



Research Paper

An Appraisal of Effectiveness of Public Procurement Act and Procurement Process in the Cost of Contract Awards

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ABSTRACT

Public resources and assets around the world are subject to manipulation, abuse, misappropriation, mismanagement, and clear diversion for selfish ends. Public resources and assets are getting depleted day in day out because the demand for these resources is growing in geometric progression, while the efforts needed to use them is growing in arithmetic progression. This circumstance has resulted into a situation of unpopular or non-achieving political actors who are collectively charged with and responsibility of how such resources are distributed, managed, and maximized to ensure value for money. Developing countries, like Nigeria in one way or another, have reformed their public procurement regulations. The reforms have not been limited to regulations only, included public procurement processes, methods, procurement organizational structures and proper job specification and description for the workforce. However, the aim of this study is to decide the appraisal of the effectiveness of public procurement act and procurement process in control of cost of contract awards. This research was a survey based comparative cross-sectional study design which made use of quantitative analysis of responses generated through questionnaire which supplied primary data for this research. The data collected from the 50 respondents were analysed using SPSS which performed a descriptive analysis in the study. The result of the research showed that there are a lot of impact factors that delays in the full implementation of the procurement act. This has created gaps which the government and the company needs to bridge to achieve success since its implementation and enhance its effectiveness. This is also because of lack of proper implementation. Employees and managers are more concerned in profits than growth. The study therefore recommends the checkmating of the prevalence of abandoned road projects, reviewing the cost of project contracts and ensuring transparency in the process. It was also recommended that efforts such as improving the justice system, adequate planning and implementation and end corruption system in Nigeria should be made to surmount the most significant constraints/challenges by all stakeholders involved in the implementation of the PPA 2007

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I. Introduction

The Nigerian government has been taking steps to improve its public procurement process in recent years. The Public Procurement Act was enacted in 2007 to ensure transparency, accountability, and fairness in public procurement. The Act was designed to streamline the procurement process, prevent corruption and inefficiency, and ultimately reduce the cost of contract awards. However, despite the enactment of the Act, there are still concerns about the effectiveness of the procurement process and the cost of contract awards in Nigeria.

Statement of Problem

One of the main problems facing the Nigerian government is the high cost of contract awards. The government has been criticized for awarding contracts at inflated prices, which has resulted in wastage of resources and limited development. The Public Procurement Act was designed to address this problem, but there are still concerns that the Act is not being fully implemented and enforced.

II. Aim and Objectives

The aim of this study is to examine the effectiveness of the Public Procurement Act and the procurement process in reducing the cost of contract awards in Nigeria. The specific objectives of this study are:

1. To find out whether the implementation of the PPA (2007) and PP in contract award has brought about cost effectiveness.
2. To decide if the PPA 2007 is being fully implemented across government agencies in contract award.
3. To find if the implementation of the PPA 2007 has brought about equal efficiency in contract award and administration in government business.
4. To see if there are factors that are hindering the full implementation and enforcement of the PPA 2007 in procurement process in government agencies.
5. To decide if any factors will enhance the implementation of the PPA 2007 in procurement process in government business.

Significance of the Study

This study is significant for several reasons. First, it will provide an understanding of the effectiveness of the Public Procurement Act and the procurement process in Nigeria. Second, it will identify the challenges facing the procurement process and suggest ways to improve it. Third, it will contribute to the existing literature on public procurement in Nigeria and serve as a reference for future research. Finally, it will provide insights for policymakers and practitioners to improve the procurement process and reduce the cost of contract awards in Nigeria.

Scope

This study will focus on the effectiveness of the Public Procurement Act and the procurement process in reducing the cost of contract awards in Nigeria. The study will cover the period from the enactment of the Act in 2007 to 2021. The study will use a qualitative research approach, which will involve a review of relevant literature, policy documents, and reports on public procurement in Nigeria. The study will also involve interviews with key stakeholders in the procurement process, including government officials, contractors, and civil society organizations.

