

**THE IMPACT OF LEGISLATION ON PUBLIC UNIVERSITIES
PROCUREMENT PROCESS: A CASE OF EGERTON UNIVERSITY**

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DECLARATION

This research study is my original work and has not been presented to any other University. No part of this research should be reproduced without the authors' consent or that of the Management University of Africa.

Signature.....

Date.....

Mercilline Moraa

ODLBML/13/00597/3/17

Declaration by the supervisor

This research has been submitted with my approval as The Management University of Africa Supervisor.

Signature.....

Date.....

Tom Kawino

Management University of Africa

DEDICATION

I dedicate this project to my husband Meshack.

ACKNOWLEDGEMENT

I wish to express my sincere thanks to my husband Meshack for the support and encouragement throughout the entire work. To my dad, Samson, thank you for always being there for me. To my brother Esborn, thank you for your love and for supporting me since the beginning of my studies. To my workmates, thank you for inspiring and motivating me. God bless you all. I also acknowledge all those who have given me assistance, encouragement and educational insights during this research work. Above all, I wish to thank the Almighty God for giving me good health, life and even strength to go through this study. My utmost sincere thanks go to my supervisor Tom Kawino for supporting, directing and even guiding me through this study. I could like to acknowledge Egerton University for allowing me to collect data and the Management University of Africa to provide relevant materials that made this study successful. I believe that this work is worthy of all the confidence that everyone who assisted me

ABSTRACT

The Kenyan Procurement Process is faced with inefficiency, undercutting deals that led to massive loss of resources other being wasted. Corruption is identified as the major weakness in public procurement, not only in Kenya but globally, which leads to a loss of approximately \$400billion lost due to bribery and corruption. The study focused on investigating the impact of legislation on public procurement Universities Procurement process. The specific objectives of the study included; to establish the impact of the Public Procurement and asset disposal Act 2005 on the procurement process, o assess the effect of the Public Procurement and Disposal legislation, (2006) on the procurement process and establish the contribution of the Public Private Partnership Regulations, (2009) on procurement process. The study targeted 174 employees of Egerton University. The study selected 68 respondents from five different directorates. Both primary and secondary data was used for analysis. Primary data was obtained from the information in the questionnaires distributed to procurement practitioners and interview guides from the university employees.

In contrast, secondary data was retrieved from existing reports of the PPOA website. The questionnaires were pilot tested on five entities which helped to improve the instrument. Data was analyzed using SPSS and presented in tables and charts. The study's first objective was to determine the impact of the PPDA, (2005) implementation on procurement process in Kenya. The study shows that Egerton University has implemented the Public Procurement and Disposal Act (2005), which contributes to their effective procurement process as indicated by an increased rate of service delivery at the university. Findings indicated that implementation of the PPDA (2005) had to a greater extent achieved the objectives of efficiency (value for money); competition; transparency and accountability contributed largely to the procurement process with the mean of 4.0. The second objective of the study aimed at establishing the impact of PPDR, (2006) legislation on procurement process. Findings indicated that Egerton had put in place structures to govern the procurement process. This included the appointment of the relevant committees that adjudicated on procurement and disposal issues (tender, procurement, disposal and tender processing committee). Findings indicated that by a mean of 4.26 of the respondents surveyed prepared procurement plans and updated them to suit project needs; 4.14 of the corporations have records management units, and 3.17 respondents were not familiar with the procurement rules and regulations. The third objective of the study aimed at establishing the contribution of PPPR, (2009) on the procurement process at Egerton University. The study showed a positive relationship between PPPR (2009) legislation and the procurement process.

TABLE OF CONTENTS

DECLARATION	ii
DEDICATION.....	iii
ACKNOWLEDGEMENT.....	iv
ABSTRACT	v
TABLE OF CONTENTS	vi
LIST OF TABLES	ix
LIST OF FIGURES	x
LIST OF ABBREVIATIONS AND ACRONYMS	xi
CHAPTER ONE	1
INTRODUCTION	1
1.1 Background of the Study	1
1.1.1 Procurement Legislation.....	2
1.1.2 Egerton University	3
1.2 Statement of the Problem	3
1.3 Objectives of the Study	4
1.3.1 General Objective.....	5
1.3.2 Specific Objectives.....	5
1.4 Research Questions	5
1.5 Significance of the Study.....	5
1.6 Scope of the Study.....	6
1.7 Limitations of the Study	6
CHAPTER TWO	7
LITERATURE REVIEW.....	7
2.1 Introduction.....	7
2.2 Theoretical Review	7
2.2.1 Principal Agent Theory	7
2.2.2 Stakeholders Theory.....	8
2.2.3 Legitimacy Theory	8
2.3 Empirical Review.....	9
2.3.1 Public Procurement and Disposal Act, (2005) and Procurement Process	9

2.3.2 Public Procurement and Disposal Act, (2005) and Procurement Process	10
2.3.3 Public Private Partnership Regulations, (2009) and Procurement Process	12
2.4 Conceptual Framework	14
2.5 Operationalization of Variables	14
2.6 Summary.....	14
CHAPTER THREE.....	15
RESEARCH METHODOLOGY	15
3.1 Introduction.....	15
3.2 Research Design.....	15
3.3 Target Population	16
3.4 Sample Size and Sampling Procedure.....	16
3.5 Data Collection Instruments and Procedures	17
3.5.1 Validity of the Study	17
3.5.2 Reliability of the Study.....	17
3.6 Data Analysis	18
CHAPTER FOUR.....	19
DATA ANALYSIS, PRESENTATION AND INTERPRETATION	19
4.1 Introduction.....	19
4.2 Response Rate	19
4.3 Respondents Profiles	19
4.2: Distribution of Respondents According to Working Experience	19
4.3.3 Distribution of Respondents by Attained Educational Level	20
4.4.3 Professional Qualification.....	21
4.4.4 KISM Membership/Registration	22
4.3.1 Training Distribution of the Respondents.....	23
4.4 Findings of the Study Variables	23
4.4.1 Public Procurement and Disposal Act (2005) Implementation on Procurement process	23
4.4.2 Public Procurement and Disposal Legislation (2006).....	25
4.4.3 Public Private Partnership Legislation (2009) on Procurement Process	26
4.5 Inferential Analysis	27
4.5.1 Regression Model Summary	27
4.3 Chapter Summary.....	27
CHAPTER FIVE	28

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS	28
5.1 Introduction.....	28
5.2 Summary.....	28
5.2.1 Impact of the Public Procurement and Disposal Act, (2005) implementation	28
5.2.2 Procurement & Disposal Regulations, (2006) On Procurement Process	29
5.2.3 Public Private Partnership Regulations, (2009) and Procurement Process	29
5.3 Conclusions.....	29
5.4 Recommendations	30
5.5 Suggestions for Further Research	30
REFERENCES	31
APPENDIX I: INTRODUCTORY LETTER TO THE RESPONDENT	33
APPENDIX II: QUESTIONNAIRE	34

LIST OF TABLES

Table 3.1: Target Population	16
Table 4. 1: Distribution of Respondents According to Working Experience.....	20
Table 4. 2: Distribution of Respondents by Level of Education	21
Table 4. 3: Distribution of Respondents KISM Membership/Registration.....	22
Table 4. 4: Training Distribution of the Respondents.....	23
Table 4. 5: Public Procurement and Disposal Act (2005) implementation.....	24
Table 4. 6: Procurement and disposal legislation (2006)	25
Table 4. 7: Public Private Partnership Legislation (2009) on Procurement Process	26
Table 4. 8: Regression Model Summary	27

