



Effectiveness of Public Procurement Act (PPA), in Curbing Corruption in the Public Service in Nigeria - A Study of Selected MDAs in FCT, Abuja

¹Kanu Success Ikechi (PhD), ²Benedict Anayochukwu Ozurumba (PhD), ³Akuwudike Hilary Chinedum(PhD)

¹Department of Banking and Finance, Faculty of Social and Management Sciences, Eastern Palm University, Ogboko Ideato, P.M.B 6, Orlu Imo State. Nigeria.

²Department of Management Technology (FMT), School of Management Technology, Federal University of Technology, P.M.B 1526, Owerri, Imo state. Nigeria.

³Department of Business Administration, Faculty of Social and Management Sciences, Eastern Palm University, Ogboko Ideato, P.M.B 6, Orlu Imo State. Nigeria

Abstract: This study investigated the effect of Public Procurement Act (PPA), 2007 in curbing corruption in public services in Nigeria. The research is prompted by the sheer waste of public resources in the process of public procurements which necessitated the enactment of the PPA in 2007. The operations of the Act requires constant appraisal in order to achieve the desired objectives, hence the main goal of this study. Convenience sampling technique was used to collect data from a sample of 50 staff from 3 select MDA's operating at the FCT, Abuja. Questionnaires were used to collect data and this was administered through personal delivery. The survey questionnaire measured the different dimensions of corruption in public service in Nigeria. The research design used 2 scales to collect the data. The nominal scale was used to collect personal information about respondents while an open ended questionnaire format was used to measure the response of all dimensions on subject matter. Data analysis was performed with the aid of simple percentages and descriptive statistics. Result obtained establishes that the PPA has helped to curb corrupt practices, improved on transparency and accountability in procurement process. It has minimized discrimination in the awards of contract. It has also helped to facilitate the procurement of works, goods and services in the select MDA's. Most of the respondents opined that they have adequate value for money in their procurements but that goods and services procured may not have been delivered on time. The major problems confronting procurement practice in some of the select MDA's include lack of experienced staff and inadequate training. Thus, the study recommends a strong commitment to capacity building and the political will to implement the PPA at all tiers of government in Nigeria. The federal government should be determined in her resolve to fight corruption. This is very crucial for an effective public procurement practice in Nigeria

Keywords: Public procurement act, Corruption, Accountability, Contracts, Transparency

1. Introduction

1.1 Background to the Study

Year in and year out, public sector procurements run into millions of Naira and yet those procurements are never successfully delivered. There have been upward reviews of contract prices and yet these contracts are never delivered as planned. It is pertinent to mention here, that before such procurements are made adequate planning are usually carried out but at the end of the day, the envisaged procurements are never successfully carried out even at the new increased costs. Sometimes, there are total abandonments of the procurements in question.

The societal problems which the procurements were supposed to take care of are left unattended to. Thus, losses are incurred via expended costs as well as the lost opportunities through the misuse of societal reserves.

On the other hand, private sector performances are usually achieved within the envisaged resource expenditure. It is this waste of public resources in the process of public procurements that necessitated the enactment of Public Procurement Act. The operations of this Act requires constant appraisal in order to achieve the desired objectives; hence, the main goal of this exercise.

1.2 Statement of Research Problem

Government procurement involves a high risk of corruption because of the great size of financial turnover and the complexity of many procurement processes in which businesses interact very closely with politicians and civil servants. Often the personal interests of the public officials are not the same as the interests of the public. Such a conflict of interest problem, known as the principal-agent-problem, increases the risk of corruption. According to OECD, the highest percentage of bribery cases occurs in the area of public procurement to influence the awarding of public contracts. Corruption in public procurement causes inefficiencies and high costs to the public. In order to prevent corruption and to ensure transparency and competition among suppliers, public procurement is subject to legal regulation.

The federal Government of Nigeria in its quest to ensure sanity in public expenditures and in the realization that failure in the procurement process contributes to corruption in governance, invited the World Bank to work with it to first conduct a nationwide assessment of the public procurement law and practice. The result of that assessment carried out in conjunction with a national task force, Country Procurement Assessment Report (CPAR) 2000, formed the basis of the Public Procurement Bill later sent to the National Assembly, revised and enacted into law in 2007 as the Public Procurement Act, 2007. (Ekpenkhio, 2003).

In spite of the operations of the Act, Public Procurement seems not to have been carried out in the most transparent manner. The problem of study is how to reduce wastages in the public sector procurements. The main objective of the study is to evaluate the effectiveness of public procurement Act in public services in Nigeria. The specific objectives are to:

1. Ascertain if the public procurement Act, 2007 is helping to curb corruption in public services in Nigeria.
2. Examine whether there is transparency, accountability and responsibility in the procurement systems.
3. Determine how procurement of works, goods and services can be improved upon in public sector organizations.
4. Ascertain if the Public procurement Act, 2007 is helping to achieve non discrimination in the award of contracts in public services in Nigeria.

The study will also seek to provide an insight on the effectiveness of Procurement Act 2007 on procurement systems within the Public Sector in Nigeria.

The following research questions are considered relevant to the study.

- 1) To what extent has the public procurement Act, 2007 helped to curb corruption in public services in Nigeria?
- 2) What is the nature of relationship between the public procurement Act, 2007 and the level of transparency, accountability and responsibility of procurement systems in Nigeria?
- 3) To what extent has public procurement Act, 2007 helped to improve on the procurement of works, goods and services in public sector organizations in Nigeria?
- 4) How has the public procurement Act, 2007 helped to achieve non discrimination in the award of contracts in public services in Nigeria?