III. Literature Review

Public procurement is a critical aspect of governance in any country, as it involves the acquisition of goods, services, and works by the government to meet the needs of its citizens. In Nigeria, public procurement is guided by the Public Procurement Act (PPA) of 2007, which seeks to promote transparency, accountability, and efficiency in the procurement process. The aim of this literature review is to evaluate the effectiveness of the PPA and the procurement process in reducing the cost of contract awards in Nigeria.

Several studies have examined the effectiveness of the PPA and procurement process in Nigeria. One of such studies is the work of Adalakin and Ige (2014), who investigated the impact of the PPA on the cost of contract awards in the construction industry. The study revealed that the PPA has led to a significant reduction in the cost of contract awards in the industry. The authors attributed this to the requirement for open competitive bidding, which has increased transparency and competition in the procurement process.

Similarly, Osemeke and Emeti (2016) examined the impact of the PPA on the cost of contract awards in the healthcare sector. The study revealed that the PPA has led to a reduction in the cost of contract awards in the sector. The authors attributed this to the requirement for pre-qualification of bidders, which has ensured that only qualified bidders are allowed to take part in the procurement process.

However, some studies have highlighted some challenges in the implementation of the PPA and procurement process in Nigeria. For instance, Oluwaseun and Oluseyi (2018) showed corruption, lack of political will, and inadequate funding as some of the major challenges facing the implementation of the PPA in Nigeria. Similarly, Abubakar and Aibinu (2016) showed poor planning, inadequate monitoring, and lack of accountability as some of the challenges facing the procurement process in Nigeria.

IV. Conclusion

In conclusion, the literature reviewed in this paper suggests that the PPA and procurement process have been effective in reducing the cost of contract awards in Nigeria. However, some challenges still exist, and there is a need for the government to address these challenges to ensure the effective implementation of the PPA and procurement process. This can be achieved through the provision of adequate funding, political will, and the strengthening of monitoring and accountability mechanisms.

V. RESEARCH METHODOLOGY

Research design

This research was a survey based comparative cross-sectional study design. It made use of an exploratory and descriptive technique in analysing the research. The research also made use of quantitative analysis of responses generated through questionnaire which supplied primary data for this research. The study in this present context, collected primary data through a survey. The primary data is the first-hand data that are accumulated directly by the researchers by using different data collection methods including interviews, experiments, questionnaires, and the survey. However, the process of the survey is the quantitative data collection method that helps to gather the information through multiple survey questions from the selected population. In this research study, among the 60 intended participants, 50 respondents were chosen as a sample in this study. The research is aimed at deciding the appraisal of effectiveness of public procurement act and procurement process in the cost of contract awards in Porth court.

VI. RESULTS

At the end of the result collection, descriptive analysis was done to find the frequency and percentage of the responses from the participants. The results were represented in tables and charts.

Background of the respondents

To find the demographic components of the respondents, the background of these participants was collected to give an overview of the type of participants involved.

