



## Appraisal of the Implementation of Public Procurement Policy in Kaduna State, Nigeria

<sup>1</sup>Morakinyo, A. \*, <sup>1</sup>Oseni, S. E. ,  
<sup>1</sup>Oyeyipo, O. O., <sup>2</sup>Edike, U.E.

<sup>1</sup>Department of Quantity Surveying, Bells  
University of Technology, Ota, Nigeria

<sup>2</sup>Department of Building Technology, Bells  
University of Technology, Ota, Nigeria

**\*Corresponding author:**

E-mail: : morakinyo\_adesoye@yahoo.com;

Submitted 25 March, 2020

Accepted 12 May, 2020

**Competing Interests:** The authors declare  
no competing interests.

### ABSTRACT

**Background:** Public procurement operates at different strata of governance and laden with challenges at implementation. The implementation of the Public Procurement Act (PPA), 2007, in Nigeria, has been noted to suffer from some lapses. Such lapses will only come on board at various levels (state and local) of governance where they have enacted their laws and regulatory authorities.

**Objectives:** The study aims to appraise the level of implementation of public procurement policy to provide information on its performance in Kaduna State.

**Methods:** A quantitative approach was adopted to appraise the level of the implementation of public procurement policy in the study area. The population for the study totaled 100 (one hundred), drawn from employees in the procurement offices of ministries, departments and agencies within the study area. Through simple random sampling, data obtained from 81 (eight-one) respondents, were analysed using the mean item score (MIS), ranking and deductive analysis via SPSS.

**Results:** The level of awareness of the implementation of public procurement policy differs according to the hierarchy (senior, middle, and junior) of employees. The study also found that poor procurement training, political interference, the mismatch between budgetary appropriation and the actual release of funds, coupled with capacity shortages constitute major militating challenges against the optimum implementation of the policy.

**Conclusion:** In order to address the myriad of challenges, it will be important for the Bureau of procurement to develop a clear timetable and programmes for tackling problems of shortage of technical capacity for public procurement.

**Keywords:** Appraisal, implementation, public procurement, policy, Nigeria

### INTRODUCTION

Public procurement refers to the government activity of acquiring goods, works, and services in a transparent way to better the lot of its citizenry. However, at implementation, the policy is laden with challenges (Fayomi, 2013; Jubrin, Ejura and Augustine, 2015; Nsiah-Asare and Prempeh, 2016; Ojo and Yusuff, 2016). These challenges, which preclude successful implementation of public procurement policy (PPP), emanate from inadequate measures for monitoring and evaluation of the procurement policy coupled with inadequate skilled personnel in the procurement sectors (Nsiah-Asare and Prempeh, 2016); lack of properly managed resources in many countries, (Wittig, 2006); corruption, unsustainable foreign debts, excessive budget deficits (Kusi, Aggrey and Nyarku, 2014) among others. Irrespective of challenges, public procurement remains a big part of the economy of developing countries, accounting for an estimated 9 – 13 % of their gross development product. Although, Public Procurement Act (2007) was inaugurated in

Nigeria since 4<sup>th</sup> June 2007, most of the thirty-six states of the federation seem not to be interested in the policy (Adeyeye, 2015, in Ojo and Yusuff, 2016; Aigheyisi and Edore, 2015).

Furthermore, it has been noted that apart from adopting PPP by relevant procurement entities, compliance has been a major challenge at implementation (Kusi *et al.*, 2014). Also, studies have shown that through an appraisal of the implementation of PPP, latter adopters can benefit from the experience of earlier adopters to minimising poor performance (Wojtczak *et al.*, 2015). Therefore, the study aims to appraise the level of the implementation of public procurement policy to providing information on its performance in Kaduna State. An appraisal of the implementation of PPP in Kaduna State will benefit the state and other procurement entities in Nigeria and even beyond.

