources and submit themselves to appropriate scrutiny (Kipchilat, 2006). There is need to have clear procurement policies, clear lines of responsibility and all transactions must be adequately documented (Warren et al, 2008).

Probity is a crucial principle in procurement. Probity in procurement relates to fairness, impartiality and integrity of the process. Consistency in the treatment of and interaction with potential suppliers is important in ensuring that probity standards are met. Probity is also critical in achieving value for money. Potential suppliers may also choose not to participate in tenders if they doubt the fairness or impartiality of the process. This diminishes the range of solutions available and the competitiveness of the bids. Probity issues should be considered throughout all phases of the procurement cycle. As more innovative approaches to procurement are adopted public sector agencies need to ensure that the probity of their procurement process is maintained (Arrowsmith, 2010).

Ethics is another important principle in procurement. According to Tukamuhabwa (2012) all public sector employees need to model their behaviors based on the public sector values and at all times to act in an ethical manner. Ethical behavior encompasses honesty, integrity, probity, diligence, fairness, trust, respect and consistency. It also includes avoiding conflict of interest and improper use of individual's performance.

According to Arrow smith (2010) the procurement function was viewed as a low-level back-office operation that existed solely to beat up suppliers for lower prices. The traditional approach to suppliers was price based, confrontational, surface level, short term, and extremely shortsighted as cited by Abdi (2012). In practice the first step in the procurement

process starts internally with the user department or unit identifying a need for a product or a service. This is done using supporting data and evidence which then enables the department to develop and complete a business plan. A full business plan is then forwarded to the unit manager or board of directors for approval. Once approved the business plan is forwarded to the procurement manager. This ensures that only the goods required in the department are procured. It also ensures that no individual spends the organization's funds for personal interests Kenneth (2006).

Another practice in procurement process is that before any firm invites potential suppliers for tenders a detailed specification of the product or service is developed by the analysts including details of raw materials and components. However in certain cases a specific supplier may be designated based on patent rights held by that supplier, compatibility with the existing facilities and whether they are the sole supplier of a given item. This ensures that the right product and its quality has not been compromised (Kenneth& Lysons 2006).

One of the most important procurement practices is open tendering where effective supplier selection is done. While all companies want to pay the lowest possible purchase price for goods and services, leading companies have realized that purchase price is only one element of total cost and that it is critically important to establish continuous improvement programs with strategic suppliers. Thus supplier selection and supplier relations are a major practice in procurement that can lead to long term success of corporations (Lisa, 2010).

Pearson asserts that open and fair competition ensures that an organization selects right suppliers. To ensure competition is open and fair a range of suppliers should be encouraged to bid to provide goods and services to public sector agencies, or to deliver public

construction projects. Potential bidders must be treated in a fair, consistent and even-handed way. The same information should be provided to all potential bidders. Security and confidentiality of competitive information and documentation must be respected. Open and fair competition is instrumental in achieving value for money (Pearson, 2007).

Contracting is a practice in tendering process. Contract is awarded to the supplier whose bid offers best value for money and also meets the set criteria. The price to be paid is set including agreeing to lead time and quantity for delivery. Suppliers also receive orders for product and there is agreement on delivery dates (Cooper et al, 1993). Another procurement practice is receipt. Upon delivery of the goods and confirmation that the goods delivered are of the right quality and quantity, a delivery note is signed by the procuring entity and a goods receivable note is raised. A firm reserves the right to claim liquidated (GRN) damages if delivery is delayed beyond the liquidated delivery deadline (Kenneth & Farrington, 2006)

For payment to be effected three documents must match when an invoice requests for payment is raised. These are the invoice itself; goods received note and the original purchase order. The agreement of these documents provides confirmation from both the receiver and the supplier. Any discrepancies must be reserved before the recipient pays the bill. Usually payment is made in the form of cash, check, bank transfers, credit letters or other types of electronic transfers. (Kenneth 2006) Consumption is another practice. The company evaluates the performance of the procured goods or services and accompanying service support as they are consumed. The family inspects all products delivered by the supplier to ensure they meet the requirement and conditions stipulated manufacture of goods. Finished products are moved to ware houses which may be local or remote locations (Lysons, 2006).

Renewal of contact is an important practice in procurement. When the procured good or service has been consumed or disposed off, the contract expires. The product or the service has therefore to be re-ordered, hence the company's experience with the procured goods or service is reviewed. If the procured good or service is to be re-ordered, the company determines whether to consider other suppliers or continue with the same supplier. (Cooper et al, 1993).

Decommissioning is a practice that is a crucial as the rest. It is the withdrawal from active service without discontinuance of service. it may involve dismantling, safe storage such in museums or decontamination especially to materials or equipment having radioactive effects. Disposal is the last practice in procurement; it refers to the act or means of getting rid of unserviceable obsolete or surplus material or equipment. This should be conducted in a manner that maximizes competition and achieve economy, efficiency and value for money. For a public entity a disposal committee must be established for the purpose of recommending the best method of disposing obsolete unserviceable or surplus materials or equipment from a public entity. The disposal committee recommends either of the following methods. Transfer to another entity with or without financial adjustment, sale by public tender, sale by public auction or by destruction, damping or burning (Farrington, 2006). This marks the conclusion of the final stage in a procurement process.

2.2 Implementation of Public Procurement and Disposal Act 2005

Public procurement systems in Kenya have undergone significance evolution. A study by Hunja (2003) on how the procurement system as defined by the legal and regulatory framework was operating through the public institutions, revealed that the legal framework

supports the integration of procurement planning in the budget formulation process. The introduction of PPDA of 2005 and the procurement regulations of 2006 introduced guidelines that led to the sanity and standard procedures for public procurement and disposal of goods and unserviceable parts by state corporations and public entities.