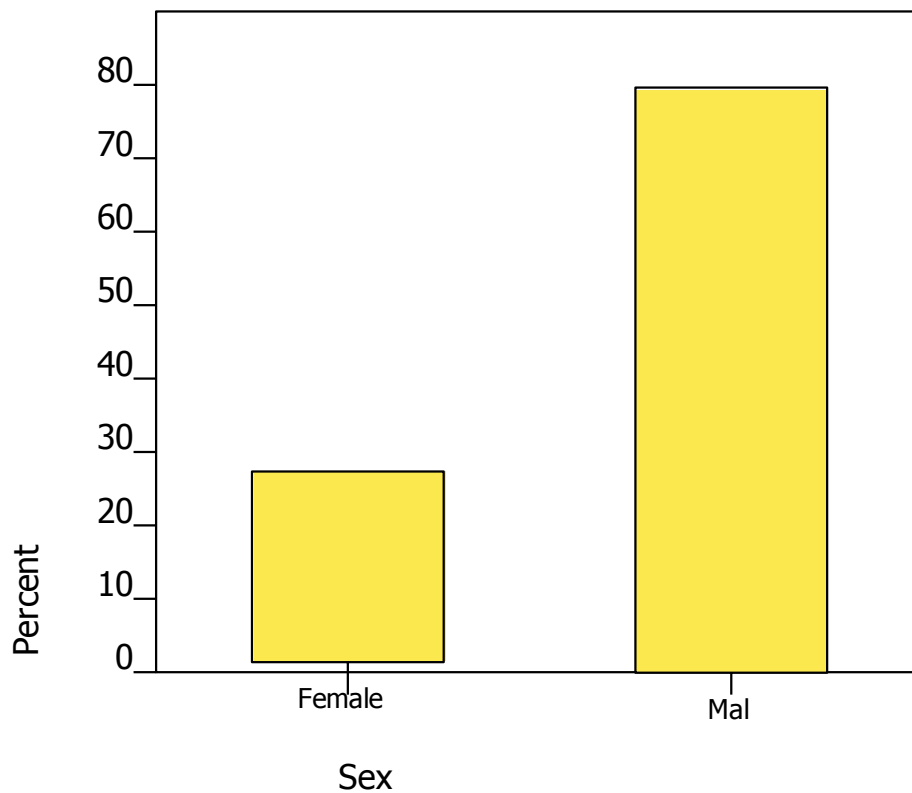
The sex of the respondents

2 types of gender participated in the study: male and female sexes. It was seen that 72% of the respondents were all male while only about 28% were females. This is clear since substantial number of males work in most contract awarding organizations.

Table 4.1: The sex of the respondents

<i>ValueLabel</i>	<i>Value</i>	<i>Frequency</i>	<i>Percent</i>	<i>ValidPercent</i>	<i>CumPercent</i>
	Female	15	28.00	18.00	18.00
	Male	35	72.00	82.00	100.00
	<i>Total</i>	50	100.0	100.0	

Fig 4.1: The sex of the respondents



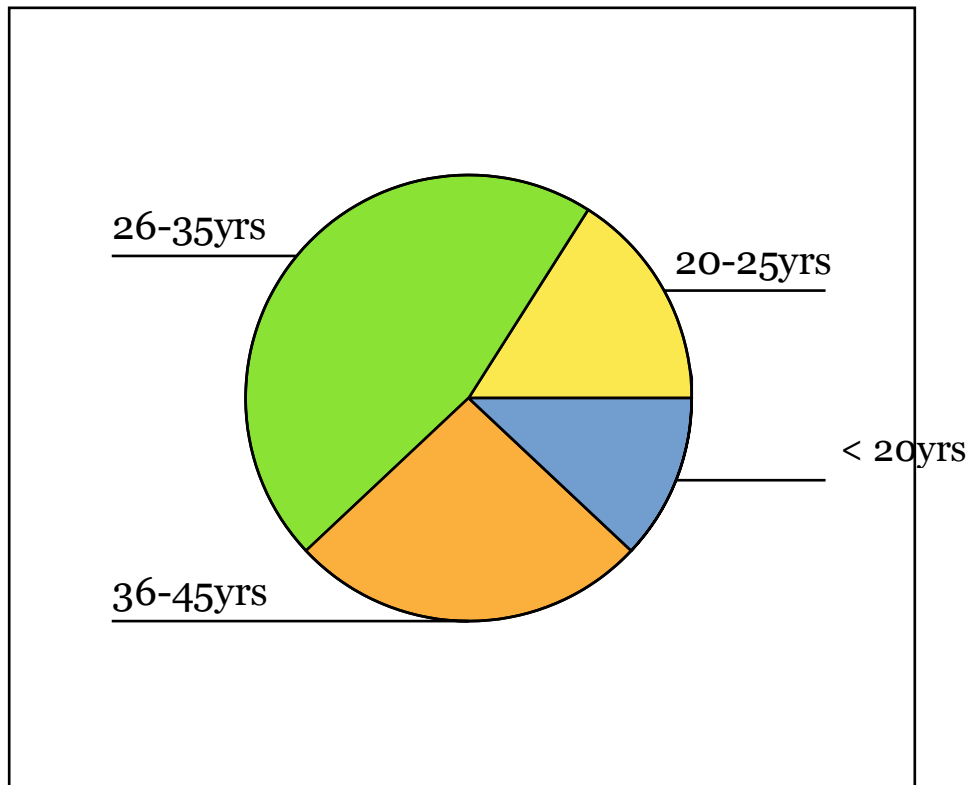
Age of the respondents

Table 4.2 showed the age distribution of the respondents. It was seen that those within the age range of 26-35 years formed 46% of the total respondents. This is as expected since they fall under the active age group who are within the government working age group in public sectors. However, 26% of the respondents fall within 36-45years, 16% fall within 20-25years while 12% were less than 20years. However, none of the respondents exceeded 45years of age.