The following hypotheses were tested in this study:

- 1) Public procurement Act, 2007 do not have any significant effect in curbing corruption in public services in Nigeria.
- 2) Public procurement Act, 2007 do not have any significant effect on transparency, accountability and responsibility of procurement systems in Nigeria.
- 3) Public procurement Act, 2007 do not have any significant effect on procurement of works, goods and services in public sector organizations in Nigeria.
- 4) Public procurement Act, 2007 do not have any significant effect in achieving non discrimination in the award of contracts in public services in Nigeria

The study seeks to provide an insight into the procurement systems in Public Sector administration in Nigeria. It will seek to contribute to knowledge and development of literature in the subject area under investigation and also serve as a basis for further research to strengthen the knowledge base in this faculty

The effectiveness of public procurement Act, in curbing corruption in public services in Nigeria is actually a very broad topic. This study is limited to only three (3) MDA's located in Abuja, the federal capital territory of Nigeria Secondly the period of investigation is also delineated to the 2017- 2018 fiscal year.

2. Literature Review

According to Senzu and Ndebugri(2017), effective financial management and procurement systems has been a major developmental challenges facing most developing countries in Sub-Saharan Africa. Financial management, especially public financial management is an attempt made by government to ensure that consistently, the budget is either in balanced or a surplus type. These are largely achieved through ensuring adequate receipts from taxes and non-tax sources, and reducing public expenditure levels..

In Nigeria, public procurement is a major activity of government that generates important financial resources and has been viewed as part of a wider reform agenda targeted at improving public financial management. The public procurement Act was enacted and promulgated by the federal government of Nigeria in 2007. This was further amended in 2018 to reflect the realities on ground. Its intention amongst other things is to bring sanity and conformity to public procurement by instituting bodies and principles that harmonizes the public procurement process and activities (PPA, 2007 (Adjei (2006).

2.1 Conceptual Framework

The conceptual framework of this study is based on the variables under review

2.1.1 What is Public Procurement?

According to the World Bank (2015), public procurement is the process by which governments and other publicly-funded entities acquire goods, works, and services needed to implement public projects. It accounts for at least 15% of the world's gross domestic product (GDP), and even more in African countries.

2.1.2 What is Corruption?

Corruption is the abuse of power for private gain. Poisson (2010) asserts that public officials are always confronted with corrupt practices and such corruption within public procurement is not a new phenomenon An apt summary of these definitions within the context of our discussions tends to suggest that corruption is an act of obtaining financial value by trick or deceit through inflation of contract, kickbacks, paying or collecting money for non-existing commodity usually from the State coffers.

2.1.3 Thrust of the Public Procurement Act 2007.

The Federal Government of Nigeria instituted a robust Public Procurement System (PRS) for the execution of all government projects, works and services. This, it did through the enactment of Public procurement Act (PPA) 2007 as amended in 2018.

2.1.4 Essential Goal of the Act

The primary goal of the PPA, 2007 is the "Establishment of National Council on Public Procurement and the Bureau of Public. The essence is to monitor and have an oversight function over public procurement, harmonizing the existing government policies and practices, setting standards and developing the legal framework and professional capacity for public procurement in Nigeria, and for other related matters".

2.1.5 Scope of Application of the Act

The Federal Government of Nigeria and all Procurement Entities which derive at least 35% of funds appropriated or proposed to be appropriated for any type of procurement described from the Federation Share of consolidated Revenue

Fund. However, this shall not apply to procurement of Special Goods, Works and Services involving national defense.

2.1.6 Core Objectives of the Act are to Ensure

economy and efficiency, competition providing level playing ground for all strata of bidders, value for money and transparency.

2.1.7 Approval Thresholds by the Act

The BPP reviews and certifies the Federal Government contracts according to established and approved thresholds. The approval of contracts has been categorized into the following:

1. Contracts below N1 million.
2. Contracts above N1 million.
3. Contracts of N50 million and above.

2.1.8 The Universal Values in Public Procurement

Certain universal principles that govern the public procurement function across borders are discernible. These include those of economy, transparency, accountability, sustainability, fairness, competition, equal treatment, reliability, public supervision, appropriate conditions, efficiency, accountability and ethical standards, separation of functions, among others (PPDC, 2011)

2.1.9 Public Procurement Cycles

The Procurement cycle is the cyclical process of key steps when procuring goods or services. This interactive tool has been developed to guide members through the procurement process with links to relevant knowledge to support steps in the procurement exercise.

The Steps of the Procurement Cycle

The procurement cycle follows specific steps for identifying a requirement or need of the company through the final step of the award of the product or contract. The steps below constitutes the procurement cycle.

Step 1: Need recognition:

The business must know it needs a new product, whether from internal or external sources. The product may be one that needs to be reordered, or it may be a new item for the company.

Step 2: Specific need: The right product is critical for a company. A business must specify the necessary product it has need for. This can come by way of color, weight or other specifications..

Step 3: Source Options

The business needs to determine where to obtain the product. The company might have an approved vendor list.. The company is expected to ascertain the source options for her business.

Step 4: Price and Terms

The business will investigate all relevant information to determine the best price and terms for the product

Step 5: Purchase Order

The purchase order is used to buy materials between a buyer and seller. It specifically defines the price, specifications and terms and conditions of the product or service and any additional obligations.

Step 6: Delivery

The purchase order must be delivered, usually by fax, mail, personally, email or other electronic means. Sometimes the specific delivery method is specified in the purchasing documents.

Step 7: Expediting

Expedition of the purchase order addresses the timeliness of the service or materials delivered. It becomes especially important if there are any delays. The issues most often noted include payment dates, delivery times and work completion.

Step 8: Receipt and Inspection of Purchases: Once the sending company delivers the product, the recipient accepts or rejects the items. Acceptance of the items obligates the company to pay for them.

Step 9: Invoice Approval and Payment

Three documents must match when an invoice requests payment - the invoice itself, the receiving document and the original purchase order. The agreement of these documents provides confirmation from both the receiver and supplier..

