

Procurement Process: A Key Component in Service Delivery in Solid Waste Collection under PPP Arrangement

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Abstract: - Public procurement plays a very vital role in any economy. It is a vehicle that ensures that the public receives goods and services from the private sector, and also get value for money. However due to large sums of money involved it is shrouded with fraud and corruption, lack of transparency and deliberate bureaucratic procedures (EACC, 2015). This study sought to establish whether procurement process affects service delivery by solid waste collecting firms under Public Private Partnerships (PPPs) arrangement in Nairobi City County (NCC), in Kenya. The study used a census method, where fifty one private companies involved in solid waste collection in NCC, were given questionnaires to answer. The main respondents in these companies were managers or supervisors since they are well equipped with policies, strategies and general operations of these companies. This ensured a reliable source of data. Sanni(2016) observed that procurement process was among the key factors affecting the operation of PPPs in different sectors of the economy. Therefore, this study aimed to establish whether procurement process does affect service delivery by solid waste collecting firms in PPP arrangement in NCC. Procurement process in this study was determined by three key indicators: transparency, political influence and bureaucracy. The results indicate that procurement process had a R^2 result of .267 or 26.7%, which implies that the independent variable, procurement process can explain up to 26.7% of the total variability in the dependent variable, service delivery by solid waste collecting firms in NCC. The results confirmed the observation by Sanni (2016), that a procurement process is a key operation of PPPs. The results also showed that procurement process has a statistically significant positive influence on service delivery by solid waste collecting firms in NCC (p -value = .000). This is less than the level of significance of 0.05. Therefore, any change in the procurement process would result in .306 times changes in service delivery by solid waste collecting firms in NCC.

Key words: Transparency, political interference, bureaucracy, solid waste, public private partnerships

I. INTRODUCTION

According to Thomson and Jackson (2007) public procurement is a process of acquiring goods and services for specific purposes using public funds in order to realize specific objective. The process begins with needs identification and ends when the goal is achieved leading to the end of the contractual agreement. CGD (2009) emphasized the important role played by procurement in a country.

Procurement is defined as a process where the right goods and services are acquired at the right price. Hommen and Rolfstarn (2009) viewed public procurement as a process where a public agent contracts private companies for supply of works, goods and services.

Procurement can be divided into three broad categories namely; competitive methods (open tendering), non-competitive or negotiated methods (request for Quotations) and single sourcing procurement methods. In most countries competitive procurement is preferred as it avoids infiltration of cartels, promotes openness, transparency and favouritism.

In public procurement, fairness, competition and value for money are paramount. To achieve these goals, establishment of efficient and effective public procurement is vital. This could involve establishment of controls that will ensure competition devoid of fraud, misuse of public resources and corruption (TI, 2012). Competition ensures that the citizens and the government get value for money in the procurement process. Three possible avenues through which competition can lead to desirable results include: innovation as firms try ways to reduce costs, lower prices, quality work and timely completion of projects (Anderson et al., 2012).

When conducting public procurement, accountability, non-discrimination and transparency and respect of international obligation should always be kept in mind. This calls for all countries to enact legislations that secure the interest of all parties. It is worth noting with concern that, unlike private procurement, public procurement is influenced by political systems and issues of transparency, integrity and national interest.

Public procurement in Kenya is guided by a number of Acts mainly enacted to weed out inefficiencies, abuse and failure to generate value for money. Some of these acts includes: Public Officers' Ethics Act, 2003, Public Procurement and Disposal Act (PP&DA), 2005, Public Finance Management Act, 2012 among other laws. The enactment of these laws however, has not yielded the desired results (TI (K), 2014).

As Sanni (2016) observed, competitive procurement has been identified as a key factor affecting implementation of PPPs in various sectors in different countries. This study therefore

tries to establish whether competitive procurement affects implementation of PPPs in garbage collection and disposal in Nairobi City County (NCC). In order to understand whether there is an effect, three indicators of competitive procurement were chosen; Transparency, political interference and bureaucracy.

II. LITERATURE REVIEW

2.1 Transparency

There is no fixed definition of transparency. Different authors have come up with different ways of defining transparency mainly based on their experience and environment they operate in. Piotrowski (2007) defined transparency as the open flow of information. According to Kopits & Craig (1998), transparency denotes disclosure of information both financial and non-financial on government decision making transactions. Defining transparency is not straightforward, mainly because of difficulties of distinguishing between transparency and transparency procedures (De Simone, 2009).

In order to ensure accountability in public officials, transparency is considered to be a prerequisite. In this regard, there is consensus for the need to strengthen monitoring and oversight of civil societies as they act as watchdog in ensuring public sector integrity (Ballard 2012). Corruption is uprooted when integrity is enhanced, with transparency and accessibility to information, thus reducing wastage of public resources and minimizing corrupt practices. Such information includes specific regulations, annual procurement plans, business opportunities and contract awarded as well as procurement statistics.