Implementation is defined as “the act of putting a plan into action or of starting to use

something” (Cambridge University Press, 2008). To proceed from here, it is pertinent to ask ‘who are those at the centre of implementing public procurement policy’. The implementation of public procurement goals is influenced both by an internal and external force. According to Kakwezi and Nyeko (2010), there is an interaction among professionalism, staffing levels, budget resources, procurement organisation structure, procurement regulations, rules and guidance, and internal control policies. The authors further state that failure to implement or delayed implementation of recommended performance has resulted in unnecessary high operation costs, uncoordinated business activities and failure to attract and retain experienced and skilled personnel in the procurement positions. Also, appraisal of the implementation of public procurement policy will help to detect an inherent fault, in case of any, in the publicly promulgated procurement rules. This is very important because faulty public procurement practices are used by corrupt political office holders as tools for embezzlement of public funds through collaboration with government contractors to inflate contract costs (Musa and Aderonmu, 2014). Nkonge and Ngugi (2014), also reported, according to the World Bank (2010) statistics, that out of KSh 150 billion spent by Kenya government per year, approximately KSh 30 billion is lost per year through malpractices. Similarly, Jibrin, Ejura and Augustine (2014) submit that poor implementation is one of the major challenges of public procurement in Nigeria.

It should be noted that public procurement policy objectives determine its implementation. Some of these policy objectives, according to Njboer, Seden, and Telgen (2017), are; sustainability, innovation, fighting fraud and corruption, value for taxpayers' money, among others. Furthermore, Njboer, *et al* (2017), highlighted that the ways of implementing policy goals through public procurement vary depending on the country. Also, not all countries implement their variant at the same time. Thus, the appraisal of the implementation of public procurement policy opens the window of opportunity to learn from the experience of others.

Public procurement is defined, following a thorough analysis of various definitions of the concept, by Mak (2015), as ‘an act of carefully obtaining an outcome’. However, Wikipedia definition unzipped Mak’s, in which procurement is defined as the process of funding and agreeing to terms, and acquiring goods, services, or works from an external source, often via tendering or competitive bidding. Procurement can be classified into either public or

private(Choi, 2010), with the former attracting attention more than the latter. According to Jibrin *et al* (2014), public bodies have always been big purchasers, dealing with huge budgets. Kodiak Rating Community (2017) maintained that the difference between public and private procurement lies only in ownership, the former noted for not-for-profit (NFP) while the latter is for-profit (FP).

Public procurement is important to both developed and developing countries. For instance, it has been noted by Roos (2012) that public procurement accounts for an average of 15% of gross development product (GDP) in Organisation for Economic Co-operation and Development (OECD) countries and 25-30% in developing and emerging markets economies. The brief further stated that in 2011, it accounted for 12% of GDP in the United States (US) and 17% in the European Union (EU). Adebayo (2015) also reported that 31% of UK gross development product is spent on public procurement, while 20% of the national budget of the Nigerian government is similarly spent on public procurement. However, there are indications that at the implementation level, PPP faces challenges. Such challenges relate to an allegation of massive corrupt practices, political interference and, lack of awareness of PPP among public servants among others (Jibrin *et al* 2014).

Several studies have examined the implementation of public procurement policy (Jibrin, *et al*, 2014; Kimote and Kinoti, 2018; Ojo and Yusuf, 2016; Bolton, 2016; Nkonge and Ngugi, 2014; Muhammad, Adamu and Ladi, 2015; Kusi, *et al.*, 2014 OECD, 2016; Kiama, 2014; Oyebamiji, 2018; Otieno, 2015; Enofe, Okuonghae and Onobun, 2015; Dlamini and Ambe, 2012; Njoroge and Ngugi, 2016; Omagbon, 2016; OECD,2019). Some of these studies have looked at the implementation of public procurement in tertiary institutions (Kusi *et al*, 2014; Dlamini and Abme, 2012; Njoroge and Ngugi, 2016); parastatals, ministries, departments, and agencies (Oyebamiji, 2018; Muhammad, 2015; Njoroge and Ngugi, 2016; Enofe, *et al.*, 2015); counties (Otieno, 2015; Kimote and Kinoti, 2018;); saving and credit co-operative organisation society (Kiama, 2014); at the national level (OECD, 2019) among others. The highlighted challenges of implementation of public procurement policy are many. For example, Muhammad (2015), found that the transparency goal of public procurement policy (PPP) is questionable because full compliance in advertising proposed building projects is lacked in Kaduna State. The study of

Njoroge and Ngugi (2016), identified two important challenges to the implementation of public procurement in Kenya. It was found that inadequate funding constitutes more to the implementation of PPP; and this was followed by the staff competence.