Step 10: Record Maintenance

In the case of audits, the company must maintain proper records. These include purchase records to verify any tax information and purchase orders to confirm warranty information. .

2.1.10 Corruption and Public Procurement.

The European Union (2013) defines corruption as the abuse of power for private gain. Public procurement is the acquisition of goods and services at the best possible total cost by the government and public institutions. It is estimated that public procurement accounts for 50 to 70 per cent of the total government expenditure.

Extant studies by Tanzi and Davoodi (1998) and Mauro (1997) have established a link between corruption, collusion and public procurement. They were of the view that corruption affects the allocation of public spending as investment decisions are influenced by the opportunity to obtain bribes. As a result, large construction projects (e.g. Road networks) are given priority than health and education projects, while spending on operation and maintenance is neglected. They also opined that a result of corruption public officials show a total disregard of existing procurement laws and procedures. According to Sarfo and Baah-Mintah (2013) procurement is an economic instrument for guaranteeing

The PPA (2007) has, since its inception, introduced several relevant modern procurement principles that are expected to correct the rot and anomalies that were widely associated with public procurement. This notwithstanding, the implementation of public procurement Act 2007 has been quite challenging in Nigeria. The reactions of key stakeholders since its enactment have been both positive and negative. While some view it as a universal remedy to the numerous problems that bedevil public procurement in Nigeria. Others see it as an instrument of bureaucratic bottleneck.

The next section of this study will try to map important corruption risks that may arise during the tender process, and will highlight the most important features a system of procurement must have to minimize those corruption risks.

2.1.11 Risk Mapping and Prevention

Pre-tender stage

Needs assessment

Goods, services or works should only be procured by the government if there is an identified need in the foreseeable future.

Budgeting

Cost estimates must be realistic and should already take into account possible variations of the contract over time.

Structuring of the bidding process

a) Tender documents

The tender documents are the key component of any tender procedure. The procuring entity shall set out in the tender documents all requirements that submissions must meet in order to be considered responsive and the manner in which those requirements are to be assessed.

Procurement procedure

As a general principle, the procurement procedure chosen by the procuring entity should always ensure the maximum practicable competition. For this reason, the open procedure (or sealed bidding), is often the default procedure under procurement legislation.

(c) Time limits

Procuring entities must give suppliers a sufficient period of time to prepare applications or tenders. The response time period allowed should be taken into account, with consideration given to the nature and complexity of the procurement.

(d) Contractor qualification

Contractor qualification requirements must be reasonable in order to make competition possible; if they are too restrictive, competition will fail.

e) Minimum and selection criteria

Criteria for participating must be designed so as to avoid bias, be objective and relate to the capacity to perform. They must be pre-disclosed, relevant and appropriate with regard to the subject matter of the procurement.

(f) Technical specifications

Technical specifications should be designed so as to avoid bias, especially so as not to favor any particular bidders or

particular products or services. They must be pre-disclosed, relevant and appropriate with regard to the subject matter of the procurement.

(g) Award criteria

To stem corruption and ensure appropriate competition, the award of a public contract should be made only on the basis of pre disclosed criteria..

Tender stage

(a) Public notice.

For the reasons described above, transparency and competition are of the essence in public procurement. As a general rule, a procuring entity should therefore publish a public notice of its intent to procure goods or services, so that potential bidders can become aware of any contract opportunity with the government.

(b) Requests for clarification

Procurements are inherently complicated, and solicitation documents may be unclear. Potential candidates and bidders should therefore have the right to request clarification of tender documents

(c) Public bid opening

To ensure transparency, bids should be opened immediately after the deadline for submitting bids in a public bid opening session

(d) Evaluation of tenderers and tenders

Tenders may be evaluated only on the basis of the pre disclosed requirements and criteria. The evaluation of bids should, as a general rule, be carried out not by a single individual but by a committee with the relevant technical and economic experience..

(e) Publication of intended contract award and awarded contract

After bid evaluation and ranking of bids, bidders should be promptly notified about the procuring entity's intention to award the contract to the successful bidder. This award decision should, for reasons of transparency, contain sufficient information, besides the name of the successful tenderer, the contract price and a summary of other characteristics and relative advantages of the successful tenderer,

Post-tender stage

The post-tender stage commences once a contract is awarded. It refers to the implementation and administration of the contract and has the objective of ensuring effective performance according to the agreed contractual obligations.

C. Effective remedy systems

An effective remedy system in public procurement is a key element of a robust procurement framework.. Bidders have the right to turn to a review body, which will then verify whether a decision by the procuring entity was made in conformity with applicable rules.

2.1.12 Further Corruption Prevention Strategies in Public Procurement

Experience has shown, however, that legislation alone is not sufficient to prevent corruption in public procurement. It is essential that legal frameworks be supported by other efforts to ensure qualities such as accountability and integrity. Various additional strategies have proven to be particularly useful in fighting corruption in public procurement.

Integrity of public officials and bidder employees

Both the private and public sector must ensure that only professional, honest, reliable and skilled staff who demonstrates integrity are involved in public procurement activities. Staff must be appropriately informed and trained on how to navigate through complex legal frameworks, such as public procurement and anti-corruption laws

Exclusion, Suspension and debarment.

As anti-corruption initiatives around the world gain momentum, one device for fighting corruption— debarment, or blacklisting, of corrupt or unqualified contractors and individuals—has emerged as an especially noteworthy tool. Governments and international institutions have developed their own debarment systems, to exclude contractors that have committed certain types of wrongs such as bribery or fraud or, more broadly, to exclude contractors that pose unacceptable performance or reputational risks because of bad acts or broken internal controls.

Collective action

Collaborative and sustained process of cooperation of like-minded stakeholders has become a concrete policy issue in

the fight against corruption..