Age of the respondents

Value	Frequency	Percent	ValidPercent	CumPercent
20-25yrs	8	16.00	16.00	16.00
26-35yrs	23	46.00	46.00	62.00
36-45yrs	13	26.00	26.00	88.00
<20yrs	6	12.00	12.00	100.00
	50	100.0	100.0	

Fig 4.2: Age of the respondents



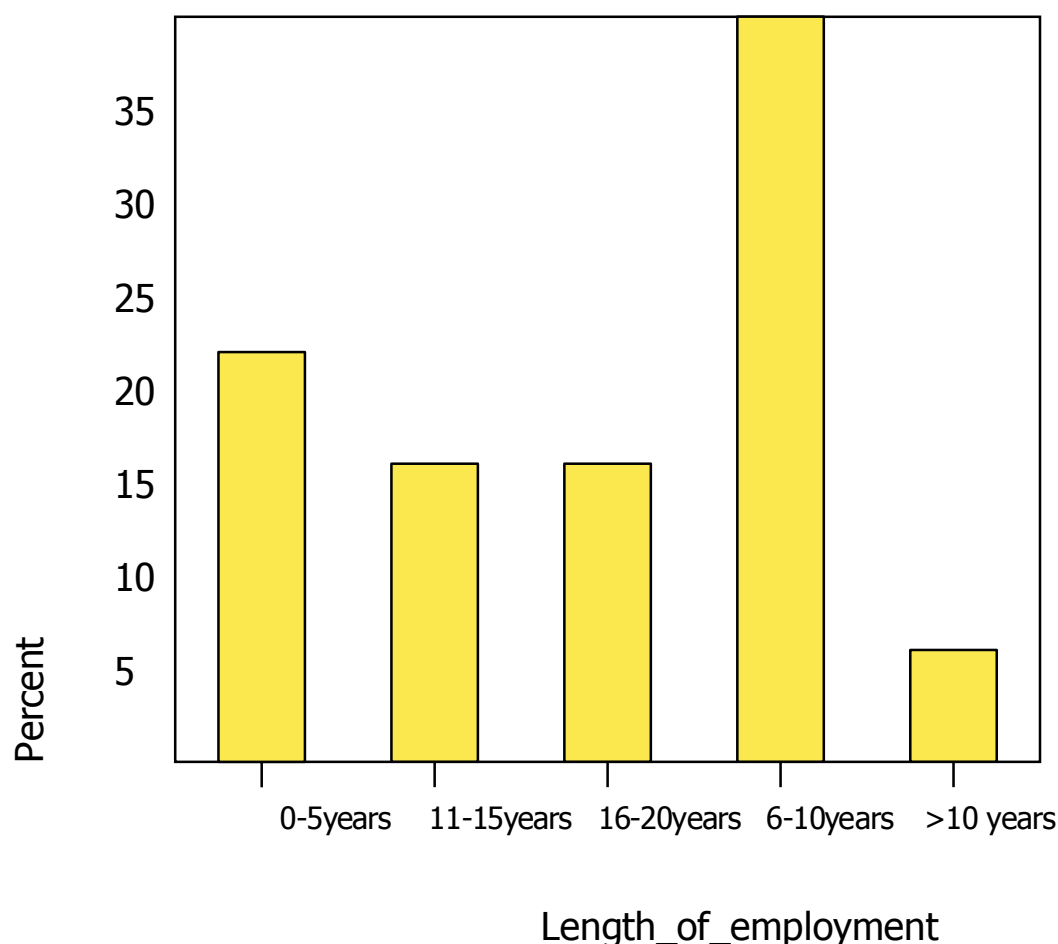
Length of employment of the respondents

Table 4.3 shows the length of employment of the participants. It was seen that most of the participants have garnered enough work experience having worked for more than 5 years in the construction company. However, 40% of the participants have worked for 6-10 years; 22% have worked for 0-5years, 16% have worked for 11-15years and 16-20years each while only about 6% have worked for more than 10 years.