Furthermore, Otieno (2015), noted eight factors affecting the implementation of public procurement reforms in county government in Kenya. These factors are employee knowledge skill; top county government management support; project team; county government goals and objectives; lack of familiarisation with procurement rules resulting in poor compliance level; procurement profession still relatively low; ambiguities in procurement procedures and compliance culture in an organisation. Also, Nkonge and Ngugi (2014), found that corporate governance, ICT, financial resource availability and capacity building influence the effective implementation of PPP to a greater extent. Also, Omagbon, (2016), noted that political interference accounts for the low-level compliance with procurement act by local government in Nigeria. Similarly, Ojo and Yusuf (2016), pointed out that public procurement reform in Oyo State, Nigeria was defective. The bill was an executive bill void of contribution from civil society and consequently, the implementation is exposed to political pressure. Also, Adusei and Awunyo-Vitor (2015), submitted that political interference, unqualified staff, lack of monitoring, and inadequate motivation of committee members affect the implementation of PPP in selected metropolitan, municipal and district assemblies in the Ashanti Region, Ghana. Moreover, in Nigeria, Musa and Aderonmu (2016), state that Nigerians are lamenting the perceived lapses in the implementation of PPP. Such lapses include, among others, cumbersome bureaucracies involved in the certification process of budgeted projects by the MDAs; and made the implementation of capital vote difficult every fiscal year. They cited that in the year 2012 only 32% of the capital vote was implemented, while the rest become inaccessible for release. It should be noted that there is a consensus among the researchers on the fact that employee knowledge skill (Otieno, 2015); capacity building (Nkonge and Ngugi, 2014); staff competence (Njoroge and Ngugi, 2016); unqualified staff (Adusei and Awunyo-Vitor, 2015) pose a serious challenge to the implementation of PPP in different climes. Also, OECD (2019) maintained that the capacity of the public procurement workforce is an indispensable element to ensure a sound procurement system. Therefore, attention is needed to be paid to staff or employees' knowledge skills to enhance capacity building for appropriate competence

required for effective implementation of PPP.

## METHODOLOGY

Building on the emanating challenges confronting public procurement policy (PPP), from the review of relevant literature, a quantitative research design was adopted to appraise the awareness of its implementation in Kaduna State. The target population for the study is the employees working in the procurement department of commissions, ministries, departments and agencies (MDAC) within the study area. The makeup of the total population reveals that the population of procurement officers in the ministry, department, relevant agencies and commission are 27, 25, 15 and 33 respectively. The figure was obtained from Scalable Processor Architecture ([www.sparc.nigeria.com/RC/files/3.2.5...](http://www.sparc.nigeria.com/RC/files/3.2.5...))

The total population for the study was 100 (one hundred), using Krejcie and Morgan (1970) formula, the sample size obtained was as indicated in Table 2 below.

$$S = X^2 N P (1 - P) \div d^2 (N - 1) + X^2 P (1 - P) \dots\dots\dots 1$$

Where:

S = Required sample size

X<sup>2</sup> = The table value of chi-square for 1 degree of freedom at the desired confidence level (3.84)

N = Population size

P = Population proportion

D = Degree of accuracy

Using Krejcie and Morgan (1970) formula as given above, the sample size arrived at was 90 from a total population of 100. Further to the determination of sample size, a structured questionnaire was used to obtain information from employees working in MDAC. Through simple random sampling, data obtained from 81 (eight-one) respondents, were analysed using: mean item score (MIS), ranking and deductive analysis via SPSS The descriptive analysis adopted include: percentage; mean item score (MIS); ranking; and deductive analysis.