LIST OF FIGURES

Figure 2. 1: Conceptual Framework	14
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LIST OF ABBREVIATIONS AND ACRONYMS

PPDA - Public Procurement and Disposal Act

SWA - Student Welfare Authority

CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

The supply chain is quite complex, and various factors affect the supply chain of different companies towards achieving their objectives and goals when embracing ethical procurement practices. Other factors that need to be considered include; reputational risk, customer service risk, and operational factors that affect supply chain activities. New significant new opportunities are emerging in many institutions and organizations, especially when new markets create for lower and more sustainable goods and services (PWC & Eco Vadis, 2010). The public service agencies focus on utilizing the value for money, particularly for the public members. This encompasses public interest, honesty, client satisfaction, equity, and fair play (Korosec & Bartle, 2013). Previous studies have highlighted the moral benefits of ethical behaviour in addition to the technical and professional competencies (Schlosser, 2013).

The procurement process entails the entire supply chain process, which involves goods and service acquisition. The process begins with need identification and making a sound decision in its procurement requirements. The procurement process of risk assessment, contract award, management of the contract, and considerations of the agreement. Procurement as well as extends to the ultimate disposal of property at the end of its useful life (Leender, Johnson, Flynn & Fearson, 2016).

The public procurement processes are quite complex since some multiple interests and objectives have strived when achieving simultaneous multiple regulatory policies and bodies that are supposed to be adhered to. The general objective of public procurement includes the taxpayers enjoying the value for money through achieving efficiency and effectiveness and also creating fair competition among the bidders. A legal framework in implementing the Public Procurement and Disposal Act and Regulations is quite a comprehensive legal framework encompassed with a unique hierarchical distinction (GoK, 2001).

Kenya as a nation is facing significant demand for infrastructure projects. Several challenges need to be addressed, especially in the provision of modern infrastructure; if at all, the country needs to achieve its goals based on the vision 2030 plan. The Kenya Roads sector has made tremendous advances in the past five years. This has been made possible by creating three road authorities that have been crucial in implementing important landmark projects,

especially the northern corridor. Despite these benefits, there are still challenges, particularly in outsourcing for suitable bidders (Chepkorir, 2013). Provided the nature of the enormous assignments and also the allocation of resources, there is a need for the procurement team to investigate the impact of the legal framework on procurement performance.

1.1.1 Procurement Legislation

The procurement legislation evolution process in Kenya has been undertaken under the most orderly and legally maintained systems controlled by the Public Procurement and Disposal Act (2005) and the subsequent procurement regulation of 2006 and 2009. The Treasury Circular initially governed the central government since 1969, then there came the Supplies Manual in 1978, and there later there was the promulgation of the Exchequer and Audit (Public Procurement) Regulations, 2001 (Juma, 2010).

The Public Procurement and Disposal Act of 2005, which was developed on October 26th, 2005, aimed to establish procedures for the procurement and disposal of surplus equipment and tools in public institutions and entities. The public procurement and Disposal regulations of 2006 became a subsidiary law after the gazette on January 1st, 2007 (Kirugu, 2010).

The Public Procurement and Disposal Act of 2005 brought coherence and uniformity in the public procurement towards enhancing accountability, efficiency, value for money, and transparency in the public entities. The Act was developed to reduce malpractices' levels and create fair competition, among other vital factors (PPDA, 2005).

Public procurement is recognized as the government's essential function, which handles all expenditures on behalf of the public entities. This has made the procurement professionals focus on the procurement reforms. Public procurement is a sector that has been neglected area for research and academic education (Thai, 2011). Despite the contributions made in policy formulation, public procurement is still facing challenges (Nagle, 1999).

The Kenya Institute of Supply and Management is the body regulating professionalism in procurement. This is a body that ethical embraces, particularly in procurement and supplies management. This body emanates its professionalism from supplies practitioners' management Act No. 17 of 2007. The Act asserts that the legal framework enhances learning and application of appropriate procurement and supply chain management practices (GoK, 2007).

1.1.2 Egerton University

Egerton University started at Egerton Farm School in the year of 1939. Egerton University was started by Lord Maurice of Tatton on 740 acres land grant. This School was initially established to sharpen the White European Youth for careers, especially in agriculture. In 1955, the institution was changed to European Agricultural College. At this point, it offered certificate-level courses and a two-year diploma course in agricultural-related studies. In 1958, Lord Egerton offered 1 100 acres of land. There afterward, the college allowed Kenyans and other students from other African Continents. In 1957, the college was given a charter and recognized as a public university (Egerton University Catalogue, 2009).

The procurement function acts as the central Administration as it handles all procurement activities of goods, works and services. The procurement system as well as coordinates the disposal of unserviceable assets and pieces of equipment. This department is guided by the PPDA 2005 and PPDR of 2006 in performing duties. The procurement department in Egerton University is headed by a Procurement Manager, who has two deputy procurement managers; one who serves as the tender secretariat and the other as the Student Welfare Authority (SWA).

According to EPSC (2010) and Egerton University Procurement and Disposal Manual (2008), stated that both the accounting officer and the authorizing officers serve as the vice-chancellor and the deputy vice-chancellor. It is indicated that procurement of goods, services, and working totaling to less than kshs. Five hundred thousand is authorized by the procurement committees while any purchases above Ksh. The Tender Committee authorizes 500 000. The Tender Committee at Egerton University deliberates and adjudicates all purchases for any procurement less than Ksh. 500, 000.

1.2 Statement of the Problem

Public procurement serves as both a budget implementation strategy and an important function towards achieving the desired socio-economic objectives and goals. The government forms the largest buyer in any given economy. The Kenyan Public Procurement is associated with working with deals that are worthy Ksh. 1.6 trillion. These deals specifically involve the supply of goods, services, and works to the government institutions, projects, and County Governments. The Kenyan Procurement Process is faced with inefficiency, undercutting deals that led to massive loss of resources other being wasted (Wahu *et al.*, 2015). Corruption

is identified as the major weakness in public procurement, not only in Kenya but globally, leading to a loss of approximately \$400billion lost due to bribery and corruption.

In the 2016/18 financial year, the Auditor-General report noted that approximately 450 billion was not adequately accounted for in that accounting period; this was roughly a quarter of the Kenyan National Budget. In this report, public universities formed part of the institutions which were involved in the massive misappropriation of public funds. The report further stated that more than eighty percent of the contracts awarded had inflated prices that were like sixty percent of the works paid before completion of the contracts; this was before the breach of the Public Procurement and Disposal Regulation (2006). The Auditor-General Report further highlighted that ksh. Fifty-seven billion disbursed to Egerton University for the purposes of rehabilitating the buildings ended up being misappropriated.

The Kenyan Government increased the amount of money allocated to the Public Universities in the 2010/2011 financial year to approximately to ksh. Sixteen billion in 2016/17FY. This was after the Kenyan Parliament decided to ensure that the Kenyan Universities have smooth learning programs, but this was adversely affected by mismanagement of funds, improper enactment of the procurement laws, lack of adequate control of the systems by the universities. The majority of the university's management has been found operating in operational activities such as irregular direct procurement, improper enactment of the Act, and regulations (Maina, 2015).