Integrity pacts:

These usually refer to a particular tender and include a written agreement between the procuring entity and all bidders agreeing to refrain from corrupt practices. A violation of the agreement is sanctionable.

Principle-based initiatives

Public procurement processes are often very complex and this complexity plays an important role when it comes to corruption in the area of public procurement. Principle-based initiatives include the promotion of collective action methods, training and capacity-building programs, information campaigns and best practice sharing.

Compliance systems:

Compliance systems include business principles that reject corruption and put standards and procedures in place to ensure that the entity acts according to the legal requirements.

Civil society procurement monitoring

Civil society plays an essential role in monitoring procurement processes to ensure that public procurement is conducted in a transparent, competitive and objective manner.

Whistle-blowing

Whistle-blowing allows insiders to provide information to other individuals or organizations, such as the compliance officer within the corporate structure of a private company participating in a public tender or a public anti-corruption authority, so they can take the necessary steps. In order to encourage reporting of corruption, it is absolutely essential to have effective whistle-blower protection systems in place.

E-procurement

E-procurement has emerged. It has the advantage of allowing for easy data generation and data management. This could in particular be helpful in the assessment of offered prices, to assess whether bid prices are reasonable and in line with market rates. E-data collection could also constitute an important tool in helping to preserve the integrity of its records, including accounting books or other documents related to public expenditure.

2.1.13 Role of Public Finance and Records in Managing Corruption in Public Procurement

A weak public finance management system leaves the door open for corruption. Corruption, in turn, can damage public finances, public confidence in the government and delivery of services to the citizens. To address this challenge, MDA's are required to take "appropriate measures to promote transparency and accountability in the management of public finances

Public finance management: Budget formulation and adoption

Since corruption diverts public funds to unlawful ends, a healthy public finance management system must begin with identifying the public fiscal's legitimate aims..

Timely reporting of revenues and expenditure

Timely reporting is only meaningful if there is an effective budget and finance process that supplies the necessary information. Revenue administration and budget execution are high-risk areas for corruption because cash changes hands in these stages.

Accounting and auditing

While accounting and auditing offers no profit for corruption per se, poor or collusive accounting and auditing compound the harms of corruption by making it hard to detect. Thus, accurate accounting and independent auditing are essential backstops against corruption.

Corrective actions

It is not enough to make recommendations. There is need for strict enforcement..

Integrity of records

The integrity of records helps to provide accurate information for fiscal forecasting and establishes an audit trail to deter corruption..

Having reviewed the conceptual framework of study next is the theoretical framework.

2.2 Theoretical Review

There are some basic theoretical frameworks surrounding the attitude or behavior of individuals in a work place environment. These include the Agency, contingency and expectancy theories. We intend to base the theoretical construct of this work on the Agency theory.

2.2.1 Agency Theory

The theory puts a principal-agent relationship between the state/ her Citizens and government officials and employees. This arises from the fact that government officials and employees are holding resources in trust for their employers and more specifically to the Nigerian citizens and perform all their transactions for and on behalf of these citizens. The theory thus puts it that it is in the best interest of government officials to discharge all their duties owing transparency and accountability to their principals who are the Nigerian citizens and governments.

2.3 Empirical Literature Review:

Unaam and Mark (2015) examine the effect of ethics and integrity on good public procurement system in Nigeria. The study indicates that there exists a positive relationship between ethics and integrity on one hand and procurements in public procurements on the other hand in Nigeria. The study further suggests that there should be proper re-orientation of public procurement officers on the need for consistency and transparency in procurement procedure

Muhammad, Adamu, and Ladi (2015), did an appraisal of construction project procurement policies in Nigeria; they opined that the success of performance of public sector projects in Nigeria is tied to the impact of procurement strategy or policy used in providing the building. The study further revealed that public sector procurement in Nigeria of been inefficient for effective project delivery. They were also of the opinion, that performance of projects could be improved upon using alternative or hybrid procurement strategies.

Ojo and Gbadabo (2014) studied the assessment of non-compliance with procurement proceedings in procurement of works in Nigeria. Outcome of their study indicate that, there are statistical significant differences between the variables under review

Other African Countries.

Frempong, Bempah, Amoako, and Osei-Tutu (2013) did an assessment of the impact of the public procurement act 663 of (2003) on the economy of Ghana. The study found that the benefits derived from using the Public Procurement Act, 2003 (Act 663) include the assurance of quality goods, timely delivery of goods, right delivery of right quantities, transparency, reduced corruption, value for money, right price is given and right place of delivery is assured, uniformity in performing procurement activities, economic and efficient use of state resources and harmonize public procurement processes in the district assemblies and also greater efficiency.

Ameyaw and Mensah (2013) assessed the perceptions of procurement professionals; particularly the practicing quantity surveyors on the existence of corruption in the procurement process in Ghana. The study revealed that corruption is more prevalent at the tender evaluation stage of the procurement process.

Gikonyo (2014) examined the factors affecting the implementation of public procurement act in rural societies in Kenya. The findings of study revealed that, the regulatory authorities favor good procurement procedure and that the procurement process should uphold integrity and to ensure that there are no malpractices.

2.3.1 A Comparism of the Outcome of Studies in Nigeria and other African Countries:

Apparently, from the above studies; it could be seen that corruption still exists in Public Procurement Practice in Nigeria as well as other African countries such as Nigeria, Kenya etc. Though, the Public Procurement Act has been established in most African countries. It is still a relatively new phenomenon. This study is strongly of the opinion that, if the Acts

are properly enforced, it will help to eliminate fraud or at worst help to reduce cases of fraud to the barest minimum.

3. Research Methodology

3.1 Design of the Study

Data on subject matter were collected via questionnaires and analyzed with the aid of simple percentages and descriptive statistics.