## RESULTS AND DISCUSSION

### Response rate

Ninety questionnaires were administered on the respondents in line with the sample size calculated out of which eighty-one (validly completed) were retrieved.

From Table 1, the distribution of the procurement officers was indicated with 25.5% in Ministries, 12.22% in Agencies, 22.22% in

Departments and 30% in Commissions. The majority (27 %0 of the respondents have a working experience of 1-5 years.

**Table 1:** Population and sample size of individual strata

Respondents	Population size	Sample size
Ministries	27	24
Departments	25	24
Agency	15	14
Commission	33	28
Total	100	90

**Table 2:** The response rate of questionnaires

Respondents	Population size	Questionnaires administered	Questionnaires ret. & Valid	Percentage rate
Ministries	27	24	23	25.56%
Departments	25	22	20	22.22%
Agency	15	14	11	12.22%
Commission	33	30	27	30.00%
Total	100	90	81	90.00%

**Table 3:** Level of awareness of the implementation of public procurement policy in Kaduna State (Senior Staff Response)

S/N	Awareness of the implementation of public procurement policy in Kaduna state	Total score	Total Respondent	Percentage	Ranking
1	Are you aware of the mainstreaming of social and environmental issues into the Procurement Act	272	61	89.19	1st
2	Are you aware of any public education and training programs organized to create awareness; training of entities	269	61	78.18	2nd
3	Are you aware of the mobilization of interested parties in the public procurement process, e.g. EPA, Energy Commission, AGI, TUC, etc	37	61	67.27	3rd
4	Are you aware of the mobilization of budgetary support for public procurement activities	36	61	65.45	4th
5	Does your institution ensure the infusion of public procurement issues into the existing procurement processes	35	61	63.64	5th
6	Are you aware of the implementation of public procurement act 2007 in Kaduna state	34	61	61.82	6th
7	Are aware of the establishment of indicators to measure public procurement operations and impact	32	61	58.18	7th
8	Are you aware of the drafting of project procurement implementation plan for each public project	30	61	54.55	8th
9	Are you aware of the setup of a national taskforce for public procurement implementation	26	61	47.27	9th

**Table 4:** Level of awareness of the implementation of public procurement policy in Kaduna State (middle - class staff response)

S/N	Awareness of the implementation of public procurement policy in Kaduna state	Total score	Total Respondent	Percentage	Ranking
1	Are you aware of the mainstreaming of social and environmental issues into the Procurement Act	46	11	83.64	1st
2	Are you aware of any public education and training programs organized to create awareness; training of entities	43	11	78.18	2nd
3	Are you aware of the mobilization of interested parties in the public procurement process, e.g. EPA, Energy Commission, AGI, TUC, etc	37	11	67.27	3rd
4	Are you aware of the mobilization of budgetary support for public procurement activities	36	11	65.45	4th
5	Does your institution ensure the infusion of public procurement issues into the existing procurement processes	35	11	63.64	5th
6	Are you aware of the implementation of public procurement act 2007 in Kaduna state	34	11	61.82	6th
7	Are aware of the establishment of indicators to measure public procurement operations and impact	32	11	58.18	7th
8	Are you aware of the drafting of the project procurement implementation plan for each public project	30	11	54.55	8th
9	Are you aware of the setup of a national task force for public procurement implementation	26	11	47.27	9th

**Table 5:** Level of awareness of the implementation of public procurement policy in Kaduna State (junior staff response)