A study by KACC (2009) revealed that many public procurement entities apply and adhere to the provisions of PPDA. However the extent of their application of the PPDA is constrained by their knowledge of their various provisions and in some cases by their financial stability. The study by KACC (2009) on the existence availability, quality and the use of the legal and regulatory framework from the highest level to the more detailed operational procedures, noted that sound legal framework is in place. Another study by PPOA (2009) on implementation of PPDA on procurement operations and market practices indentified the following strengthens. Procurement decision authority was fully delegetable. Steps had been taken towards developing a professional procurement work force to counter the menace of overpricing. PPOA introduced the market price, index, updated periodically to assist accounting officers make informed decisions. PPOA also launched the Web-based Market Price Index to inform on the national and regional market prices.

2.2.1 Performance of the Procurement Function in Public Institutions in Kenya

A study by Hunja (2003) revealed that the legal and regulatory framework supports the integration of procurement planning in the budget formulation process. This has lead to increased accountability and transparency in the expenditure of public funds in Institutions. A study by KACC (2010) revealed that integrity and transparency of the public procurement system found that the control systems of Kenya public procurement systems have been

strengthened to a greater extent. The study also found that Kenya had a sound internal mechanism established and complied with and a well functioning and independent review and appeals mechanism. This has increased public confidence and trust on how funds set aside for projects are expended.

A survey of public institutions by KACC (2010) revealed that procurement had become more transparent and formal. This has reduced incidences of corruption thereby reducing wastage of public funds on shoddy deals. The study also found that open tenders accounted for an almost equivalent though slightly higher proportion of the total procurement than restricted tenders, followed by quotations. This placed open tenders somewhat closer to its intended status as the default procurement. This has also improved the quality of goods, services and works procured because only the most competitive suppliers are awarded the tender. As a result there has been a reduced complaint and a more satisfied public as the tax payers' money is being spent more prudently.

2.2.2 Challenges in the Implementation of PPDA in Kenya

Accountability is a big challenge in public procurement. This is government's obligation to demonstrate effectiveness in carrying out goals and producing the types of services that the public wants and needs. Lack of accountability creates opportunities for corruption as cited by Brinkerhoff (2004). A research conducted at the Ministry of Environment Water and Natural Resources headquarters reveals that the government lost over Kshs. 13 billion through procurement irregularities, with the Ministry of Water and Irrigation comprising 38% of reported cases (KACC, 2010).

An internal process is another challenge. Public procurement has for long been overshadowed with inefficiency, corruption and disregard for fundamental “value for money” considerations. This has adversely impacted the rate and quality of progress in realizing the objectives of national development especially in developing and transition countries (OECD, 2009). Wanyama (2010) also noted that key provisions of the Act and the regulations are replete with contextual weaknesses that have often been abused by procuring entities. The regulations do not envisage contemporary market realities.

Ethics in public procurement is a serious challenge. According to Wee (2002), ethics are the moral principles or values that guide officials in all aspects of their work. Ethical behavior encompasses the concepts of honesty, integrity, probity, diligence, fairness, trust, respect and consistency. Ethical behavior includes avoiding conflicts of interest and not making improper use of an individual’s position. This requires training and education in professional ethics. Procurement Ethics demand that the practitioner demonstrates high level of competence and maintains integrity by adherence to a code of conduct in order to provide service for the public good (Agaba et al, 2007).

For instance some procurement committee members in public secondary school use inside information provided to the agency as part of a tender process either for the material benefit of the official or for another person. This brings about unfairness and lack of transparency in the procurement process. Some distort the regulations to restrict the participation of interested suppliers or still direct the outcome of others as cited by Kenya et al (2006).

Training of staff if not prioritized can pose a challenge. According to a study by PPOA (2007) the procurement regulations were meant to ensure that efficient training is offered to

professionals to serve in procurement. The study revealed that available expertise at the procurement units did not meet the need for specialized procurement knowledge. This results in public expenditure being a slow process, ineffective, expensive, corrupt and results in substandard goods and works which are in most cases overpriced.

Awareness of procurement regulations is another challenge. According to the PPOA of 2007 the procurement exercise follows steps which must be observed in order to ensure that all stakeholders involved in procurement exercise obtain fair treatment (PPOA, 2007). Many procurement personnel in public institutions have limited understanding of their roles, and are usually open to manipulation by management, chairmen or principal stakeholders. For instance, Most of the members in procurement committees in public schools who are mostly teachers have not been trained on the provisions contained in Procurement Regulations in the Act of 2006. They sit in the committees to merely listen to what has already been endorsed and approved. This provides a chance for dubious acts including tendering and discriminate supplier selection which may progress to poor compliance levels. (Onyakwa et al, 2013).

ICT Adoption has been a challenge in developing countries. For instance, lack of skilled human resource, economic constrains, lack of systems infrastructure and application problems. Lack of skilled human resources has been described as a principal barrier blocking the diffusion and effective exploitation of ICT in developing countries (Ngugi&Mugo, 2012).

2.3 Summary and Research Gap

From the literature review, it is evident that most of the research done mainly focused on implementation of PPDA and assessment of compliance to these regulations in different countries and in other sectors but not in PSS. None of the studies has attempted to investigate implementation of PPDA and the performance of the procurement function in PSS in Nairobi, Kenya. It is clear that for public to get value for their money, procurement regulations must be adhered to especially in the tendering process. This study therefore seeks to bridge this gap by investigating the implementation of PPDA and the performance of the procurement function in PSS in Nairobi County.