Table 4.3: Length of employment of the respondents

<i>ValueLabel</i>	<i>Value</i>	<i>Frequency</i>	<i>Percent</i>	<i>ValidPercent</i>	<i>CumPercent</i>
	0-5years	11	22.00	22.00	22.00
	11-15years	8	16.00	16.00	38.00
	16-20years	8	16.00	16.00	54.00
	6-10years	20	40.00	40.00	94.00
	>10 years	3	6.00	6.00	100.00
	<i>Total</i>	50	100.0	100.0	

Fig 4.3: Length of employment of the respondents



The current level of performance in public procurement and procurement process

Table 4.5 analysed the current level of performance in terms of quality in contract awarding due to procurement. This is essential to figure out the effectiveness of PPA and procurement process in contract awarding has on the procurement since its establishment. It was discovered that 56% rated its performance average with no significant contribution since its implementation in Nigeria procurement sectors. 26% agreed that its performance became better than when it was not implemented. 9% however agreed that the performance remains poor since its implementation.

Table 4.5: The level of performance in procurement

ValueLabel	Value	Frequency	Percent	ValidPercent	CumPercent
	Average	27	56.00	58.00	58.00
	Good	14	26.00	24.00	82.00
	Poor	9	18.00	18.00	100.00
	Total	50	100.0	100.0	

Factors that can enhance the effectiveness of public procurement in Porthacourt.

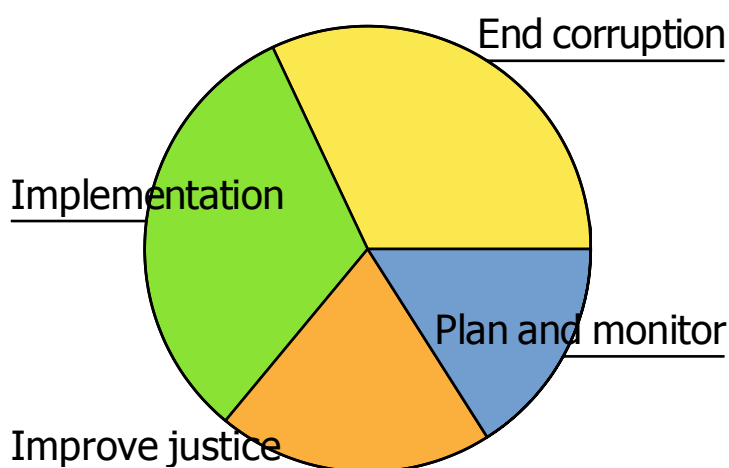
Table 4.6 showed the available approaches as found by the respondents on how to enhance the effectiveness of the public sector in contract awarding and procurements. 4 strategies were identified: full implementation and enforcement of procurement act, improving the justice system, eliminating corruption and indiscriminate bidding system and adequate monitoring, planning and implementation. Among these, majority (32% each) agreed that ending corruption and full implementation and enforcement will reduce most challenges

faced by this firms. 20% however agreed that improving the justice system will go a long way while 16% agreed that adequate planning, monitoring and evaluation is the key to success in these firms.

Table 4.6: Factors that can enhance the effectiveness of public procurement in Porthacourt.

ValueLabel	Value	Frequency	Percent	ValidPercent	CumPercent
	End corruption	16	32.00	32.00	32.00
	Implementation	16	32.00	32.00	64.00
	Improve justice.	10	20.00	20.00	84.00
	Planning & monitoring	8	16.00	16.00	100.00
	<i>Total</i>	50	100.0	100.0	

Fig 4.6: Factors that can enhance the effectiveness of public procurement in Porthacourt



Factors hindering the effectiveness and implementation of PPA act in public sector.