Ombuki *et al.* (2014) noted that the public procurement regulation of 2006 focused on enhancing fairness, promoting transparency, and ensuring non-discrimination in the public procurement institution. This was meant to ensure the efficient utilization of public funds. Many studies that have been undertaken revealed that despite the efforts meant to implement the public procurement Acts and regulations, there is a reported case of misappropriation of public funds resulting from failed enactment of the procurement Act and regulation (Chemoiywo, 2014). Previous studies have not shown any evidence of public procurement and legal framework implementation in Public institutions in Kenya, particularly Public Universities.

1.3 Objectives of the Study

The study was based on the general objective and three Specific objectives

1.3.1 General Objective

To find out the impact of legislation on the public universities procurement process in Kenya

1.3.2 Specific Objectives

- i. To establish the impact of the Public Procurement and asset disposal Act 2005 on the procurement process;
- ii. To assess the effect of the Public Procurement and Disposal legislation (2006) on the procurement process;
- iii. To establish the contribution of the Public-Private Partnership Regulations (2009) on the procurement process.

1.4 Research Questions

- i. What is the impact of the Public Procurement and asset disposal Act 2005 on the procurement process?
- ii. How does the Public Procurement and Disposal legislation (2006) affect the procurement process?
- iii. What is the contribution of the Public-Private Partnership Regulations (2009) on the procurement process?

1.5 Significance of the Study

This study will concentrate on Public Universities in Kenya, a case study of Egerton University. This study will discuss the impact of legislation on the public universities' procurement process in Kenya. Although many manufacturing and several service organizations are utilizing the power of this legislation, it is clear that Public Universities are far behind in the implementation of these laws. The research could assist the University's procurement department, scholars, and the University management at large in making strategic decisions in implementing procurement policies that would govern the department in attaining its objectives. It would also ensure that there are no wastes in the process so that it is effective.

1.6 Scope of the Study

Researching the entire supply chain management topic leads to exploring a wide range of issues and assumptions. Therefore this research defined the following boundaries and considerations: This study concentrated on a case study of Egerton University. The target populations of staff members in the procurement department and liaison officers from all other departments in the University. The study was carried out for a period of three months

1.7 Limitations of the Study

This study was limited to the use of questionnaires for purposes of data collection. Some of the respondents were unwilling to participate in the study. Still, the researcher assured the respondents that they could not be victimized for participating in the research or giving their information. Since this research was carried out in a public institution, obtaining some information was difficult due to mistrust and suspicion towards the researcher. Some respondents claimed that valuable and confidential materials of the organization might not be given to unauthorized people for the organization's competitive advantages. To overcome this problem, the researcher produced an introduction letter from the Management University of Africa to evidence that the study was official and only meant for academic purposes.

Some of the respondents were unwilling to cooperate in this study. Some viewed the whole exercise as a waste of their valuable time because they felt the study could not benefit them. To overcome this problem, the researcher visited the organization before the actual day of the study and informed the management of her intention to conduct the study so that she could be allocated enough time to undertake her study.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter presents a review of the effect of implementing the legal procurement framework on the performance of public universities in Kenya. A general overview of the legal procurement framework was covered. The conceptual and theoretical framework was also presented.

2.2 Theoretical Review

2.2.1 Principal-Agent Theory

Agency theory was expounded by Alchian and Demsetz (1972) and further developed by Jensen and Meckling (1976). The theory defines the relationship between the principals, such as shareholders and agents or company executives and managers. In this theory, shareholders who are the owners of the company hire the agents to perform work. Principals delegate the running of the business to the managers, who are the shareholders' agents (Clarke, 2004).

According to Rungtusanatham *et al.* (2007), two parties have an agency relationship when they cooperate and engage in an association wherein one party delegates decisions or work to another to act on its behalf. The essential assumptions underlying agency theory is that: potential goal conflicts exist between principals and agents; each party operates in its own self-interest; information asymmetry frequently exists between principals and agents; agents are more risk-averse than the principals; and efficiency is the effectiveness criterion (Xingxing & Kaynak, 2012).

The theory deals with situations in which the principal is able to induce the agent, to perform some task in the principal's interest, but not necessarily the agent's (Health & Norman, 2004). Accounting officers and procurement managers in state corporations play the agent role for the government and the organization stakeholders. Compliance with procurement rules and regulations may result from a principal-agent problem (Langevoort, 2002). The PPDA (2005) bestows compliance with PP legal framework on the Accounting Officers of the PEs.

Managers have a wide range of motives beyond a simple self-interest, such as achievement, recognition and responsibility needs, the intrinsic satisfaction and pleasure of successful performance, respect for authority, social status, and work ethics. Dedicated, energetic, and ethical employees are always hard to find, and hiring individuals with unique skills is even more complex (Lan, Riley & Cayer, 2005). The requirements to educate professionals and equip them with new and higher-level skills have become urgent (Sauber *et al.*, 2008).

Skill has been defined as performing some specific behavioral task or performing specific cognitive processes related to some particular task (Peterson & Van Fleet, 2004). Skills required by purchasing professionals have changed due to the role shift of the purchasing function itself. For example, procurement and supply chain management professionals have faced a challenging ethical environment (Cooper, Farank & Kemp, 2000). This theory is useful in explaining the relationship between the government as the principal and Egerton university as agents in the application of PPDA (2005).

2.2.2 Stakeholders Theory

Stakeholder theory was introduced by Freeman (1984). Freeman stated that any individual or group is affected by the organization's objectives and goals. Unlike the agency theory whereby the managers focus on serving the stakeholders, the stakeholder theorist argued that managers need a relationship network to serve employees, suppliers and other business stakeholders.

Freeman & Philips (2002) noted that stakeholders have their say in making vital decisions. Company executives who handle company business should recognize their customers and create value for all stakeholders (Stieb, 20008). Stakeholder theory is based on the benefits of giving special attention to the different stakeholders who are deemed to have a share in the company operations. Therefore, all stakeholders must be well represented in the boards for effective company corporate governance (Gibson, 2000). This study applied this theory to find out how different stakeholders such as suppliers, the general public, the government, and the procurement professionals influence the procurement process at Egerton University.

2.2.3 Legitimacy Theory

Legitimacy theory derived from the concept of organizational legitimacy was defined by Dowling and Pfeffer (1975) as a condition or status which exists when an entity's value system is congruent with the value system of the more extensive social system of which the

entity is a part (Guthrie, Cuganesan & Ward, 2006). When a disparity, actual or potential, exists between the two value systems, there is a threat to the entity's legitimacy.

Legitimacy theory posits that organizations continually seek to ensure that they operate within the bounds and norms of their respective societies. According to Wilmshurst and Frost (2000), the legitimacy theory postulates that the organization is responsible for disclosing its practices to the stakeholders, especially to the public, and justifies its existence within the boundaries of society. This theory, which focuses on the relationship and interaction between an organization and community, provides a sufficient and superior way for understanding state corporations' procurement practices (Hui *et al.*, 2011). Generally, in an organization, individuals' actions influence each other. This explains why some laws and regulations set up to regulate the procurement function are at times compromised.