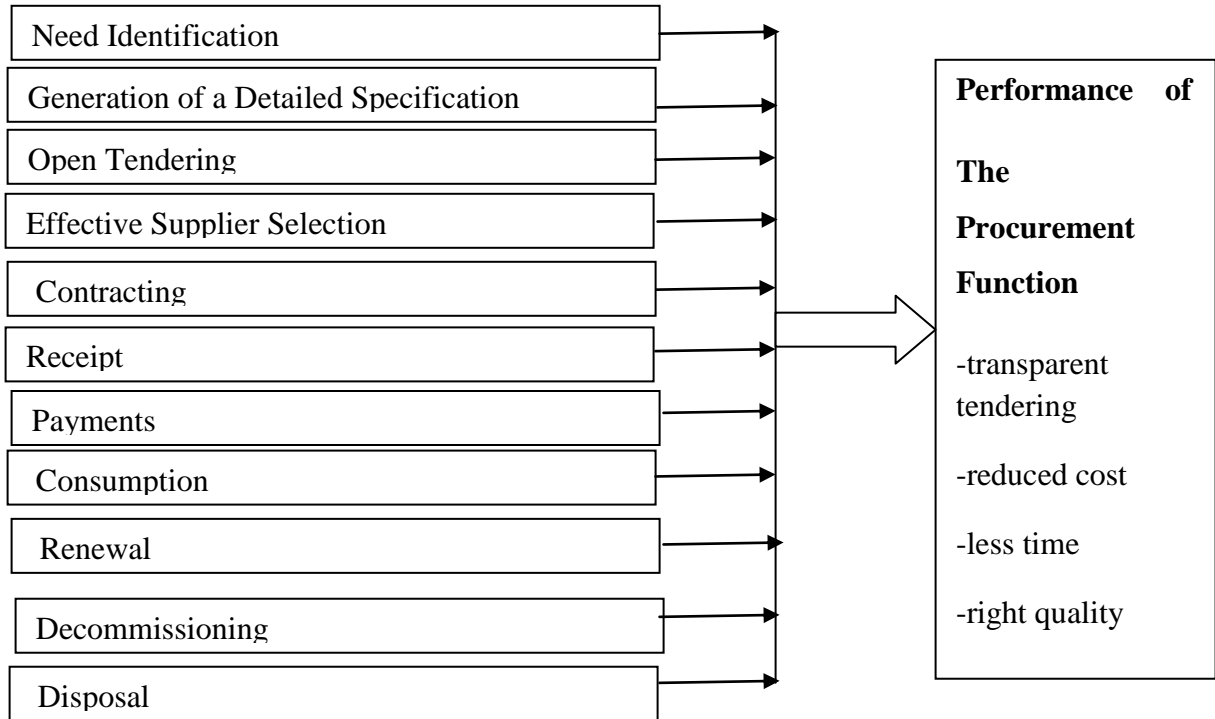
2.4 Conceptual Framework

Figure 1: Relationship between Public Procurement Practices and Performance of the Procurement Function.

Independent Variables
Variable

Dependent

Procurement Practices



Full implementation of Public Procurement and Disposal Act in public institutions in Kenya will lead to optimal performance of the procurement function. This implies that needs will be identified at departmental level, detailed specification of goods to be procured will be done by analysts, open tendering will be the preferred practice during tendering process, effective supplier selection will be done during evaluation, contracting of successful suppliers is done, receipt of goods/services delivered, payments made promptly for the goods/services delivered, consumption and evaluation of goods supplied, renewal of contract if supplied goods satisfy the customers and economical and proper disposal of unserviceable, obsolete or surplus goods using recommended procedures for disposal.

CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction

This chapter presents the methodology that was used in conducting the study. It represents the research design, the target population, data collection instruments, data collection procedures and finally data processing and analysis.

3.2 Research Design

The study used descriptive research design. Descriptive studies are essential in many situations especially when using quantitative data in understanding the relationships (Sekaran & Bougie, 2011). This research design was most appropriate since the objective of the study was to establish the relationship between implementation of Public Procurement and Disposal Act and the performance of the procurement function in public secondary schools in Nairobi County, Kenya.

3.3 Target Population

The population of the study involved 60 public secondary schools in Nairobi County as obtained from Nairobi county Director's official register and on the county director's official website. A census was conducted on all public secondary schools in Nairobi County because the number of schools was relatively small.

3.4 Data Collection.

The study used primary data collected through the use of questionnaires. A five point likert scale questionnaire was used and administered to procurement officers or their equivalent because they were deemed to be the most knowledgeable personnel on tendering process in

the school. The Likert measures the level of agreement or disagreement. Likert scales are good in measuring perception, attitude and values (Mugenda & Mugenda, 2003). The respondents were the deputy principals and the bursars or a head of department in the procurement committee. The questionnaire was administered by using drop and pick method at the respondents' place of work. The questionnaire had a letter of introduction from the university. Follow-up was done through telephone calls to ensure respondents filled the questions within the agreed time.

A structured questionnaire was used to collect the data. The questionnaire had four sections: A, B, C and D. section A sought to collect background information of the respondent. Section B sought data on the extent of implementation of PPDA in the school. Section C collected data on the extent to which implementation of PPDA impacted the performance of the procurement function in the school. Section D which was the last collected data on challenges faced in the implementation of PPDA by tendering committee in the school.