Table 4.7 found 4 impact factors that affects the effectiveness of PPA in contract awarding and in public sectors. Communication challenges, corruption, delay in project implementation, financial challenge (lack of adequate resources) and inadequate PPA implementation. Among these, 30% each for delay in projects and inadequate PPA implementation, made up the majority response as one of the greatest impact factors of this gap. 22% agreed that the primary impact factor is financial constraints which have limited the available resources for enhancing the procurement system. 14% agreed that the increasing corruption in Nigeria is a big impact factor creating this gap while the remaining 4% agreed that lack of proper communication between associating workers and contracts is a big factor.

Table 4.7: Factors hindering the effectiveness and implementation of PPA act in public sector.

ValueLabel	Value	Frequency	Percent	ValidPercent	CumPercent
	Communication	2	4.00	4.00	4.00
	Corruption	7	14.00	14.00	18.00
	Delay in projects	15	30.00	30.00	48.00
	Financial challenges	11	22.00	22.00	70.00
	Implementation factors	15	30.00	30.00	100.00
	<i>Total</i>	50	100.0	100.0	

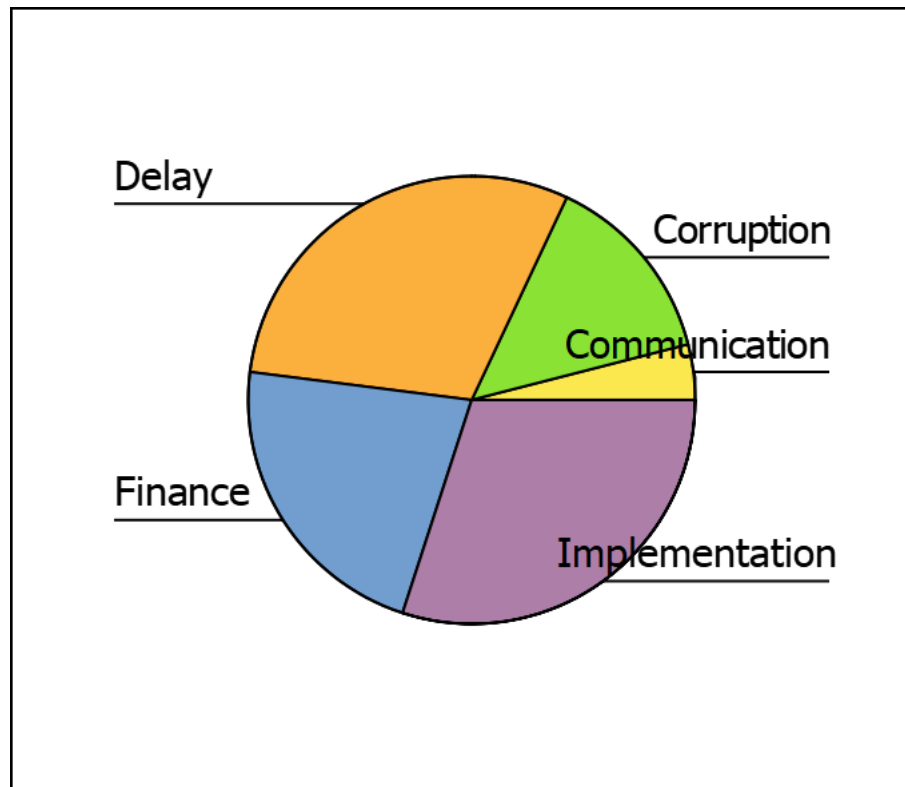


Fig 4.7: Factors hindering the effectiveness and implementation of PPA act in public sector.

VII. DISCUSSION

"According to Telgen, (2006) Public Procurement is a comprehensive process stretching from procurement planning, budget allocation, bids invitation, bids evaluation, contract award, contract management, performance evaluation, auditing and reporting." ("Factors Influencing Public Procurement Compliance with Public ... - IJSRP") ("Factors Influencing Public Procurement Compliance with Public ... - IJSRP") It is an activity that must support the delivery of a public body's strategic goals at the same time live up to the expectations of the targeted public and taxpayers at large. Developing countries, like Nigeria in one way or another, have reformed their public procurement regulations. The reforms have not been limited to regulations only, included public procurement processes, methods, procurement organizational structures and right job specification and description for the workforce. The aim of this study is to figure out the appraisal of the effectiveness of public procurement act and procurement process in control of cost of contract awards.