Social values are a consequence of human interactions, which are structured and governed by informal institutions. Social values promote cooperative tendencies with people considered close, not necessarily following the law to the spirit and letter (Jones & Rachlin, 2006). For example, in most developing countries, the procurement function is transitioning from a clerical non-strategic unit to an effective socio-economic unit that can influence decisions and add value (Knight *et al.*, 2007; Facolta di Economia, 2006).

Developing countries, in one way or another, have reformed their PP regulations. The reforms have not been limited to regulations only but also include PP process, methods, PP organizational structure, and the workforce. This theory is important in explaining the legitimacy of the PP rules and regulations and the reforms that have taken place in the past, and the legitimacy of Egerton University.

2.3 Empirical Review

2.3.1 Public Procurement and Disposal Act, (2005) and Procurement Process

The Public Procurement and Disposal Act was approved by Parliament and gazetted in 2005 (Juma, 2010). In order to have additional regulations and the institutions, which had to be created according to the provisions of the Act, the Act became operational by January 1st, 2007 (PPOA, 2010). It established procedures for procurement and the disposal of unserviceable, obsolete, or surplus stores and equipment by PEs to achieve the following objectives: to maximize economy and efficiency (value for money); to promote competition

and ensure that competitors are treated fairly; to promote the integrity and fairness; to increase transparency and accountability, to increase public confidence in those procedures; and to facilitate the promotion of local industry and economic development (PPDA, 2005; Muriungi, 2014).

Efficiency (value for money) entails consideration of the contribution made in advancing government policies and priorities while achieving the best return and performance for the money spent (Bauld & McGuinness, 2006). Sometimes the government is at liberty to consider other criteria than the lowest price, for example, technical capabilities, qualifications of key personnel, and past performance records in awarding contracts to potential suppliers (Cummings & Qiao, 2003).

Transparency is a vital requirement of a modern PP system. The lack of it in procurement activities can be the source of unwholesome activities such as corruption, scandal, and abuse of public resources (Shu *et al.*, 2011). Transparency in PP is about information. The access to key procurement information by civil society, the media, and other stakeholders and how these parties can use the information directly affects accountability (UNDP, 2010). Transparency is considered one of the most effective deterrents to corruption and a precondition for ensuring public officials' accountability (OECD, 2007). E-procurement is potential in standardizing processes, increasing transparency, improving access to markets, and promoting integrity in public bidding (ADB/ OECD, 2006).

2.3.2 Public Procurement and Disposal Act, (2005) and Procurement Process

After the approval of the Act by Parliament, the PPD Regulations were developed and approved in 2006 by the Minister of Finance and gazetted (Ombuki *et al.*, 2014). The regulations outline the various processes and procedures followed when goods, services, or works are procured. These include internal organization of the PEs in terms of corporate governance and leadership in complying with the legal framework, organizational structure in terms of segregation of the procurement responsibilities among different committees, procurement planning, and management of records for all procurement transactions (Njeru *et al.*, 2014).

The Regulations provided for a fully decentralized procurement process, leaving the full responsibility of undertaking procurements to the tender committees and the procurement

unit at the level of the PE (PPOA, 2010). PEs must put structures in place to support the effective implementation of the procurement rules and regulations.

Organizational structure such as distribution of authority, stream of administrative relationship, hierarchies, the span of control of managers, and communication (Daft, 2009) can facilitate channeling, alliance, accountability, stipulate the level of formality and power distribution and complexity prescription (Bowersox, 1986). The law requires that the head of procurement report directly to the Accounting Officer of the institution. On the flip side, the regulations do not give the head of procurement (Ombuki *et al.*, 2014).

The head of procurement could be reporting to the Accounting officer. Still, hierarchically they are placed on the third or lowest level of the organizations' organ gram and thus making no impact (Ogachi, 2014). This is still a significant challenge in many entities as procurement is still either part of the Finance department or a section reporting to the head of finance. Worse still, procurement is ranked as operational in many entities. Even if procurement were to report to the Accounting Officer, do not sit in the senior management meetings where management decisions are made.

Procurement plans are prepared as part of the annual budget preparation and are necessary as they inform cash flow preparations (Reg. 20: 2-3). It is one of the prerequisites for the effectiveness and efficiency of the procurement function, thus leading to the organization's ultimate success (Mugo, 2013). It provides a good basis for monitoring the entire procurement process and prevents procurement irregularities.

The PE can quickly and easily define its procurement requirements, procurement method, and timeframes for delivery (Basheka, 2008). However, many government entities are still faced with the challenges of improper planning and linking demand to budget (Ambe & Badenhorst-Weiss, 2011a). Cost-effective procurement depends on a specialist's skills to ensure that buying requirements are reliably determined, appropriate contract strategies are developed, contracts are well managed, and opportunities are seized to secure the best deals at the right time and at the right price (Ambe & Badenhorst-Weiss, 2012).

2.3.3 Public-Private Partnership Regulations, (2009) and Procurement Process

Public-Private Partnerships Regulations were gazetted on March 10th, 2009, with the aim to enhance economic stimulation, promoting investment, and creation of value for money, which is a collection of several factors (Koimet, 2013). PPPs are arrangements between the government and the private sector with the primary objective of securing investment and greater efficiency in the delivery of public infrastructure, community facilities, and other related services (Ong'olo, 2006).

According to Thai (2009), PPP is an arrangement where the private party design, build, finances, maintain and operate (DBFMO) infrastructure assets traditionally provided by the public sector. These partnerships are characterized by sharing investments, risks, rewards, and responsibilities between the two parties.

The legislation includes Policies, laws, regulations, and guidelines that provide procedures followed when implementing procurement contracts (AGP, 2006). The public procurement regulatory framework dictates that contracts must be drawn carefully involving all stakeholders for completeness to avoid unnecessary deviations (ROK5, 2010).

Minahan (2017), in his findings, observes that it is possible to design public contracts that are robust within government policy regulatory framework to enhance organizational performance. This study identified four public contract determinants: internal procurement process, regulatory policy frameworks, leadership and management, and ICT infrastructure support.

A study was undertaken by Spiller (2008) on the Institution theory of public contracts argues that compliance with applicable obligations can enhance procurement practice. In a study undertaken by Victor (2012) on procurement policies in public procurement, the implementation of enhanced Institutional framework and management capacity for mainstreaming and integration into the public financial management system was long overdue. Apiyo and Mburu (2014), in a study on factors affecting procurement planning in county governments in Kenya, found that creating functional management or regulatory body and strengthening the institutional development capacity impacted organizational performance.

In Australia, Callender and Schapper (2013) found out that governments needed to enhance efficient procurement operations and practices in their findings on public procurement

reform. In addition, Arthur (2009) points out that enforcement of the public procurement market and putting in place efficient and effective contract administration and dispute resolution provisions reforms are necessary for the national and county governments (PPDA, 2010). In addition, Callender and Schapper (2013) argue that other reforms include safeguarding the integrity of the procurement system by establishing and enhancing the control and audit system.