3.5 Data Analysis.

The data collected was examined for completeness, analyzed and the frequencies identified used to explain the extent and the relationship between implementation of PPDA and the performance of the procurement function. Descriptive statistics was used to determine the extent of implementation of PPDA and challenges faced in the implementation of PPDA is PSS in Nairobi County. The results were presented in tabulations, figures, narrations, and correlation was used to determine the extent to which the implementation of PPDA has impacted the performance of the procurement function. Public procurement practices were

used as the independent variables while performance of the procurement function was used as the dependent variable.

CHAPTER FOUR: DATA ANALYSIS, FINDINGS AND DISCUSSION

4.1 Introduction

This chapter contains the data analysis of the study. The data is presented in the form of diagrams and tables. The data has been analyzed using descriptive statistics to generate frequencies of responses and inferential statistics to determine the relationship of the variables under study.

4.1.1 Response Rate

Initially the target population was 60 secondary schools in Nairobi County however; the duly completed and returned questionnaires were 26 which convert to 43.3% response rate. Creswell (2003) who provides guidance that a 40% response rate is adequate.

4.2 Characteristics of Respondents

This section consists of information that describes basic characteristics such as age, years of work experience and education level of the respondents.

4.2.2 Gender Distribution

Table 4.1 presents the gender of the respondents, which indicates that 46.2 % constituted of male respondents while 53.8% comprised of female respondents. From this conclusion it was noted that majority of the staff in schools' procurement department are male.

Table 4.1: Gender of Respondents

Gender	Frequency	Percent
Female	14	53.8
male	12	46.2
Total	26	100.0

Source: Research Data (2014)

4.2.3 Level of Education

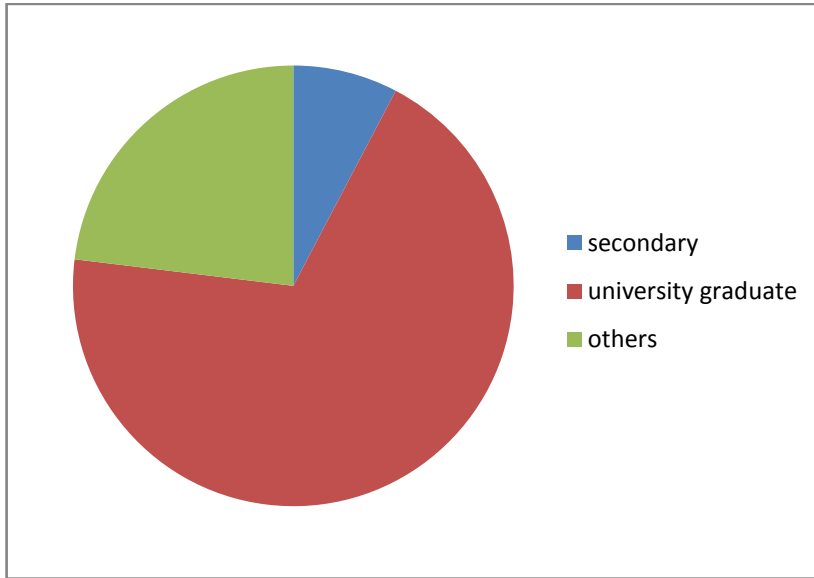
Figure 4.1 presents the level of education of procurement department employees in the secondary schools under study. Based on the results majority of the respondents are tertiary college graduates. This explains the level of competences in schools' procurement department.

Table 4.2: Highest Education Level

Level of Education	Percent
Valid secondary	7.7
university graduate	69.2
others	23.1
Total	100.0

Source: Research Data (2014)

Figure 4.1: Level of Education of Respondents

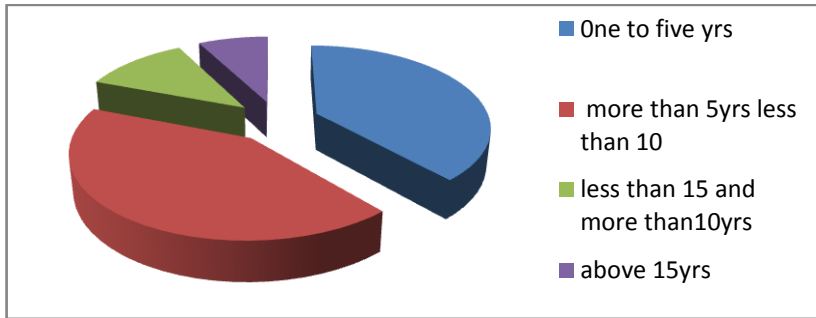


Source: Research Data (2014)

4.2.4: Period of Employment

Figure 4.2 presents the period that the employees have been working in the procurement department in the secondary schools. The findings indicated that most of the respondents have worked for more than five years. Few respondents had a working experience of above 15.