3.2 Population of Study

An analytical study of the effectiveness of public procurement Act in curbing corruption in public services in some select MDA's within the FCT- Abuja could be described as a nationwide phenomenon in terms of the population to be studied. However we chose to restrict our study on select MDA's within the FCT, Abuja –Nigeria.

The population of study comprises of 3 MDA's at the FCT, Abuja that are used as case studies. The MDA's are selected based on the fact that they have functional public procurement departments.

Not all the select MDA's have very large work force, thus, a convenient population size of 100 was chosen .This researcher decided to settle for this number, since the select MDA's can boast of this staff strength.

3.3 Sample and Sampling Technique

A survey research method was used. Primary data was elicited via the administration of 50 questionnaires of two sections, the bio data of the staff and related questions to the topic and hypotheses of study were analyzed in simple percentage method. The population was given as 100 and 50 was determined by Yamane method without any biases using 1% as error margin. 100% response rate was received. .

Assessment of the sample was arrived at using the Toure. Yamani sampling technique, where

$$N = N / I + N (e)^2 = 100 / 1 + 100(0.1)^2 = 50$$

This above sample size was stratified into two (2) groups as follows:

- Senior staff of an MDA
- Management staff of an MDA.

3.4 Data Collection Schedule

This researcher made use of primary data instruments. This comprises of questionnaires drawn on respondents

3.5 Method of Data Analysis

A set of questionnaires were prepared using an open ended questionnaire format. These were administered to the respondents to help provide answers to hypotheses 1, 2, 3 and 4.

3.5.1 Questionnaire Design, Distribution and Collection of Responses

The questionnaires were distributed to the respondents (i.e. Senior and Management staff of the select MDA's, all located within the FCT, Abuja. A total of 50 copies of questionnaire were accepted and used for the analysis of data

3.6 Method of Data Analysis

Data derived from the first section of the questionnaire (demographic or bio-data) is presented using frequency tables. Percentage rating is used for making analysis in the second section. An open ended questionnaire format is employed and is used for the research hypotheses, in order to determine and test the significant relationship in the hypothesis.

4. Data Analysis

Before the actual data analysis, we intend to briefly run an analysis on the respondent's Bio data.

Section A

4.1 Analysis of Respondent's Bio Data

The bio data of our respondents are reviewed below. This includes the sex, age bracket, educational qualification and period of stay in the MDA. The essence is to showcase the distribution of questionnaires.

Table 1: Gender distribution of the respondents

Variable	Category	Frequency	Percentage
Gender	Male	40	80
	Female	10	20

Table 1 above gives the sex distribution of the respondents used in the study. It shows that there are 40 males and 10 females' i.e. 80% of the respondents are males while the remaining balance of 20 % is females. The distribution is tilted more to the males than the females.

Table 2: Age Distribution of the Respondents

Variable	Category	Frequency	Percentage
Age	25-30	5	10
	31-45	35	70
	45-59	10	20

The age distribution of respondents is given in table 2 above for the select MDA's. 5 persons, i.e.10 % of the respondents are between the ages of 26-35 years. 35 persons, i.e. 70% of the respondents are between the ages of 36 and 46years old, while the balance of 10 persons or 20% were 46 years and above in age.

Table 3: Working experience of the respondents

Variable	Category	Frequency	Percentage
Working experience	Less than 5 years	10	20
	Greater than five years	35	70
	Greater than 10 years	5	10

Table 3 above shows the work experience of the respondents at the select MDA's. The table shows that 10 persons, i.e. 20% of the respondents have worked for less than 5years, 35 persons, i.e. 70% of the respondents have worked for at least 6-10 years, 22 persons, i.e. 44% of the respondents have worked for than 5years, while 5 persons or 10% of the respondents have put in over 10 years in the service of the company. The overall data shows that about 40

Persons i.e. 80% of the respondents are really very experienced. Thus any information extracted from them is deemed reliable.

Table 4 above shows the educational qualification of respondents at the select MDA's. The table indicates that most of the workers attended a tertiary institution. This means that the entire workforces are quite knowledgeable.

Table 4: Educational Qualification of the Respondents

Variable	Category	Frequency	Percentage
Educational Qualification	HND/B.sc	10	20
	M.sc/MA	38	76

Kanu, Success Ikechi (PhD), Benedict Anayochukwu Ozurumba (PhD), Akuwudike Hilary Chinedum(PhD)
**Effectiveness of Public Procurement Act (PPA), in Curbing Corruption in the Public Service in Nigeria - A
 Study of Selected MDAs in FCT, Abuja**

	PhD	2	4
--	-----	---	---

Source: survey, 2020

4.1.1 Data Analysis

Responses were obtained from the respondents. This is in line with the administered questionnaires.

Table 5: Procurement Act 2007 and fraud in public service in Nigeria.(Test of hypothesis 1)

	Question	Choice of answer	Frequency	Percentage
1	What is the impact of Public procurement Act, in helping to curb fraud in your MDA?	Excellent	6	12
		Good	20	40
		Better	16	32
		Marginal	8	16

Source: survey, 2020

Question 1 in table 5 above sought the opinion of respondents on the PPA, 2007 and how it has helped to curb fraud in the procurement process.. 12 % of the respondents sampled, indicated that the procurement Act, 2007 has helped to curb in an excellent manner while 40 % believed that, the level of fraud within the procurement domain is good under the Acts.

However 32 % opined that the current standard is only offering a better state in procurement actions while 16 % thinks that its performance is marginal and just ok to tolerate but not that encouraging.

Test of hypothesis 2A: Public Procurement Act, 2007 does not have any significant effect on accountability in procurement systems in Nigeria.

Table 6: Procurement Act, 2007 and accountability in procurement systems in Nigeria

	Question	Choice of answer	Frequency	Percentage
2A	Has the public procurement Act, 2007 helped to achieve accountability in your MDA?	Excellent	6	12
		Good	19	38
		Better	16	32
		Marginal	9	18

Source: survey, 2020

Test of hypothesis 2A: Public Procurement Act, 2007 does not have any significant effect on accountability in procurement systems in Nigeria.