In a study undertaken by Maiyo (2009) on irregularities in undertaking procurement practices in public institutions, it was found out that the entrenchment of efficient appeals mechanisms in the procurement policy was critical in fighting irregularities in public procurement. In addition, Ongore and K'Obonyo (2016) pinpoint that introducing ethics and anticorruption measures in public procurement regulations were long overdue. Implementation of policy regulatory framework infrastructure can impact the performance outcome

Enforcement is viewed as any actions taken by regulators to ensure compliance (Zubcic and Sims, 2016). There are mixed opinions regarding the effect of enforcement on compliance. Sparrow (2010) argues that enforcement may make violators more sophisticated in preventing and concealing detection by the authorities. However, Imperato (2015) agrees that enforcement improves compliance. According to Zubcic and Sims (2016), enforcement action and increased penalties lead to greater compliance with laws. Corruption among government procurement officials in developing countries has been linked to weak enforcement of the rule of law (Raymond, 2008).

In countries with complaint and review mechanisms, bidders can verify whether the procurement processes conform to the prescribed procedures. The possibility of review is also a strong incentive for procurement officials to abide by the rules (Hui et al., 2011). Public entities might choose to implement ineffective compliance systems if legal violations may be profitable when the legal system under-enforces, either because penalties are set too low or because detection is imperfect or inefficient. Gunningham and Kagan (2015) argue that the threat of legal sanctions is essential to regulatory compliance and that enforcement action has a cumulative effect on the consciousness of regulated organizations, and it reminds PEs and individuals that violators were punished and to check their compliance programs.

2.4 Conceptual Framework

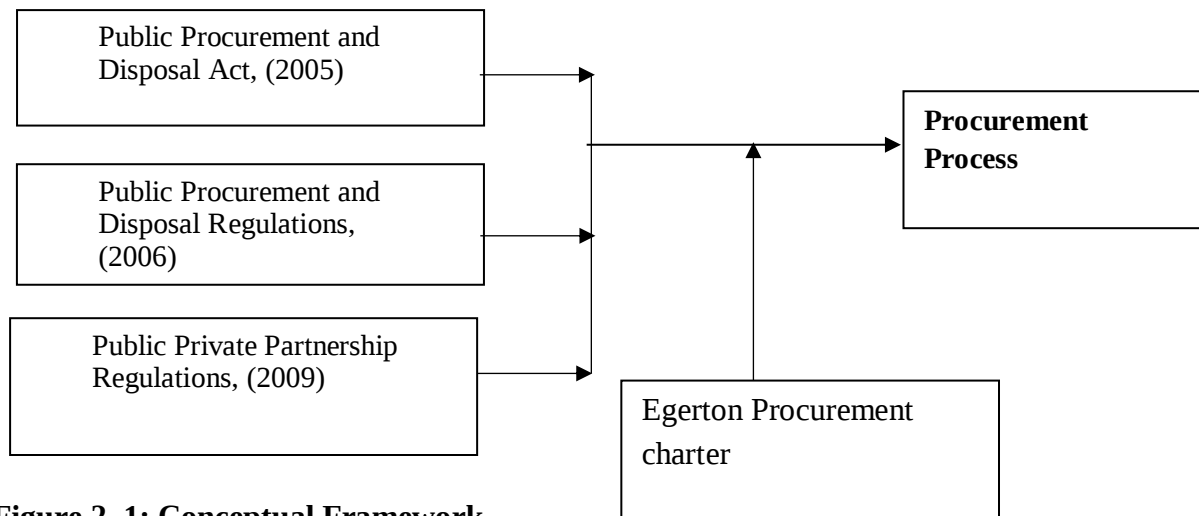


Figure 2. 1: Conceptual Framework

2.5 Operationalization of Variables

Variables	Measurement	Toll of Analysis
Public Procurement and Disposal Act, (2005)	Questionnaires (5 points Likert scale)	Frequencies Percentages
Public Procurement and Disposal Regulations, (2006)	Questionnaires (5 points Likert scale)	Frequencies Percentages
Public-Private Partnership Regulations, (2009)	Questionnaires (5 points Likert scale)	Frequencies Percentages

2.6 Summary

Many scholars have theorized and come up with models on public procurement legislation. These theories and models provide a framework upon which policymakers and managers decide on procurement issues in delivering value to the citizens and compliance with the procurement laws. This research has three theories that have generated constructs that formed the conceptual framework on which the study was anchored.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter sets out various stages and phases that followed in completing the study. It involves a blueprint for the collection, measurement, and analysis of data. This section is an overall scheme, plan, or structure to aid the researcher in answering the raised research questions. In this stage, most decisions about how research is executed and how respondents were approached and addressed and when, where, and how the research is conducted. Therefore in this section, the research identified the procedures and techniques that were used in the collection, processing, and analysis of data. Specifically, the following subsections included; research design, target population, sample design, data collection instruments, data collection procedures, data validity and reliability, and data analysis.

3.2 Research Design

This study adopted a descriptive research design; Kothari (2004) describes descriptive research as including survey and facts finding inquiries adding that the primary purpose of descriptive research is a description of affairs as it exists at present. The descriptive study determines and reports the way things are and attempts to describe such things as possible behaviour, attitudes, values, and characteristics, (Mugenda & Mugenda, 2003). The researcher used a case study of Egerton University. Case study designs help study phenomena, such as organizational restructuring, that would be difficult to separate from the context in which it would occur (Feagan, Orum, and Sjoberg, 1991). Yin (1994) observed that case study research design allows an empirical inquiry investigating a contemporary phenomenon within its real-life context. Organizational restructuring and its effect on corporate performance continue to attract the attention of scholars. This aspect of the case study would make it an appropriate design for the proposed research. While looking at the suitability of case studies over and above other survey designs, the case study provides the opportunity for an intensive analysis of many specific details that are often overlooked with other methods. The case study is useful for studying an individual, group, episode, process, community, society, or organization.

3.3 Target Population

The target population constituted 174 employees from procurement, teaching, and other non-teaching department drawn from Egerton University. The main reason for selecting Egerton University to conduct this research is because it exhibits an elaborate procurement process and key implementers of the Procurement Law (UPN, 2013).

Table 3.1: Target Population

Management Divisions in the Department	No. of Departments	No. of Employees who directly relate to Procurement Department
Deputy Vice Chancellor (Admin & Finance)	15	45
Deputy Vice Chancellor (Academic)	30	90
Deputy Vice Challor (R&E)	8	24
Director Nairobi Campus	2	6
Principal Nakuru Town Campus	3	9
Total	53	174

Source: Egerton University (2020)

3.4 Sample Size and Sampling Procedure

The sampling frame constituted five departments drawn from Egerton University, where the sample was drawn, and generalization did for the entire population. The sample size of the study is the number of respondents is obtained using the coefficient of variation. Nassiuma (2000) asserts that in most studies or experiments, a coefficient of variation in the range of 21% to 30% and a standard error in the range of 2% to 5% is usually acceptable. The Nassiuma's formula does not assume any probability distribution and is a stable measure of variability. Therefore a coefficient variation of 21% and a standard error of 2% are used in this study. This study applied a proportionate random sampling technique to get 68 respondents. The lower limit for the coefficient of variation and standard error are selected so as to ensure low variability in the sample and minimize the degree of error.

$$n = \frac{N (CV^2)}{CV^2 + (N-1)e^2}$$

$$n = \frac{174 (0.21^2)}{0.21^2 + (174-1)0.02^2} = 68 \text{ Respondents}$$

Therefore, the sample size of respondents was:

Where: n = the Sample Size

N = the Population Size

CV = the Coefficient of Variation

e = Standard Error

3.5 Data Collection Instruments and Procedures

The researcher used primary and secondary sources of data. The primary data was collected by the use of questionnaires which were self-administered to the sample chosen from all the user departments and the procurement department. This is because questionnaires provide a high degree of data standardization and adoption of generalized information amongst any population (Chandran, 2003). They were helpful in situations where there was a need to quickly and easily get information from people in a non-threatening way.