Figure 4.2: Period Appointed in the School Procurement Committee



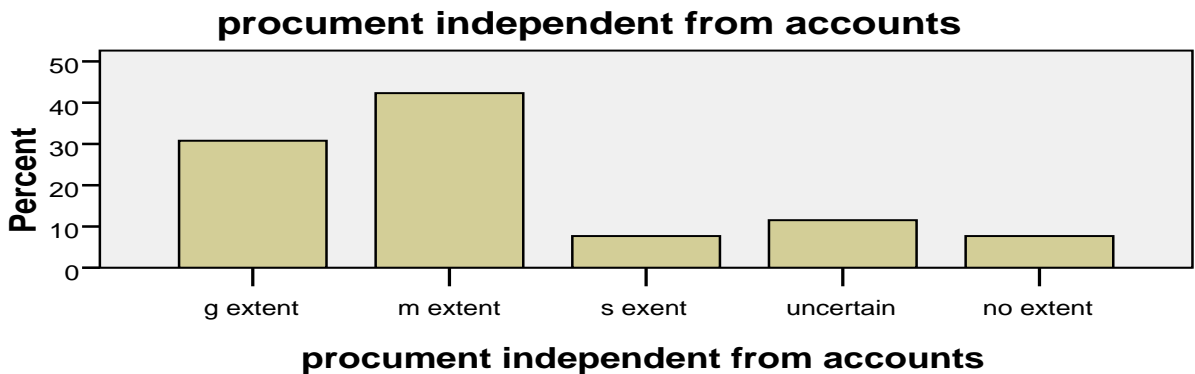
Source: Research Data (2014)

4.3 Descriptive Results on Procurement Performance Measurement in Secondary Schools in Nairobi County.

This section presents the descriptive results where the factors affecting procurement performance are measured.

4.3.1 Analysis of Procurement Performance Measurement

Table 4.3: Level of independence of procurement department from accounts



Source: Research Data (2014)

Table 4.3 displays results of data analysis regarding the views of the respondents on procurement performance measurement. Results indicate that 80.2% of the respondents support that their school has implemented the PPDA in procurement of goods and services. The results also indicate that 73.1% of schools procurement department are independent from the accounts .Some of the benefits observed from this were stated as: better management of school resources, accountability and transparency, competition among bidders, improvement in quality of goods and services thus avoiding exploitation by businessmen. The main reason for not implementing the PPDA was stated abuse by management.

The table 4.4: Summary of Results on Level of Agreement by Respondents

Measurement	Greater extent	Moderate extent	Small extent	uncertain	No extent	mean	Std deviation
identification through competitive bidding	69.2	30.8	nil	nil	nil	1.31	.47
Contracting Evaluate bidding before awarding contract	76.9	7.7	15.4	nil	nil	1.38	.75
proper records for transparency	73.1	15.4	11.5	nil	nil	1.38	.70
proper documentation for transparency	65.4	26.9	7.7	nil	nil	1.44	.64
Effective supplier selection	61.5	15.4	19.2	nil	3.8	1.69	1.05
Need identification user department identifies need	53.8	19.2	26.9	nil	nil	1.73	.87
Request for quotation for readily available goods	46.2	38.5	11.5	3.8	nil	1.73	.83
Goods acquired by open tendering	53.8	11.5	3.8	7.7	23.1	2.35	1.72
Detailed specification details analysed by experts	26.9	46.2	3.8	7.7	15.4	2.38	1.39
Operational disposal committee	38.5	3.8	11.5	19.2	26.9	2.92	1.72

Need identification

Source:Research Data (2014)

4.3.2 Need Identification

73% of respondents agree that as regard need identification the department in need is responsible. This implies the need statement is per requirement of the department. There is no disparity in the needs and what is requested for. This is further confirmed by none of the respondents being uncertain and further none stating that the department is involved in need identification only to a small extent.

4.3.3 Detailed Specification

It was noted from the results that a76.1% of the respondents agree that the specification details of required goods and services is done by experts. This is also a plus on schools' procurement processes.

4.3.4 Open Tendering

All tender committees were reported to be as per PPDA with 73% great extent and 24% moderate extent. It was found out from 65.1% of respondents that open tendering is applied in obtaining goods and services. Only 1.7% said open tendering is applied to no extent in acquisition of goods and services. It is a good pointer on schools procurement in Nairobi County.

4.3.5 Effective Supplier Selection

76.9% agree that for goods whose nature is complex, prequalification of suppliers is done before tenders are invited. Such goods include medicine for the schools' sanatorium

4.3.6 Contracting

The contracting process is good in PSS in Nairobi with 84.6% agreeing that there is evaluation of bidding before awarding contract. Also note worthy is that none of the

respondents were uncertain of the evaluation of the contract process and none said that evaluation of contact was not done at all.

4.3.7 Disposal of Goods and Services

From the results, PSS in Nairobi less than half have an operational disposal committee. 57.6% were either uncertain of the existence of disposal committee or if they were there they were not operational or operational to a small extent. Of these 33.3% were uncertain of existence of such committees in their schools. The study further got the distribution of the disposal committees that were formed as per PPDA as follows.

Table 4.5: Level of Agreement on Disposal Committee’s Existence, Composition and Operation

Level of Agreement	Frequency	Percent	Valid Percent	Cumulative Percent
Valid g extent	7	26.9	26.9	26.9
m extent	6	23.1	23.1	50.0
s extent	5	19.2	19.2	69.2
Uncertain	4	15.4	15.4	84.6
no extent	4	15.4	15.4	100.0
Total	26	100.0	100.0	

Payments and receipts

Source: Research Data (2014)

4.3.8 Payments and Receipts

On payments and receipts, proper recording and documentation was ascertained for and the results indicate that, 88.5% have proper records for transparency and only 11.5% have them

to a small extent. Maintenance of documentation for scrutiny is also with 92.5% having them to moderate and greater extent and only 7.7% having them to a small extent