S/N	Awareness of the implementation of public procurement policy in Kaduna state	Total score	Total Respondent	Percentage	Ranking
1	Does your institution ensure the infusion of public procurement issues into the existing procurement processes	31	9	68.89	1st
2	Are you aware of the drafting of the project procurement implementation plan for each public project	29	9	64.44	2nd
3	Are you aware of the setup of a national task force for public procurement implementation	26	9	57.78	3rd
4	Are you aware of the implementation of public procurement act 2007 in Kaduna state	24	9	53.33	4th
5	Are aware of the establishment of indicators to measure public procurement operations and impact	20	9	44.44	5th
6	Are you aware of the mobilization of interested parties in the public procurement process, e.g. EPA, Energy Commission, AGI, TUC, etc	18	9	40.00	6th
7	Are you aware of the mobilization of budgetary support for public procurement activities	17	9	37.78	7th
8	Are you aware of the mainstreaming of social and environmental issues into the Procurement Act	16	9	35.56	8th
9	Are you aware of any public education and training programs organized to create awareness; training of entities	15	9	33.33	9th

**Table 6:** Level of awareness of the implementation of public procurement policy in Kaduna state (average response of all the staffs)

S/N	Awareness of the implementation of public procurement policy in Kaduna state	Total score	Total Respondent	Percentage	Ranking
1	Are you aware of the implementation of public procurement act 2007 in Kaduna state	330	81	81.48	1st
2	Are you aware of the drafting of the project procurement implementation plan for each public project	328	81	80.99	2nd
3	Are you aware of the mobilization of budgetary support for public procurement activities	301	81	74.32	3rd
4	Does your institution ensure the infusion of public procurement issues into the existing procurement processes	287	81	70.86	4th
5	Are you aware of the mainstreaming of social and environmental issues into the Procurement Act	286	81	70.62	5th
6	Are you aware of any public education and training programs organized to create awareness; training of entities	272	81	67.16	6th
7	Are you aware of the mobilization of interested parties in the public procurement process, e.g. EPA, Energy Commission, AGI, TUC, etc	271	81	66.91	7th
8	Are aware of the establishment of indicators to measure public procurement operations and impact	267	81	65.93	8th
9	Are you aware of the setup of a national task force for public procurement implementation	196	81	48.40	9th

**Table 7:** Challenges of implementing the Public Procurement Act (PPA), 2007 in Kaduna State

S/N	The challenges of implementing the public procurement act 2007 in Kaduna State	Total score	Total Respondents	MIS 3.85	Ranking
1	Political interference	366	81	4.52	1st
2	Non-competitive selection and appointment of principal and other senior staff	362	81	4.47	2nd
3	Employee knowledge and skill	344	81	4.25	3rd
4	Unqualified staff	341	81	4.21	4th
5	Capacity building and capacity shortage	335	81	4.14	5th
6	Cumbersome bureaucracy in the certification of budget	334	81	4.12	6th
7	The mismatch between budgetary appropriations and the actual release of funds	332	81	4.10	7th
8	Compliance culture in organisation	332	81	4.10	7th
9	Lack of monitoring and availability of procurement implementation inspectors	330	81	4.07	9th
10	Lack of familiarisation with procurement rules	314	81	3.88	10th
11	Ambiguities in procurement procedures	308	81	3.80	11th
12	Weak and ineffective civil society observance of the procurement procedures	307	81	3.79	12th
13	Reluctance to part with old internalised procurement habits	306	81	3.78	13th
14	Probity and integrity issue	300	81	3.70	14th
15	Project team	295	81	3.64	15th
16	Suppliers and contractors	288	81	3.56	16th
17	Government support	274	81	3.38	17 <sup>th</sup>
18	Financial resource availability	234	81	2.89	18th
19	ICT	228	81	2.81	19th

From Tables 3, 4, 5 and 6 on the awareness of the implementation of public Procurement Act (The Act), 2007 in Kaduna State, 89.18% of the senior staff were aware of the implementation of The Act; 61.82% of the middle-class staff were aware of the implementation of The Act, while 53.33% of the junior staff were aware of the implementation of The Act in the study area.