3.5.1 Validity of the Study

The validity of the research instruments was achieved through the expert judgment of the research supervisor, who checked to ensure that the questions were clear and precise and present the phenomena under study.

3.5.2 Reliability of the Study

The reliability of the instruments was determined through a pilot study to be carried out in the University of Nairobi-Nakuru Campus, where ten questionnaires were randomly distributed. However, this staff did not participate during data collection. The pilot study findings were analyzed by means of comparisons in order to identify similarities, differences, and patterns in the data.

3.6 Data Analysis

The data from filled questionnaires was cleaned and coded into the computer for analysis. Qualitative data was analyzed by giving an explanation of information obtained from the empirical literature. Quantitative data was analyzed using descriptive statistics, which include mean, mode, frequency and percentages. Inferential statistics used include Pearson correlation to show the relationships between the variables. Results were presented in tables, pie charts, graphs and percentages to ease comprehension.

CHAPTER FOUR

DATA ANALYSIS, PRESENTATION, AND INTERPRETATION

4.1 Introduction

This chapter discusses the interpretation and presentation of the findings. This chapter presents an analysis of the data on the impact of legislation on public universities' procurement process, a case of Egerton University. The chapter also provides the significant findings and results and discusses them against the literature review chapter.

4.2 Response Rate

The study targeted 68 respondents; however, only 56 respondents responded and returned their questionnaires, contributing to an 83 percent response rate. According to Mugenda & Mugenda (1999), a response rate of 50% is adequate for analysis, and reporting rate of 60 % is good, and a rate of 70% and over is excellent; therefore, this response rate is sufficient for analysis and reporting. The researcher made use of frequency tables to present data.

4.3 Respondents Profiles

The profile of respondents identifies the main information about the employees who participated in the research process depending on the relevance of the information sought.

The researcher sought to find out the distribution of the respondents according to their experience, bracket, education level, and professionalism. The aim was to deduce any trend from the respondent's profile that was directly linked to the study's variables.

4.2: Distribution of Respondents According to Working Experience

The study sought to determine the working experience of the respondents, and findings are as illustrated below;

Table 4. 1: Distribution of Respondents According to Working Experience

	Frequency	Percent
Less Than a year	3	5.7
1-3 Years	13	22.9
4-6 Years	8	14.3
7-9 Years	26	45.7
>9Years	6	11.4
Total	56	100.0

The study sought to find out the work experience of the staff in public procurement and supply chain management at Egerton University to ascertain the extent to which their responses could be relied upon to make conclusions. Table 4.1 shows that majority of respondents had years of experience between 7-9 years. Only three respondents had below one year of experience. This demonstrated that the majority of the respondents had adequate experience in PP and supply chain management. It, therefore, can be inferred that the study targeted the right respondents with a good understanding of the impact of procurement legislation on the procurement process at Egerton University

The study is in tandem with observations made by Braxton (2008), who proposed that respondents with high working experience assist in providing reliable data on the sought problem since they have technical expertise on the problem being investigated by the study.

4.3.3 Distribution of Respondents by Attained Educational Level

The study further sought to establish the educational levels of the respondents in order to ascertain if it influenced the variables under study. Table 4.2 shows the distribution of the respondents according to their attained educational levels.

Table 4. 2: Distribution of Respondents by Level of Education

Educational Level	Frequency	Percent
None		00
Certificate	2	2.9
Diploma	14	25.7
Degree	24	42.8
Masters	16	28.6
PhD	1	1.1
Total	56	100.0

The study sought to establish the highest level of education attained by the staff working in the procurement unit in Egerton University, such as Doctorate, Masters, Bachelors, Diplomas and Certificate qualification. From Table 4.2, findings showed that 42.8% of the procurement staff working in Egerton had attained University education, 28.6% had post-graduate qualifications and college-level qualifications, respectively, and 2.9 % had school certificates. Surprisingly 00.0% of the respondents had no academic qualification while the least number, 1.1%, had a doctorate degree.

From this, it was quite clear that most of the respondents have some degree of qualification, which implied that these employees have been exposed to diverse ideas that might enhance the procurement process. The results support previous empirical research that has shown that a high degree of education is associated with organizational success (Hambrick and Mason 1994; Kariuki, Awino & Ogutu, 2012).

4.4.3 Professional Qualification

The study further sought to find out the procurement staff professional qualifications such as professional degrees, post-graduate diplomas, diplomas, advanced certificates, and certificates. The aim was to ascertain if they are equipped with relevant knowledge and skills in supply chain management and public procurement.

Table 4. 3: Distribution of Respondents KISM Membership/Registration

KISM Membership/Registration	Frequency	Percent
None	15	26.1
Student member	14	24.2
Associate Member	5	8.3
Full member	19	33.7
Affiliate member	4	6.6
Fellow member	1	1.1
Total	56	100.0

From Table 4.3, the majority of the respondents, 25.1% had a post-graduate diploma, followed by 19.8% who had a professional degree, 19.3% had no professional qualification, and 17.6 had certificate qualification. Only 6.4% had an advanced certificate, while 11.8% had a diploma. As compared to academic qualifications, the number of those with professional qualifications was lower. This demonstrated that the majority of respondents had the necessary academic qualification but not professional qualifications.

The findings are in tandem with a study carried out by Ameyaw, Mensa and Osei -Tutu (2003) on the shortcomings and organizational weaknesses in PP in Ghana. The study established that the lack of professional procurement personnel was one of the weaknesses of PP. The current research depicted that only 19.8% of the respondents were professional degree holders, yet they are charged with the critical responsibility of making procurement decisions at Egerton University.

4.4.4 KISM Membership/Registration

It is a requirement of the PP law that all procurement practitioners must be members of KISM and have a valid practising license (SPMA, 2007). The study sought to establish the percentage of respondents that were members of KISM. Figure 4.4 shows that the majority of respondents, 33.7% were full members while only 1.1% were fellow members. A number of respondents, 26.1%, were not members. This study is in tandem with the findings by Kapila (2008), who observed that the lack of certified procurement professionals was a critical problem that affects supply chain management practices in public institutions.

4.3.1 Training Distribution of the Respondents

The study sought to find out whether the staff working in the procurement department had had any training on the implementation of PP legislation.

Table 4. 4: Training Distribution of the Respondents

	Frequency	Percent
Yes	29	51.4
No	27	48.6
Total	56	100.0

Table 4.4 shows that majority of the respondents 51.4% had attended training on public procurement rules and regulations while 27% had not had any training. This is important because all procurement practitioners are required to be familiar with the rules and regulations that govern procurement of goods and services (Rossi, 2010).

4.4 Findings of the Study Variables

The researcher analyzed the influence of three procurement legislation that affects the procurement process at Egerton University. The selected factors were the public procurement and disposal act (2005), Implementation, Public procurement and disposal legislation and public-private partnership legislation (2009). The dependent variable for the study was the procurement process at Egerton University.