Table 4.6: Challenges in Implementing PPDA in the School

Measurement	Greater extent	Moderate extent	Small extent	uncertain	No extent	mean	Std deviation
Lack of necessary infrastructure	15.4	42.3	23.1	3.8	15.4	2.62	1.27
Unskilled manpower	19.2	23.1	7.7	34.6	15.4	3.04	1.43
Committee lacks understanding of roles	15.4	15.4	7.7	19.2	42.3	3.58	1.55
Corruption	34.6	3.8	3.8	42.3	15.4	3.00	1.60
Wastage of resources	34.6	19.2	3.8	19.2	23.1	2.77	1.66
Untrained personnel	34.6	26.9	3.8	7.7	26.9	2.65	1.67
Unfair tendering	34.6	11.5	7.7	19.2	26.9	2,92	1.70
Overpricing of goods	30.8	15.4	7.7	15.4	30.8	3.00	1.70

Source: Research Data (2014)

4.4 Discussion

There are various challenges still faced by PSS in the implementation of PPDA in schools in Nairobi. The results are summarized in the above table. It is clear that majority of the personnel are untrained hence opening opportunity for manipulation by principals in the schools during procurement .This is the greatest challenge with 61.5% of respondents

indicating its prevalence. Wastage of resources arising from lack of effective control mechanism in purchasing follows with 53.3% reporting its biting effects. Opaque tenders that restrict the number of supplier is also reportedly high at 46.1% Though from the response the committee members seem to adequately understand their roles 30.8% still hold that there is limited understanding on this understanding and only 42.3 % say that their understanding of roles is good. Lack of skilled manpower and lack of infrastructure hence limiting adoption of ICT in procurement in PSS recorded a high of 42.3% and 57.7% respectively.

4.5 Correlations

At this stage we look at the bivariate correlation of each of the variable of interest and the implementation of PPDA. The results are summarized in table below.

Table 4.7: Bivariate Correlation of each Variable of Interest

Item		Implement PPDA
Implement PPDA	Pearson Correlation	1
	Sig. (2-tailed)	
	N	26
goods acquired thr open tendering	Pearson Correlation	-.537(**)
	Sig. (2-tailed)	.005
	N	26
reduced transaction cost	Pearson Correlation	-.102
	Sig. (2-tailed)	.621
	N	26
improved quality of goods and services	Pearson Correlation	-.452(*)
	Sig. (2-tailed)	.020
	N	26
quicker delivery of goods	Pearson Correlation	.017
	Sig. (2-tailed)	.934
	N	26
goods obtained at market value	Pearson Correlation	.072
	Sig. (2-tailed)	.726
	N	26
disposal of surplus by tendering	Pearson Correlation	-.085
	Sig. (2-tailed)	.678
	N	26

** Correlation is significant at the 0.01 level (2-tailed).

* Correlation is significant at the 0.05 level (2-tailed).

Source: Research Data (2014)

From the bivariate correlations table obtained (see above) Improved quality of goods and services procured and goods acquisition through open tendering were significantly related to implementation of PPDA in PSS in Nairobi. However there were no significant relation between implementation of PPDA in PSS and Disposal of surplus goods through open tendering, Goods obtained were at market prices, faster delivery of goods and reduction in transaction cost from the study results.

CHAPTER FIVE: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter contains summary of findings, conclusions and recommendations and further areas of research which is derived from data analysis.

5.2 Summary of the Findings and Discussions

The findings indicate that 53.8% of staff in procurement department in PSS in Nairobi are female. This surpasses the minimum requirement by the government set at 30% in a bid to help empower women in their economic contribution. The results indicate that procurement performance measurement in schools is adequate with 80.2% indicating that PPDA is implemented in procurement of goods, services and works. This correlates with the findings by Lisa (2010) and Kenya et al.,(2011). These respondents attributed the implementation with benefits such as prompt delivery of goods and services, improved quality of supplies, goods and services were got at competitive rates, there was savings in expenditure and efficiency and harmony in procurement processes.

This contradicts earlier findings by Kenya et al.,(2011) which revealed that goods and services are overpriced above market rates, delay in delivery of goods and services and poor quality of goods procured. The 19.2% that had not implemented PPDA in their procurement processes stated conflict of interest or interference by management. This correlates with earlier findings by KACC (2010). The findings agree with another study by Kenya et al.,(2011) which revealed that most of the tender committee members have never received

formal training that led to manipulation of the tendering process by boards of management and school principals. The findings indicate no significant statistical relationship between implementation of PPDA in PSS and Disposal of surplus goods through open tendering, Goods obtained were at market prices, faster delivery of goods and reduction in transaction cost from the study results. Other concealed intermediary variables could be involved, these was beyond the study. Implementation of PPDA in PSS in Nairobi was found to be high positive influence related to Obtaining goods through open tenders. Similarly, there was high positive influence of PPDA on improved quality of goods and services obtained.

5.3 Conclusions

From the above findings a conclusion can be made that most Public Secondary Schools in Nairobi County have partly implemented PPDA in the procurement of goods, services and works. This has led to savings in costs of goods and services, improvement in the quality and items are purchased at recommended costs. In most schools procurement committees are constituted as per the recommendations of PPDA. It also emerged that training of procurement committee members, Boards of Management and suppliers needs to be strengthened. This will reduce unethical and corrupt practices advanced by suppliers and Boards of Management. Other Challenges such as lack of adequate skilled manpower has been a great hindrance in the adoption of ICT in procurement process.

This will ensure the procurement process is more efficient in terms of transaction cost savings and improved transparency. Manipulation of procurement process by school principals and Boards of management has adversely affected the tendering process .Disposal Committees have been established in minority of the schools while in most it is nonexistent

or if in existence, it is not functional. Implementation of PPDA in PSS in Nairobi County has to a greater extent impacted the performance of the procurement function.