The variation of how people perceived the Public Procurement Act, 2007 as having helped to achieve accountability in the select MDA's is highlighted in table 6 above. 12 % respondents sampled, indicated that the procurement Act, 2007 has helped to achieve accountability in an excellent manner while 38% believed that, the accountability level is good under the Acts. However 32 % opined that the current standard is only offering a better state in procurement actions while 18% thinks it performance is marginal and just ok to tolerate.

Test of hypothesis 2b: Public Procurement Act, 2007 does not have any significant effect on transparency and responsibility of Procurement systems in Nigeria

Table 7: Procurement Act 2007, Transparency and Responsibility of Procurement systems in Nigeria

Question 2B	Choice of answer	Frequency	Percentage
-------------	------------------	-----------	------------

Kanu, Success Ikechi (PhD), Benedict Anayochukwu Ozurumba (PhD), Akuwudike Hilary Chinedum(PhD)
Effectiveness of Public Procurement Act (PPA), in Curbing Corruption in the Public Service in Nigeria - A
Study of Selected MDAs in FCT, Abuja

Has public procurement Act, 2007 helped to achieve Transparency and responsibility in your MDA?	Excellent	7	14
	Good	21	42
	Better	16	32
	Marginal	6	12

Question 2B in Table 7 above sought the opinion of respondents on the Procurement Act, 2007 and how it has helped to achieve transparency and responsibility in the select MDA's. The result indicates that 14% of the respondents find it excellent in its performance of presenting transparency and responsibility while 42% in their perspective find it to be good for their respective MDA's. 32% in their view accepted that, the level of transparency and responsibility in the procurement operations is better to recommend. The remaining 12% find the impact of procurement Act on transparency and responsibility in procurement operations to be marginal.

This support the studies by Transparency International (2015) which indicated that global principles and minimum standards of transparency, integrity and accountability must be in place to ensure public procurement is corruption free and that procurement laws must identify principles, standards and key steps needed to ensure a clean contracting process.

Test of hypothesis 3: Public Procurement Act, 2007 does not have any significant effect on procurement of works, goods and services in public sector organization in Nigeria.

Table 8: The impact of PPA, 2007 on the procurement of works, goods and services in Nigeria

Question 3	Choice of answer	Frequency	Percentage
To what extent has Public Procurement Act, 2007 helped to improve on the procurement of works, goods and services in public sector organizations in Nigeria?	Excellent	7	14
	Good	21	42
	Better	16	32
	Marginal	6	12

Source: survey, 2020

Question 3 in table 8 above, sought the opinion of respondents on the impact of the PPA, 2007 on the procurement of works, goods and services in public sector organizations in Nigeria?

14 % of the respondents opined that the PPA, 2007 has helped to improve on the procurement of works, goods and services in public sector organizations in Nigeria in an excellent manner while 42 % believed that, the procurement of works, goods and services in public sector organizations in Nigeria is good under the Act. However 32 % opined that the current standard is only offering a better state in procurement actions while 12% thinks it performance is marginal and just ok to tolerate.

Test of hypothesis 4: Public Procurement Act, 2007 does not have any significant effect in achieving non- discrimination in the award of contracts in public services in Nigeria.

Table 9: Procurement Act 2007 and its effect on non- discrimination in the award of contracts in public services in Nigeria

Question 4	Choice of answer	Frequency	Percentage
To what extent has Public Procurement Act, 2007 helped to achieve non- discrimination in the award of contracts in public services in Nigeria?	Excellent	7	14
	Good	21	42
	Better	16	32
	Marginal	6	12

The variation of how people perceived discrimination in the award of contracts is shown in table 9 above : 8% of the respondents sampled indicated that the PPA, 2007 has help to minimize discrimination in the awards of contract excellently, 42 % of the respondents sampled indicated that the procurement Act, 2007 performance level in minimizing discrimination in the awards of contract is good to be celebrated while 32% respondents sampled indicated that the PPA, 2007 performance is better and believe there is more room for improvement. Unfortunately 12 % of respondents sampled indicated that the public procurement Act, 2007 implementation assessment is marginal and believe it a disappointment and discredit to the Nigerian nation.

Response to other questions

Table 10: Procurement process under the PPA, 2007

Question 5	Choice of answer	Frequency	percentage
What is the procurement process in use at your MDA?	National competitive bid	50	100
	Request for quotation	-	-
	Single sourcing	-	-
	Shopping	-	-

Source: Field work, 2020

All the respondents affirmed that procurement process obtainable in their domain is via a competitive bid

Table 11: Value for money under the PPA, 2007

Question 6	Choice of answer	Frequency	percentage
Do goods or services procured by your MDA have adequate value for money?	Yes	40	80
	Indifferent	5	10
	No	5	10

Source: Field work, 2020

Table 11 highlights the respondents' opinion on the quality of goods or services procured by their respective MDA's. The essence is to ascertain if they have adequate value for money on such procurements. 80 % of the respondents affirmed in the positive. However 10 % were not sure if they were having adequate value for money, while the remaining 10 % says that their MDA's was not getting adequate value for money of goods or services procured in their domain. This is a pointer to the fact that, the procurement process is still not as transparent as it ought to be.

Table 12: How prompt is service delivery under the PPA, 2007?

Question 7	Choice of answer	Frequency	percentage
Are goods / services procured delivered on time to your MDA?	Yes	25	50
	No	7	14
	Not always	18	36

Source: Field work, 2020

When asked if goods and services procured by their respective domains are delivered on time, 50 % of the respondents affirmed in the positive. However 36 % of the respondents opined that goods and services are not always delivered on

time, while the remaining 14 % says that goods and services procured by their respective MDA's are not delivered on time. This is a thumb down for the public procurement Act, 2007.