4.4.1 Public Procurement and Disposal Act (2005) Implementation of the Procurement process

The study sought to establish the impact of Public Procurement and Disposal Act (2005) implementation on the Procurement process.

Table 4. 5: Public Procurement and Disposal Act (2005) implementation

	N	Min	Max	Mean	Std. Dev.
Public Procurement and Disposal Act, (2005) implementation					
has helped achieve efficiency in the procurement process	56	1	5	3.69	.993
Public Procurement and Disposal Act, (2005) implementation					
has led to open tendering hence enhancing fair completion	56	2	5	3.91	.853
Public Procurement and Disposal Act, (2005) implementation	56	2	5	4.14	.772
leads to equal treatment to suppliers					
Public Procurement and Disposal Act, (2005) implementation	56	1	5	4.03	.954
brings transparency in the procurement process					
Procurement personnel practice high levels of Ethical Standards and Professionalism when carrying on their procurement duties	56	1	5	3.80	.994

The results of the analysis on factors associated with Public Procurement and Disposal Act (2005) implementation and how it impacts the Procurement process are shown in Table 4.5. From the study, it was observed that to a moderate extent, Public Procurement and Disposal Act (2005) implementation has helped achieve efficiency in the procurement process as indicated by a mean of 3.69, Public Procurement and Disposal Act, (2005) implementation has led to open tendering hence enhancing fair competition to a moderate extent as indicated by a mean of 3.91, Public Procurement and Disposal Act, (2005) implementation leads to equal treatment to suppliers to the great extent as indicated by a mean of 4.14; the majority of the respondents also agreed to the greater extent that Public Procurement and Disposal Act, (2005) implementation brings transparency in the procurement as indicated by a mean of 4.03. Similarly, to a moderate extent, the majority of the respondents agreed that their

Procurement personnel practice high levels of Ethical Standards and Professionalism when carrying on their procurement duties, as indicated by a mean of 3.8.

4.4.2 Public Procurement and Disposal Legislation (2006)

Table 4. 6: Procurement and disposal legislation (2006)

	N	Min	Max	Mean	Std. Dev.
Public Procurement & Disposal Legislation, (2006) has					
simplified the organizational structure making it easier for	56	1	5	3.91	.853
procurement officers to understand where to report to					
The university maintains proper procurement records	56	2	5	4.26	.741
which are accurate and readily available.					
Delivered goods are inspected by a committee appointed					
by the Accounting Officer before handed to user	56	3	5	3.94	.802
departments					
Methods of Procurement are well understood by	56	3	5	4.14	.733
procurement officers					
There is a proper annual Procurement Planning in the	56	2	5	4.31	.796
university					

Table 4.6 presents the means of perception on procurement and disposal legislation (2006). The majority of respondents strongly agreed that Public Procurement & Disposal Legislation (2006) had simplified the organizational structure making it easier for procurement officers to understand where to report to as indicated by a mean of 3.91. On whether the university maintains proper procurement records which are accurate and readily available, a majority of the respondents agreed to a large extent, as indicated by a mean of 4.26. The study also found out that delivered goods are inspected by a committee appointed by the Accounting officer before being handed to user departments, as this was indicated by a mean of 3.94. Further, it was discovered that procurement officers' Methods of Procurement are well understood, as this was evidenced by a mean of 4.14. It was also

discovered that there was proper annual Procurement Planning in the university to a large extent, as indicated by a mean of 4.31.

4.4.3 Public-Private Partnership Legislation (2009) on Procurement Process

The study sought to establish the influence of Public-Private Partnership Legislation (2009) on the Procurement Process. The analysis results on factors associated with Public-Private Partnership Legislation (2009) on the Procurement Process are shown in Table 4.7.

Table 4. 7: Public-Private Partnership Legislation (2009) on Procurement Process

	N	Min	Max.	Mean	Std. Dev.
Public-Private Partnership legislation (2009) helps improve the procurement process in the University	56	1	5	3.77	.910
The organization carry out due diligence of PPP contractors before award of contracts	56	2	5	3.94	.906
The university is always consistent with the criteria it uses in selecting contractors for PPP	56	2	5	4.09	.781
There's a well-established criteria in your organization used for supplier performance evaluation	56	2	5	4.09	.818
The institution is always involved in public-private partnership projects	56	3	5	4.20	.833

Table 4.7 shows that the Public-Private Partnership legislation (2009) helps improve the procurement process in the university. The organization carries out due diligence of PPP contractors before awarding contracts as indicated by a mean of 3.77 and 3.94, respectively. The study established that to a great extent, the university is always consistent with the criteria it uses in selecting contractors for PPP, as indicated by a mean of 4.09 for each. It was further noted that there's a well-established criterion in the organization used for supplier performance evaluation, as this was evidenced by a mean of 4.20.

4.5 Inferential Analysis

In this study the regression analysis was used to determine the impact of procurement legislation on procurement process at Egerton University. A multivariate regression model was applied to determine the relative importance of each of the three variables concerning the status of the procurement process.

4.5.1 Regression Model Summary

The study carried out a regression analysis to test the significance of the influence of the independent variables, namely public procurement and disposal act (2005) Implementation, Public procurement and disposal legislation and public-private partnership legislation (2009) on the procurement process. The model summary is depicted in Table 4.8.

Table 4. 8: Regression Model Summary

Model	R	R²	Adjusted R²	Std Error of the Estimate
1	.918 ^a	.843	.805	.51038

Analysis in Table 4.8 shows that the coefficient of determination (the percentage variation in the dependent variable being explained by the changes in the independent variables) R^2 equals 0.843, that is, public procurement and disposal act (2005) Implementation, Public procurement and disposal legislation and public-private partnership legislation (2009) explains 84.3% of procurement process leaving only 15.7 percent unexplained.

4.3 Chapter Summary

This chapter was cauterized into research findings and discussions. The results were derived from analyzed questionnaires, and interpretations were made alongside the findings. The chapter further addressed the presentation of findings showing the response rate for the questionnaires returned and not returned. The presented findings also addressed the gender response, highest level of education, length of service of respondents, age brackets of respondents and finally all the objectives which comprised of public procurement and

disposal act (2005) Implementation, Public procurement and disposal legislation(2006) and public private partnership legislation (2009) on procurement process Egerton University

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

The objective of this study was to analyze the impact of procurement legislation on the procurement process at Egerton University. In this chapter, the study's findings are summarized, and conclusions are drawn from the summary. The conclusions enable the researcher to put across a number of key recommendations. The summary, conclusions and recommendations are presented in line with the objectives of the study.

5.2 Summary

The overriding purpose of the study was to determine the impact of the impact of procurement legislation on the procurement process at Egerton University. The study specifically determined the effect of the Public Procurement and Disposal Act (2005) implementation; assessed the impact of Public Procurement and Disposal Regulations (2006) legislation; established the contribution of Public-Private Partnership Regulations (2009) legislation on the procurement process in Kenya.

The study also examined the moderating impact of enforcement on the relationship between procurement legislation and the procurement process in public universities in Kenya. The study established a significant impact of the procurement legislation on the procurement process in public universities in Kenya.