5.4 Recommendations

As a result of these study findings the following recommendations can be made. It is key to train all the parties involved in the tendering process in schools on the provisions of PPDA to reduce corruption and increase transparency. The schools should train tendering committees, suppliers and Board of management on procurement regulations and procedures. PPOA should consistently evaluate and audit the performance of schools tendering committees at every stage of the procurement cycle. Also the powers of the school principals and Boards of management in the supervision and control of the entire tendering process should be reduced to enhance transparency.

5.5 Limitations and Areas For Further Research

The study focused mainly on implementation of PPDA on performance of the procurement function in public secondary schools in Nairobi County. Further research should be done in other public secondary schools, colleges and other sectors such as public hospitals and judiciary. More emphasis should be put to investigate e-procurement adoption in public secondary schools and the impact on the performance of the procurement function. Also further research should be done to establish the impact of implementation of PPDA on quality of goods , services and works procured in public secondary schools in other counties.

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APPENDICES

Appendix 1: Research Questionnaire

Introduction

This questionnaire has been designed for academic use only, with the sole purpose of data collection to determine the relationship between Implementation of Public Procurement and Disposal Act and performance of the procurement function in public secondary schools in Nairobi County.

Please note that the data you provide will be treated with utmost confidentiality.

Your response will be highly appreciated.

Instruction: please mark X where necessary.

Section A: Background Information

1. School category : Boys Boarding Boys Day Girls Boarding Girls Day
Mixed Boarding Mixed Day
2. What is your designation?
Principal D/Principal Head Of Department Bursar
3. What is your gender? Male Female
4. What is your highest level of education?
 - a. Secondary
 - b. Tertiary college
 - c. University graduate

d. Other (please specify).....

5. How long have you served in your procurement department. below 1 year 1-5 years

5-10 years 10-15 years Over 15 years

6. Would you say that your school has implemented Public Procurement and Disposal Act in the procurement of goods, services and works?

Yes No

If yes, what benefits have accrued from the implementation of Public Procurement and Disposal Act?

If no, state the reasons as to why your school has not implemented Public Procurement and Disposal Act?

Section B: Implementation of Public Procurement and Disposal Act

7. To what extent do you agree with the statements below regarding Implementation of PPDA in the school? Put a tick in the appropriate space (√). Use a scale of 1-5 where 1= Greater extent 2= Moderate extent 3= small extent 4= uncertain and 5= No extent

Statements	1	2	3	4	5
Need for a product in the school is indentified by the user department					
Details of the specific goods and services required are analyzed by experts in the department concerned					
Source of the required products/services/ works is indentified though competitive bidding between selected suppliers					
Identification of required goods/services/works is done through competitive bidding					
Goods of high value are procured though open tendering through					

advertisement in daily newspapers of nationwide circulation and websites					
Direct procurement is used for goods and services that require technical knowhow to indentify, deliver and install					
Direct procurement is used in cases of emergency					
When goods are needed urgently/within a short time direct procurement is used					
Restricted tendering is used for goods/services whose nature is complex or specialized					
Pre-qualification of suppliers is done for goods/services of specialized/ complex nature before being invited to tender					
Request For Proposal is used to obtain consultancy services which Open Tenders or Restricted Tenders are not suitable					
Request For Quotations is used for readily available goods, works or services					
Evaluation of bids is done before awarding of contracts					
The most competitive bidder is awarded the tender					
The Tender Committee in the school is constituted as per guidelines in PPDA					
A Disposal Committee with the mandate to dispose obsolete or non usable items in the school is operational					
The disposal committee is constituted as per the guidelines in PPDA					
Quality control to inspect the goods, works, services procured is done at the consumption stage to assess their performance					
Quality control committee is constituted as per guidelines in PPDA					
A technical committee is operational in the school					
Appropriate records of all transactions in the procurement process are kept to ensure transparency					
Maintenance of proper documentation is done to allow scrutiny of all transactions in the procurement process					

8. To what extent is the procurement department independent from the accounts department

Fully independent moderately independent Uncertain

Moderately dependent Fully dependent

9. Would you say that your school has implemented Public Procurement Regulations in the procurement of goods, services and works?

Yes No

If yes, what benefits have accrued from the Implementation of Public Procurement and

Disposal

Act?.....

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.....

If no, state the reasons as to why your school has not implemented Public Procurement and

Disposal Act?

Section C: Impact of Public Procurement and Disposal Act on Performance of

Procurement Function in schools

10. To what extent has the implementation of PPDA impacted the performance of the procurement function in your school. Tick where appropriate (√).

Use a scale of 1-5 where 1=Greater extent 2=Moderate extent 3= Small extent 4= Uncertain

5= No extent

Statements	1	2	3	4	5
Transaction costs in the procurement process have reduced significantly					
Goods/services/works procured are of good quality					
Time taken to complete projects have significantly reduced to expected completion timelines					
Less time is taken to deliver goods/services procured					
Goods/services procured are valued at market rates					
Decision making has greatly improved in procurement process					
Transaction costs during procurement has significantly reduced					
Integrity of procurement process has been upheld					
Disposal of surplus goods is done through public tender					
Disposal of surplus goods is done through public auction					
Disposal of obsolete goods/ items is done through transfer to another department without financial adjustment					
Disposal of obsolete goods is done through transfer to another department with financial adjustment					

11. In your opinion, would you say that the Implementation of Public Procurement and Disposal Act in your school has brought any significant change in the procurement process?