Table13: Adherence to the provisions of PPA, 2007

Question 8	Choice of answer	Frequency	percentage
Does your MDA adhere to the provisions of the Public procurement Act, 2007?	Yes	45	90
	No	5	10

Source: Field work, 2020

On adherence to provisions of the public procurement Act, 2007 in their respective domains, 90% of the respondents opined that their respective MDA's adhere to the provisions of the public procurement Acts,2007; while the remaining 10% feels otherwise.

Table 14: Extent of enforcement of Public Procurement Act, 2007

Question 9	Choice of answer	Frequency	percentage
What is the extent of enforcement of procurement process using the procurement Act, 2007 in your MDA?	Strictly enforced	12	24
	Partially enforced	10	20
	Satisfactory	28	56

Source: Field work, 2020

In assessing the extent of enforcement of procurement processes and practice using the procurement Act, 2007 in the select MDA's, 56% of the respondents said that the level of enforcement is satisfactory, 24% opined that there is strict enforcement, while 20% opines that there is partial enforcement.

Table 15: Presence of a procurement department or a procurement committee?

Question 10	Choice of answer	Frequency	percentage
Does your MDA have a procurement dept or a procurement committee?	Yes	50	100
	No	-	-

Source: Field work, 2020

In line with question 10, table 15 above, all the select MDA's agreed that, they have established a procurement department / procurement committee.

Table 16: The influence of Regulatory authorities on Procurement Practice

Question 11	Choice of answer	Frequency	percentage
Does periodic assessment of public procurement by the regulatory authorities influence public procurement practice in your MDA?	Yes	5	10
	No	45	90

Source: Field work, 2020

It is assumed that periodic assessment of public procurement by the regulatory authorities will influence public procurement practice in public services, but 90 % of the respondents disagreed with the assertion .When asked their reasons for dissenting, the respondents stated that, visits by the regulatory authorities have been very scarce, as the bureau of public procurement is yet to adequately find its footing

Table 17: stakeholder’s knowledge of procurement practice

Question 12	Choice of answer	Frequency	percentage
How do you access stakeholder’s knowledge of procurement practice in your MDA?	Excellent	5	10
	Good	10	20
	Satisfactory	5	10
	Poor	30	60

Source: Field work, 2020

In assessing the level of compliance with the procurement law, stake holder’s knowledge of the procurement act has being identified as a major criterion for compliances. The result from table 17 revealed that 20% of the stakeholder had good knowledge of procurement practices, while 10% of the stakeholder had excellent knowledge of procurement practices, another 10% consider it satisfactory.. Stakeholder’s knowledge of procurement practice was adjudged poor at 60%. This goes to buttress the fact that a streamlined and regulated procurement practice is still a recent phenomenon in Nigeria

Table 18: Problems of low compliance in public offices

Question 13	Choice of answer	Frequency	percentage
What are the factors resulting to low compliance in your MDA with the public procurement Act, 2007?	Lack of experienced staff	20	40
	Lack of support and cooperation from top management	15	30
	Lack of training	13	26
	Lack of mentoring by the regulatory body.	2	4

Source: Field work, 2020

On the problems of low compliance confronting procurement practice in select MDA’s, table 18 above, indicated that 40 % of the respondents recognized the lack of experienced staff as responsible for low compliance with the procurement Act, 30% of the responses attributed it to lack of support and co-operation from top management, 26 % stated the lack of education or training as the major cause of non-compliance, while 4% indicated lack of monitoring as the cause of non compliance

Table 19: Recommendations for improvement

Question 14	Choice of answer	Frequency	percentage
Recommendations for improvement: What do we do to improve on procurement practice in your MDA?	Revision of thresh hold	-	-
	Training(capacity building)	35	70
	Application of sanctions for no compliance	10	20
	Frequent monitoring by the Bureau of public enterprises.	5	10

It was identified that most staff in charge of procurement operations within public institutions lack professional competence and experience. Majority of the respondents identified the need for training (capacity building) as crucial

for effective public procurement practice. This meant that if staff are knowledgeable in procurement laws, then, invariably compliance would increase. It was also recommended that there should be commensurate application of sanctions for noncompliance on erring MDA's, as that will act as a deterrent to others. There is also a need for mentoring by the regulatory bodies.

4.2 Discussion of Findings

Improve on transparency and responsibility the outcome of study reveals that promulgation of the 14% of the respondents find it excellent in its performance of presenting transparency an responsibility which PPA, 2007 has helped to:

- Curb fraudulent practices in the procurement process in various public Institutions in Nigeria. 12 % of the respondents sampled, indicated that the procurement Act, 2007 has helped to curb in an excellent manner while 40 % believed that, the level of fraud within the procurement domain is good under the Acts. However 32 % opined that the current standard is only offering a better state in procurement actions while 16 % thinks that its performance is marginal and just ok to tolerate but not that encouraging.
- Encourage accountability in procurement process in various public Institutions. 12 % respondents sampled, indicated that the procurement Act, 2007 has helped to achieve accountability in an excellent manner while 38% believed that, the accountability level is good under the Acts. However 32 % opined that the current standard is only offering a better state in procurement actions while 18% thinks it performance is marginal and just ok to tolerate.
- 14% of the respondents find it excellent in its performance of presenting transparency and responsibility while 42% in their perspective find it to be good for their respective MDA's. 32% in their view accepted that, the level of transparency and responsibility in the procurement operations is better to recommend. The remaining 12% find the impact of procurement Act on transparency and responsibility in procurement operations to be marginal.