From Table 6, on an average, the first four ranked items that the respondents were more aware of were found to be: Are you aware of the implementation of public PPA 2007 in Kaduna State? It had a percentage awareness of 81.48%; Are you aware of the drafting of the project procurement implementation plan for each public project? It had a percentage awareness of 80.99%; Are you aware of the mobilization of budgetary support for public procurement activities? It had a percentage awareness of 74.32%; Does your institution ensure the infusion of public procurement issues into the existing procurement processes? 70.86% of the staff agree that their institutions ensure the infusion of public procurement issues into the existing procurement processes. On the other hand, the least four ranked items that the respondents were more aware of were found to be: Are you aware of any public education and training programs organized to create awareness: training of entities? Had a percentage awareness of 67.16%; Are you aware of the mobilization of interested parties in the public procurement process, e.g. EPA, Energy Commission, AGI, TUC, etc. Had a percentage awareness of 66.91%; Are you aware of the establishment of indicators to measure public procurement operations and impact? Had a percentage awareness of 65.93%; Are you aware of the set-up of a national task force for public procurement implementation? had 48.40%.

Respondents were asked to score the various challenges confronting the implementation of PPP. From Table 7, it can be seen from the MIS and ranking that total score for ten of the factors that pose challenges to implementation of PPP are above the threshold (3.85) of the MIS; the first of which is political interference, non-competitive selection and appointment of principal and senior staff, employee knowledge and skill, unqualified staff, capacity building and capacity shortage, while the tenth-ranked on the rung being lack of familiarization with procurement rules. Below the threshold (3.85) of MIS are the other nine factors affecting the implementation of PPP. Also on that rung are ambiguities in procurement procedures, weak and ineffective civil society observance of the procurement procedures, reluctance to part with old internalized procurement habits, probity and integrity issue, project team, suppliers and contractors, among others.

## DISCUSSION

From the analysis carried out it can be deduced that awareness of the implementation of the Public Procurement Policy (PPP) Act, 2007 in Kaduna State is highest among senior staff of the procurement department of MDACs. This is a positive trend as the leader

leads while others follow. This result differs in a way from the results of Jubrin *et al.*, (2014) who asserted that some MDACs, in places, such as Kaduna State, have heard or known relatively little about the paradigm shift in public procurement. However, the gap in the level of awareness of the implementation of public procurement policy among the differential cadre of staff needs to be closed through regular staff training to prevent a shortage in knowledge skill as upheld by Otieno (2015).

The foremost challenge of implementation of PPP in the study area is political interference. This finding aligns with the submissions of Omagbon (2016); Ojo and Yusuf (2016) and Adusei and Awunyo-Vitor (2015) in that implementation of PPP suffers from abuse of power from the political end. Furthermore, the study reveals that non-competitive selection and appointment of principal staff and other senior staff; unqualified staff, capacity building and capacity shortage are technocrat problems impeding the implementation of PPP, which confirm the findings of Njoroge and Ngugi (2016); Nsiah-Asare and Prempeh (2016); and Kahwezi and Nyeko (2010) noting that failure to attract and retain experienced and skilled personnel in the procurement position would open the door to different vices such as corruption. Also, the finding from this study shows that cumbersome bureaucracy in the certification of budget and mismatch between budgetary appropriation and the actual release of funds are a strong hindrance to the implementation of PPP which Musa and Aderounmu (2016) earlier confirmed that the unutilised capital vote becomes inaccessible for release.

Further finding revealed that finance resource availability and ICT are less changing in the implementation of PPP. This result differs from the findings of Njoroge and Nguigi (2016), and Nkonge and Nguigi (2014), as the authors reported that inadequate funding and ICT are a very significant challenge of implementation to the PPP.

## CONCLUSION

It is evident from the data collected and analysed that awareness of the implementation of public procurement policy differs according to the hierarchy (senior, middle, and junior) of employees in the department of public procurement in Ministries, Departments, Agencies, and Commission (MDAC). A shortage in the knowledge of the procurement officer will create a gap, resulting in weak capacity building.

Also, political interference, a mismatch between budgetary appropriation and the actual release of funds, constitute major militating challenges against the optimum implementation of the policy. In other to address the myriad of challenges, it will be important for the Bureau of procurement to develop a clear timetable and programmes for tackling problems of shortage of technical capacity for public procurement.



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