Original Research Article

Assessment of the Implementation of Public Procurement Act in the Award of Contracts in Edo State, Nigeria

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ARTICLE INFORMATION	ABSTRACT
	The public procurement act was enacted by the government of Nigeria to address the weaknesses in the public procurement of goods and services. Effective implementation of the procurement manual among construction project parties has not been achieved due to conflict of interest among construction parties. This study X-rayed the factors affecting the implementation of public procurement act in Edo state, Nigeria. Professionals in the works department, consultants and registered contractors with the ministry of works constitute the target population. A total of 83 questionnaires were administered and a total of 62 were returned and considered fit for analysis. The factors affecting the implementation were identified as resistance to change, pervading corruption, and procurement process being too long and expensive, delay in passing budget among others. Also, ways of improving the implementation of the act were identified and the result revealed that improved effectiveness of the anti-corruption agencies in investigating and prosecuting infractions, implementation of training and learning programs, and improved transparency are more effective. It is recommended that that the due process office should create more awareness to the general public on the activity of the agency in relation to the procurement of goods and services.

1. INTRODUCTION

The construction industry in most countries has undergone different forms of reforms which set the phase for the issuance of construction procurement guidelines or procurement manuals for sustainable procurement of construction projects. Due to the colossal amount of money involved in government procurement and the fact that such money comes from the public, there is need for accountability and transparency (Hiu et al., 2011). This need has necessitated the introduction of several public procurement reform initiatives, including

the enactment of the public procurement act as the policy governing public expenditure in the country (PPA, 2007). The PPA subsequently, addressed the public procurement manual as the procedural guideline for public procurement processes including construction procurements by the public procurement entities.

However, effective implementation of the procurement manual among construction project parties has not been achieved due to some of the challenges of implementation ranging from personal interest and lack of transparency (Oyebamiji, 2018). According to Hiu et al. (2011), conflict of interest among construction project parties was highlighted as one of the major factors causing the non-compliance with the procurement manual that affects the performance of construction projects cost-wise. Adewole (2014) reported that most developing countries including Nigeria have poor cost performance of construction projects which is directly linked with conflict of interests at both pre-contract and post-contract levels.

To operationalize the concept of good governance and to push towards "zero tolerance" of corrupt practices, the public procurement act of 2007 was enacted by the government of Nigeria to address the real and perceived weaknesses in the public procurement of goods, works, and services. Transparency International (2006) in its report revealed interesting findings on public procurement. It found that public procurement amounts, on average, to between 15% and 30% of GDP or and more. It also found that few activities create greater temptations or offer more avenues for corruption than procurement.

The public procurement act of 2007 established the Bureau of Public Procurement as an efficient country procurement system that meets international best practices and also to professionalize the process of procurement that ensures transparency, efficiency, competition, integrity and value for money to support national growth and development. Also, studies show that public procurement is most prone to corruption (Soreide, 2002; Kaufman, 2004). It was estimated that systemic corruption can add 20-25 percent to the cost of government procurement (Kaufman, 2004). The requirements to educate professionals and equip them with new and higher-level skills have consequently become urgent in order to combat the menace and reduce cost of governance (BPP, 2018).

In recent years, limited progress has been made in reforming public procurement, but all too often the reforms have been inadequate and have not had the desired impact so that shortcomings still persist (Jones, 2007). In Nigeria, abuse of power through corruption of public official, including providers of basic services, is widely recognized as endemic at all levels (Oyebamiji, 2018). This study therefore assessed the factors affecting implementation of public procurement act in the award of construction contracts in Nigeria.

2. METHODOLOGY

This research employed the use of survey research design. To achieve the aim of the research, data were collected from professionals in the construction industry in Edo State, Nigeria. The research employed to use of simple random sampling where each professional was given equal chance of being picked. Data for this research were collected through questionnaires which was the primary source of data collection. The study population for this research work includes professionals in the Ministry of Works in Edo State, consultants and contractors registered with the ministry. The data were analysed using percentile, mean item score and relative important index. For the purpose of this study, questionnaire was distributed to the target professionals. Out of the 83 questionnaires administered, 62 were retrieved and considered fit for analysis. This represent 75% response rate of the total population set for the study.

The relative importance index (RII) was used to assess the ways of improving implementation of public procurement act. The relative importance index is computed as shown by Creswell (2005).

$$RII = \sum \frac{w}{A \times N} \qquad (1)$$

Where w is the weight given to each factor by the respondents and ranges from 1 to 5, A is the highest weight (5) and N is the total number of respondents.

3. RESULTS AND DISCUSSION

Table 1 shows the background information of the respondents. When compared to the sample frame for the study, it can be seen that the different categories of respondents (i.e. Client, Consultants and Contractor) based on the identified construction projects were adequately represented. Also, all the construction professionals were duly represented with the highest of them being the engineers with 22.6% followed by the quantity surveyors with 17.7%. This is followed by the architects and builders with 12.9% respectively. The highest academic qualification is Bachelor of Science/Bachelor of Technology with 30.6%. This is followed by Master Degree holders with 24.2%, Higher National Diploma (HND) holders with 14.5% and Post Graduate Diploma (PGD) holders with 9.7%. The remaining 21% of the population possesses the qualification tagged as "others" and these are mostly the end users.