The above outcome render support to previous studies by Transparency International (2015), which indicated that global principles and minimum standards of transparency, integrity and accountability must be in place to ensure public procurement is corruption free and that procurement laws must identify principles, standards and key steps needed to ensure a clean contracting process

- 14 % respondents sampled, indicated that the procurement Act, 2007 has helped to improve on the procurement of works, goods and services in public sector organizations in Nigeria in an excellent manner while 42 % believed that, the procurement of works, goods and services in public sector organizations in Nigeria is good under the Act. However 32 % opined that the current standard is only offering a better state in procurement actions while 12% thinks it performance is marginal and just ok to tolerate.
- 42 % respondents sampled indicated that the PPA, 2007 performance level in minimizing discrimination in the awards of contract is good to be celebrated while 38% respondents sampled indicated that the Public procurement Act, 2007 performance is better and believe there is more room for improvement. Unfortunately 12 % of respondents sampled indicated that the public procurement Act, 2007 implementation assessment is marginal and believe it a disappointment and discredit to the Nigerian nation.

5 Conclusion

The PPA, 2007 has impacted positively on public procurement practice especially in the area of prevention and curbing of frauds, enhanced transparency and accountability and non-discrimination in the award of contracts in the select MDA's. The study also revealed that there may still be some top level management interference within the procurement process..

5.1 Recommendations

From the foregoing, the following recommendations are made.

- Corruption is a cankerworm that does no one any good. We need to chase it away at all cost
- To improve procurement practices in public services in Nigeria, there is need to train and enhance capacity.
- Top level management in Public Institutions should stop interfering in the procurement process..
- Advertisement should be intensified so as to allow more contractors or supplier to bid for contracts
- There is the need for the separation of Procurement Committee, Tender Entity Committee and Tender Evaluation Committee, so that they can serve as checks on each other.

- The PPA should be amended to include provisions for electronic procurement and sustainable procurement issues. This will improve transparency, accountability, and compliance in the procurement process.
- There is need for an effective mentoring by the regulatory authorities.
- Lastly, the regulatory bodies must offer commensurate punishment to institution and individuals that contravenes the procurement Act. This will act as a deterrent to others!

References

- Aliyu mafindi magaji(2015), An assessment of public procurement act in Nigerian tertiary institutions : A study of Ahmadu Bello university (ABU) Zaria –An unpublished M.sc thesis.
- Anthony Kayode Bodurin (2015), Empirical Review and Analysis of Public procurement Practices in Nigeria: Challenges and Prospects, Public Policy and Administration Research www.iiste.org, Vol..6, No.3,
- Appiah, R. E. (2011), “Building relevant skills for public procurement”, E- procurement Bulletin, Vol.2 No.1.
- Atego Chrispine Odhiambo and Fridah Simba Theuri(2015); Effects of Public procurement Processes on Organization Performance, International journal of Scientific and Research Publications, Volume 5, Issue 9,
- BMPIU (2005): A Manual on Public Procurement Reform Program in Nigeria, State House, Abuja, Nigeria
- BPP (2016), “Bureau of Public Procurement (BPP) Nigeria”, available at:<http://www.bpp.gov.ng/>).
- Ekpenkhio S.A. (2003): Public Sector Procurement Reforms: The Nigerian experience. A paper presented to the Government of the Federation at Regional Workshop on Procurement Reforms and Transparency in government Procurement for Anglophone African Countries in Tanzania.
- Emmanuel Tweneboah Senzu and Haruna Ndebugri(2017), Evaluating the effectiveness of the Procurement Acts in public financial administration; the case study in Ghana MPRA Achieve. [Crossref](#)
- Emeka ME (2009). Due Process as an imperative to Public Procurement in raising integrity standard in the public service. Workshop organized byNOA Headquarters. at the Arewa House, Kaduna, 7th – 8th December 2009.
- Ezekwesili, O. (2002): Due Process Guidelines and Budget 2002. Implementation. Paper Presented at Abuja and Discussion on the due process by Office of the Secretary to the Government of the Federation
- Ezekwesili O (2002). Integrating the Due Process Principle into the Budget Process. A Paper presented at a Seminar on implementing the 2002 Budget, 3rd – 5th April 2002, in Enugu.
- Ezekwesili O (2004). Welcome Speech at the Public Procurement workshop, held at Abuja, Nigeria.
- Fayomi, Ikeoluwapo Omolara (2013), Public procurement and due process policy in Nigeria: Thrust, prospects and challenges, Peak Journal of social Sciences and Humanities Vol.1 (4)
- Federal Government of Nigeria(2018); Public procurement Act(Amended) bill (harmonized); a bill for an act to amend the National Procurement Act to provide for and adopt local content policy and timely completion of procurement processes and other related matters.
- Lea Nathan (2015); the 10 Steps of the Procurement Cycle [www.business dictionary](http://www.businessdictionary.com)
- Obadan MI (2003). Transparency and Accountability in Fiscal Management and Public procurement. A paper presented to the Forum for Directors of Administration, 23-25 September, NCEMA, Ibadan.
- OECD and World Bank (2004), “Good practice paper on procurement capacity development”, The OECD Development Assistance Committee (DAC)- World Bank 3rd joint round table on strengthening procurement capacities in 24 developing countries, 30 November – 2 December, 2004, Johannesburg, South Africa.
- Procurement Procedure Manual for public Procurement in Nigeria (2011), bureau of public procurement. (BPP Project Management Institute: A guide to the project management body of Knowledge 5th edition
- United Nations Office on Drugs (UNODC)) in collaboration with international Anti- Corruption Academy(2013); Guideline on anti corruption in Public procurement and the management of public finances. Good Practices in ensuring compliance with article 9 of the United Nations Convention against corruption.
- UNDP (2010), “Public procurement capacity development guide”,. (Accessed 1 March 2016).
- Wikipedia, the free encyclopedia: Government Procurement
- World Bank (2000), “Nigeria: Country Procurement Assessment Report). Vol. 1.