Yes No

If no, state the reasons

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.....

.....

Section D: Challenges in the Implementation of Public Procurement and Disposal Act in your school

12. What is the level of agreement with the following statements relating to the challenges in the implementation of Public Procurement and Disposal Act in your school

Use a scale of 1 to 5 where 1=strongly agree 2=agree 3=uncertain 4= disagree and 5= strongly disagree

Statements	1	2	3	4	5
Lack of accountability by procurement committee creates opportunities for corruption					
Lack of effective monitoring in purchasing opens opportunities for overpricing commodities above market values					
Lack of effective control mechanisms in purchasing opens opportunities for wastage of resources					
Lack of transparency in the tendering process results in restriction of interested suppliers not to participate					
Lack of fairness in the tendering process leads to dissatisfaction of unsuccessful bidders					
Lack of adequately trained personnel in procurement opens up opportunities for manipulation by principals					
Committee members have limited understanding of their roles					
Lack of skilled manpower is a limiting factor to ICT adoption in the school					
Lack of necessary infrastructure is a limiting factor in ICT adoption in the school					

13. What policy(s) would you suggest to improve on the procurement process in public secondary

schools.....

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14. What measures would you recommend implemented so as to improve on performance of procurement function in schools?

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.....
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Figure 2: List of Secondary Schools in Nairobi

SN	Index	School
1	20401001	AQUINAS HIGH SCHOOL
2	20401002	HIGHWAY SECONDARY SCHOOL
3	20401003	HURUMA GIRLS' HIGH SCHOOL
4	20401004	OUR LADY OF MERCY SEC SCH SOUTH B
5	20401005	OFAFA JERICHO HIGH SCHOOL
6	20401006	NILEROAD SECONDARY
7	20401008	ST. TERESA'S BOYS SECONDARY SCHOOL
8	20401008	MAKONGENI SECONDARY SCHOOL
9	20401081	RUARAKA HIGH SCHOOL
10	20401084	BURUBURU GIRLS SEC SCH
11	20401088	OUR LADY OF FATIMA SEC SCH
12	20401233	BABA DOGO SECONDARY SCHOOL
13	20401258	C.G.H.U SECONDARY SCHOOL
14	20402001	EASTLEIGH HIGH SCHOOL
15	20402003	MAINA WANJIGI SECONDARY SCHOOL
16	20402004	UHURU SECONDARY SCHOOL
17	20402005	KAMUKUNJI SECONDARY SCHOOL
18	20402006	O.L.M SHAURI MOYO GIRLS SEC. SCH
19	20403001	JAMHURI HIGH SCHOOL – Boys Day
20	20403002	PARKLANDS SECONDARY SCHOOL
21	20403003	PUMWANI SECONDARY SCHOOL
22	20403004	NGARA GIRLS' HIGH SCHOOL
23	20403005	ST TERESA'S GIRLS SECONDARY SCHOOL
24	20403019	NDURURUNO SECONDARY SCHOOL
25	20403024	MURANG'A ROAD MIXED DAY SEC SCH
26	20403026	PUMWANI GIRLS SECONDARY SCHOOL
27	20404001	LANG'ATA HIGH SCHOOL
28	20404022	KAREN ' C ' SECONDARY SCHOOL.
29	20404024	OLYMPIC HIGH SCHOOL
30	20404025	RAILA EDUCATIONAL CENTRE
31	20405001	DAGORETTI HIGH SCHOOL
32	20405002	UPPER HILL SCHOOL
33	20405003	MOI GIRLS' SCHOOL NAIROBI
34	20405004	PRECIOUS BLOOD RIRUTA
35	20405005	MUTUINI HIGH SCHOOL
36	20405006	RUTHIMITU SECONDARY SCHOOL
37	20405007	NEMBU GIRLS HIGH SCHOOL

- 38 20405008 RUTHIMITU GIRLS SEC SCHOOL
- 39 20405009 DAGORETTI MIXED SEC SCHOOL
- 40 20406001 PARKLANDS ARYA GIRLS HIGH SCH
- 41 20406002 STATEHOUSE GIRLS H. SCH
- 42 20406007 KANGEMI HIGH SCHOOL
- 43 20406009 HOSPITAL HILL HIGH SCHOOL
- 44 20406011 ST. GEORGE'S GIRLS' SEC SCH
- 45 20406012 NAIROBI MILIMANI SEC SCH
- 46 20406018 LAVINGTON MIXED SEC SCH
- 47 20406019 HIGHRIDGE MIXED SECONDARY SCH
- 48 20407002 KAHAWA GARRISON SECONDARY SCH
- 49 20407004 KAMITI SECONDARY SCHOOL
- 50 20408001 KAYOLE SECONDERY SCHOOL
- 51 20408007 EMBAKASI GIRLS SECONDARY SCH
- 52 20408014 PETER KIBUKOSYA SECONDARY SCHOOL
- 53 20408015 KAYOLE SOUTH SECONDARY SCHOOL
- 54 20409001 DANDORA SECONDARY SCHOOL
- 55 20409002 MUHURI MUCHIRI BOYS HIGH SCH
- 56 20409003 HON. DR. MWENJE SECONDARY SCH
- 57 20409004 USHIRIKA SECONDARY SCHOOL
- 58 20409005 JEHOVA JIRE SECONDARY SCH
- 59 20409006 DRUMVALE SECONDARY SCH
- 60 20409007 ST. GEORGE ATHI SEC SCH

Source: Nairobi County Director of Education's Website dated
27th June 2014(Schools.Net.Kenya)