The background of the respondents showed that there were mostly males of adult youthful age (between 25-45) and has worked in this sector or up to 5 years. Table 4.4 however, named 4 skills that have been acquired by the contractors. This is essential to learn their efficiency and effectiveness in public procurement. The most common skill got by the contractors was physical strength and stamina with 21% response, 14% stalled management skills, 10% bought flexibility skills while the remaining 5% bought communication skills probably due to their geographic distribution.

Table 4.5 analysed the current level of performance in terms of quality in contract awarding due to procurement. This is essential to figure out the effectiveness of PPA and procurement process in contract awarding has on the procurement since its establishment. It was discovered that 56% rated its performance average with no significant contribution since its implementation in Nigeria procurement sectors. 26% agreed that its performance became better than when it was not implemented. 9% however agreed that the performance remains poor since its implementation.

Table 4.6 showed the available approaches as named by the respondents on how to enhance the effectiveness of the public sector in contract awarding and procurements. Among them, majority (32% each) agreed that ending corruption and full implementation and enforcement will reduce most challenges faced by this firms. 20% however agreed that improving the justice system will go a long way while 16% agreed that adequate planning, monitoring and evaluation is the key to success in these firms. This finding is in corroboration with that of Moneke, (2020). It was proven that Public Procurement Act has impact on construction projects execution as factors such as signing of binding contract agreement, final

account/completion certificate and there alike, had exceedingly high relative impact indexes. This is possible due to the establishment of the procurement act which regulates the procurement processes, checkmate the prevalence of abandoned road projects and ensure transparency in the process. It was also recommended that efforts such as improving the justice system, adequate planning and implementation and end corruption system in Nigeria should be made to surmount the most significant constraints/challenges by all stakeholders involved in the implementation of the PPA 2007.

Table 4.7 named 4 impact factors that affects the effectiveness of PPA in contract awarding and in public sectors. Among these, 30% each for delay in projects and inadequate PPA implementation, made up the majority response as one of the greatest impact factors in its effectiveness. 22% agreed that the primary impact factor is financial constraints which have limited the available resources for enhancing the procurement system. 14% agreed that the increasing corruption in Nigeria is a big impact factor creating this gap while the remaining 4% agreed that lack of proper communication between associating workers and contracts is a big factor. This finding is in corroboration with that of Takura and Osibanjo (2021) who told that there are a lot of impact factors that delays in the full implementation of the procurement act. This has created gaps which the government and the company needs to bridge to achieve success since its implementation and enhance its effectiveness. This is also because of lack of proper implementation. Employees and managers are more interested in making profits than the welfare of the office.

VIII. CONCLUSION AND RECOMMENDATIONS

The current level of performance in terms of quality of contract award, 56% rated average, 26% noted it has helped in better contracting, 9% says performance remained poor.

On impact, 32% agrees that ending corruption, full implementation & enforcement will reduce the non effectiveness. 20% notes that improving the justice system will further boost effectiveness while 16% says that adequate planning, monitoring and evaluation is the key to success.

This collaborates Moneke (2020) that PPA & PP has changed the construction & execution of projects.

It also resonates Takura & Osinbajo (2021) that lots of factors still impedes the implementation of the PPA 2007

Gap in Knowledge

Non effective justice system, lack of adequate planning, corruption, inadequate funding dynamics, delays in project awards and communication deficiencies are obvious gaps that continues to imperil the effectiveness of the PPA 2007 and procurement process in achieving cost efficiency in contract awards.

Recommendations

improved justice delivery system

Full enforcement of the PPA 2007 with special emphasis on s. 54 of the Act to ensure that offenders are sanctioned.

Enforcement of anti-corruption legislation to curb under hand deals in contract awards.

Increased education and training of those involved in contract award and administration Provision of adequate funding for contacts to avoid delays and wastage.

Adequate payment of public servants.

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