5.2.1 Impact of the Public Procurement and Disposal Act, (2005) implementation

The study's first objective was to determine the impact of the PPDA (2005) implementation on the procurement process in Kenya. The study shows that Egerton University has implemented the Public Procurement and Disposal Act (2005), which contributes to their effective procurement process as indicated by an increased rate of service delivery at the

university. Findings indicated that implementation of the PPDA (2005) had to a greater extent achieved the objectives of efficiency (value for money); competition, transparency and accountability contributed to a large extent to the procurement process with the mean of 4.0.

5.2.2 Procurement & Disposal Regulations, (2006) On Procurement Process

The study's second objective aimed at establishing the impact of PPDR (2006) legislation on the procurement process. Findings indicated that Egerton had put in place structures to govern the procurement process. This included the appointment of the relevant committees that adjudicated on procurement and disposal issues (tender, procurement, disposal and tender processing committee). Findings indicated that by a mean of 4.26 of the respondents surveyed prepared procurement plans and updated them to suit project needs; 4.14 of the corporations have records management units, and 3.17 respondents were not familiar with the procurement rules and regulations.

5.2.3 Public-Private Partnership Regulations, (2009) and Procurement Process

The third objective of the study aimed at establishing the contribution of PPPR (2009) on the procurement process at Egerton University. The study showed a positive relationship between PPPR (2009) legislation and the procurement process. Findings indicated that 4.09 of the corporations had been involved in PPP projects, and the methods of PPP contractor identification was negotiation and open tender. The criterion for supplier selection was past performance, and supplier performance evaluation was based on performance and technology. Monitoring and evaluation of project implementation were done to ensure that quality, cost and time were achieved, as shown by a mean of 3.94.

5.3 Conclusions

The study concludes that the quality of feedback from users on satisfaction levels for the goods received has a positive impact on the conformance to the procurement law. The research concluded evidently that takes necessary measures to ensure the procurement process adheres to the PPDA 2007. The procurement processes do not maximize value in sourcing and disposal and lowering costs associated with procurement. The procurement processes do not promote competition among suppliers. The study concludes that procurement law promotes ethical standards among procurement personnel. The procurement law has improved; competitiveness in the procurement process, the level of transparency in procurement and the quality of goods and services delivered by suppliers. The greatest

weakness of the procurement law is that it has reduced the speed at which the rate at which Egerton University procures goods and services. According to the just-completed PPOA reviews, unprinted results indicate that Egerton University complies with PPDA 2007. In conclusion, the findings from Egerton University may, to a large extent, confirm that the procurement processes and practices conform to the PPDA objectives; hence there is high efficacy of the procurement law.

5.4 Recommendations

The study recommends that the government and policymakers enhance their efforts to eradicate the challenges associated with PPDA. Mechanisms should be put in place to ensure the eradication of corrupt officials in these organizations. Incentives should be provided to the officials implementing PPDA to ensure better guidelines in the process.

There is evidence that the procurement law has slowed down the speed at which goods are procured. The University should develop a better process that will reduce bureaucracy and ensure goods and services are procured promptly. It was also noted that the University does not have sufficient staff in some of its colleges.

There is a need to review the procurement procedures and identify the underlying problems to sealing the remaining loopholes through which dishonest stakeholders are likely to misuse the process. More checks and controls should be introduced to check on the integrity of the tendering systems and ensure that it is as open as possible.

5.5 Suggestions for Further Research

The present study was carried at Egerton University. It is suggested that a more elaborate study cutting across all other public entities both in the central and county government that provide services to the citizens of Kenya using public funds and governed by the PP laws be undertaken to determine further influence or effect of PP legislation on the procurement process.

The study focused on three elements of the PP framework notably; PPDA (2005); PPDRs, (2006) and PPPR, (2009). This limited the study from exploring other factors that influence the procurement process. The study, therefore, proposes further studies to be undertaken to help establish other factors that affect the procurement process.

The findings presented here cannot be generalized to the private sector. There are no laws that govern procurement activities as procurement policies vary from firm to firm, even within the same industry. Therefore replication of this study can be carried out in the private sector organizations since they are also key players.

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APPENDIX I: INTRODUCTORY LETTER TO THE RESPONDENT

Mercilline Moraa

P.O Box 2378-40200

Nakuru

Dear Sir / Madam,

RE: REQUEST FOR DATA COLLECTION

Am an undergraduate student in the School of Management and leadership of, Management University of Africa pursuing a degree in procurement. I am currently researching on “**The Impact of Legislation on Public Universities Procurement Process; A Case of Egerton University.**”

I hereby kindly request you to fill the questionnaire attached to this introductory letter to aid my study as well as to fulfil the requirement of Bachelors in Management and Leadership have selected your institution as the main target population. Details of each section in the questionnaire are specified therein.

All information that you provided shall be treated with utmost confidentiality for purely academic purposes.

Yours Faithfully,

Mercilline Moraa

(Researcher)

APPENDIX II: QUESTIONNAIRE

This study sought to determine the Impact of Legislation on procurement process in public universities in Kenya. To achieve this objective, relevant questions have been provided to gather data for analysis. Kindly spare some time to provide the requested information as accurately as possible. Any information supplied is strictly confidential and it is meant for academic purposes only.

Section 1: Demographic and General Information

1. How many years of experience do you have in public procurement and supply Management? []

2. What is your highest academic qualification? Please (✓) as appropriate

None []

School Certificate []

College Diploma []

Bachelors' degree []

Masters Degree []

Doctorate Degree []

3. What is your professional qualification in procurement and supply management?

None []

Certificate []

Advanced certificate []

Diploma []

Post Graduate Diploma []

Professional Degree []

4. Please indicate your membership category in your procurement professional body?

None []

Student Member []

Associate Member	[]
Full Member	[]
Affiliate Member	[]
Fellow Member	[]

5. Have you had any training on the public procurement rules and regulations?

Yes []

No []

Section B

Please tick (✓) on any of the provided options

Strongly agree (SA) 2.Agree (A) 3.Disagree (D) 4.Strongly disagree (SD)

Public Procurement & Disposal Legislation, (2006)	SA	A	D	SD
Public Procurement & Disposal Legislation, (2006) has simplified the organizational structure making it easier for procurement officers to understand where to report to				
The university maintains proper procurement records which are accurate and readily available				
Delivered goods are inspected by a committee appointed by the Accounting Officer before handed to user departments				
Methods of Procurement are well understood by procurement officers				
There is a proper annual Procurement Planning in the university				

Public Procurement and Disposal Act, (2005) implementation

Public Procurement and Disposal Act, (2005) implementation	SA	A	D	SD
Public Procurement and Disposal Act, (2005) implementation has helped achieve efficiency in the procurement process				
Public Procurement and Disposal Act, (2005) implementation has led to open tendering hence enhancing fair completion				
Public Procurement and Disposal Act, (2005) implementation leads to equal treatment to suppliers				
Public Procurement and Disposal Act, (2005) implementation brings transparency in the procurement process				
Procurement personnel practice high levels of Ethical Standards and Professionalism when carrying on their procurement duties				

Public Private Partnership legislation, (2009)

	SA	A	D	SD
Public Private Partnership legislation, (2009) helps improve the procurement process in the University.				
The organization carry out due diligence of PPP contractors before award of contracts				
The university is always consistent with the criteria it uses in selecting contractors for PPP				
There's a well-established criteria in your organization used for supplier performance evaluation				
The institution is always involved in public private partnership projects				