Table 1: Background Information of respondents

Category	Classification	Frequency	Percentage
Type of respondent	Client	39	62.9
	Consultant	13	21
	Contractor	10	16.1
	Total	62	100
Profession of respondents	Architecture	8	12.9
	Quantity Surveying	11	17.7
	Engineering	14	22.6
	Building	8	12.9
	Others	21	33.9
	Total	62	100
Academic qualification	HND	9	14.5
	B.Sc./B.Tech.	19	30.6
	PGD	6	9.7
	M.Sc./M.Tech.	15	24.2
	Others	13	21
	Total	62	100
Professional qualification	MNIQS	13	20.97
	MNIOB	14	22.58
	MNIA	18	29.03
	MNSE	17	27.42
	Total	62	100
Years of experience	0-5 yrs	8	12.9
	6-10 yrs	18	29
	11-15 yrs	23	37.1
	16-20 yrs	8	12.9
	Above 20 yrs	5	8.1
	Total	62	100

In terms of professional qualification, it is evident from the table that most of the respondents are member of their respective professional bodies with the highest being the members of the Nigerian Institute of Architect with 29.03%. This is followed by the members of the Nigerian Society of Engineers with 27.42%, members of the Nigerian Institute of Builders (22.58%), members of the Nigerian Institute of Quantity Surveyors (20.97%). In the aspect of years of working experience, most (37.1%) of the respondents have between 11-15 years of working experience within the built environment. This was followed by 29% who have between 6-10 years, 12.9% who have between 0 to 5 years and 16 to 20 years each. The least range of years of working experience is 8.1%. These vast years of working experience shows that the respondents are well equipped in terms of years of experience to answer the questions of this research.

Table 2 reveals the respondents' opinion on the factors affecting the implementation of the public procurement act. The factors that were ranked high by the respondents includes; resistance to change with a mean score of 4.20, pervading corruption with a mean score of 4.15, public procurement process is too long and expensive with a mean score of 3.98, delay in passing budget with a mean score of 3.90, absence of strong and compelling institutions with a mean score of 3.88 and lack of structures and facilities to ease procurement process with a mean score of 3.83.

Table 2: Identified factors affecting implementation of the public procurement act in Edo State

Identified factors	Mean	Rank
Resistance to change	4.20	1
Pervading corruption	4.15	2
Public procurement process is too long and expensive	3.98	3
Delay in passing budget	3.90	4
Absence of strong and compelling institutions	3.88	5
Lack of structures and facilities to ease procurement process	3.83	6
Lack of political will to initiate development change	3.69	7
Bureau of public procurement training programs are too short and	3.56	8
Delays in getting 'No Objection'	3.32	9
Interference by bidders, contractors and suppliers	3.21	10
Lack of expertise	3.00	11
Poor knowledge of the act and procurement proceedings	3.00	12

The factors that were also ranked low by the respondents include; lack of political will to initiate development change with a mean score of 3.69, bureau of public procurement training are too short and impractical with a mean score of 3.56, delays in getting 'No Objection' with a mean score of 3.32, interference by bidders, contractors and suppliers with a mean score of 3.2045, lack of expertise with a mean score of 3.00 and poor knowledge of the act and procurement proceedings with a mean score of 3.00 respectively. This is in agreement with the research conducted by Oyebamiji (2018) where she identified corruption and lack of structure as the major factors affecting the implementation of public procurement act in Nigeria. This is also in line with the study conducted by Adewole (2014) which revealed pervading corruption as one of the major factors affecting the implementation of the public procurement act in Nigeria.

Table 3 reveals the opinion of respondents on the various ways in which the implementation of the public procurement act can be can be improved. Among the strategies ranked high by the respondents are effectiveness of the anti-corruption agencies in investigating and prosecuting infractions with a relative importance index of 0.827, implementation of trainings and learning programs especially for procuring entities with a relative importance index of 0.805, improve transparency with a relative importance index of

0.777, adopting measures to strengthen accountability including through greater civil society involvement in oversight of public procurement with a relative importance index of 0.736 and effective civil society participation in procurement observance with a relative importance index of 0.716. The factors ranked low by the respondents are; certification of the procurement officers by the bureau with a relative importance index of 0.703, oversight by the national assembly with a relative importance index of 0.698, strengthening of political will to implement the act and improve public procurement with a relative importance index of 0.686, removal of all political interference and impediments with a relative importance index of 0.677, strengthening of procurement regulation with a relative importance index of 0.659 and speed of granting 'no objection' certification with a relative importance index of 0.500.

Table 3: Ways to improve implementation of PPA

Strategies	RII	Rank
Improved effectiveness of the anti-corruption agencies in investigating and prosecuting infractions	0.827	1
Implementation of training and learning programs, especially for procuring entities	0.805	2
Improve transparency	0.777	3
Adopt measures to strengthen accountability including through greater civil society involvement in oversight of public procurement	0.736	4
Effective civil society participation in procurement observance	0.716	5
Certification of the procurement officers by the bureau	0.703	6
Oversight by the national assembly	0.698	7
Strengthen political will to implement the act and improve public procurement	0.686	8
Remove all political interference and impediments	0.677	9
Strengthen procurement regulation	0.659	10
Speed of granting 'no objection ' certification	0.500	11

4. CONCLUSION

The study identified the factors affecting the full implementation of the public procurement act in Edo state. The PPA is intended to curb corruption and sharp practices in the construction industry. The major challenges of its implementation have been identified in this research as resistance to change, corruption and lack of political will. There is need for PPA to be properly implemented in the procurement of goods and services with a view to enhancing construction project performance.

5. ACKNOWLEDGMENT

6. CONFLICT OF INTEREST

There is no conflict of interest associated with this work.

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