Transparency and accessibility of general procurement information are significant for promoting integrity, minimizing waste of public resources and preventing corruption. Such information includes specific regulations, annual procurement plans, business opportunities, and contracts awarded, as well as procurement statistics. It is therefore seen as a critical tool for curtailing inherent risks in public procurement. Besides, it levels the ground for all players' big and small businesses to fairly participate on an equal footing. Transparency should therefore be enhanced by ensuring visibility of flow of public funds in public financial management cycle. This will allow stakeholders to understand government priorities, and policy makers to strategise in a procurement process (OECD, 2012). Wensink and Vet (2013) observed that transparency in public procurement is important and can be enhanced in a number of ways. These include; utilization of forensic audit, introduction of e-procurement, reinforcing monitoring processes, voluntary disclosure programs, reporting and information access and also information sharing.

Hood (2006) defined transparency as an important agenda for both private and public sector. He suggests that it has acquired a quasi-religious importance over other institution aspects such as governance. The growing importance of transparency

can be seen to emanate from a number of factors: First, it is seen as a fundamental moral requirement in many democratic societies where peoples' rights to access government information is widely accepted (Pasquier & Villeneuve 2007). Secondly it is a measure that curtails corruption where it acts as a deterrent against corruption. Citizens become vigilant thus preventing public officials from misusing public funds (Florini, 2007; Holzner & Holzner, 2006).

2.2 Political interference

According to Beke et al. (2013), public procurement officials work in an environment where undue political interference is common. Political interference in procurement process is aimed at influencing who wins the tender or getting kickbacks to influence the winner of a tender. According to Odhiambo and Kamau (2003) procurement officers engage in corruption due to influence of politicians and businessmen who pressure them to shortlist firms, often ones connected to them. The officers may be coerced or bribed to give confidential information to the politically connected firms giving them undue advantage.

There is enough evidence documenting the detrimental effects of corruption at any level or sector of government (Seldadyo & De Haans, 2006; Treisman, 2000; Serra, 2004; Basheka 2009). OECD (2015), opined that corruption leads to loss of public funds and poor quality of goods and services. To some extent goods and services are never delivered yet they are paid for. The practice results in inflated prices of goods and services as the briber tries to recover their money. In procurement work, there are cases where those who won tenders by bribing, use substandard materials as a way to cut costs. OECD (2015) estimated that 10-30% public funds are lost through corrupt practices, even though it is difficult to determine the actual cost of corruption in an economy due to its hidden nature.

According to Herbst, (1990); Shleifer (1998), corruption occurs when there is political patronage, where the politicians at the helm of countries affairs preside over complex political structures which condone corruption. In economies where politicians do not have public interest at heart, they misuse public resources and corruption cases are handled casually and in a clumsy way. This is a common practice in many developing countries, as there is minimal economic advancement outside the state. In Kenya politicians have entrenched themselves in procurement systems where they have point men who secure them contracts. The motivation to political influence is the huge sums of money involved, for example the Kenyan government spends 60% of revenues on procurement (Kimani, 2017).

According to the ADB (2003), corruption is a behavior where officials, both in private and public sector, unlawfully enrich themselves/ close friends and relatives by misusing their position. When this inappropriate behavior is done in public acquisition of assets or services, it is termed as public procurement corruption. World Bank (2004) adds to the

definition of public procurement corruption by including acts of giving or soliciting bribes either directly or indirectly, to influence a decision in procurement.

When an applicant of a tender believes that every applicant is giving bribes to win, this will create grounds for public procurement corruption as no one wants to lose out. This is because it is frustrating to realize you have lost a contract/tender because a competitor gave a bribe. Lack of asymmetry of information also creates an environment for corruption in procurement process. When some bidders are privy to some information it gives them undue advantage over other competitors. Hidden information creates negative externality to other competitors and worsens their economic condition, since they would be better off without giving bribe.

Corruption practices are very rampant in developing countries. Sarandan (1999); Sandhltz et al (2000); Guhanand Paul, (1997), are in agreement that in most African countries, corruption is a common routine and has become cultural norm and practice. In Kenya, institutions have been established and disbanded at the whims of politicians. Between 1997 when Kenya Anti-Corruption Authority (KACA) was established and today when the crusade is run by Ethics and Anti-Corruption Commission (EACC), there were two other institutions that were disbanded. These four institutions have been headed by seven directors most of whom are dragged out of office when they investigate "politically connected" corrupt individuals. This makes fighting corruption in Kenya quite a challenge due to political interference.(EACC, 2015).

2.3 Bureaucratic procedures

Bureaucracy, also known as red tape is excessive or rigid conformity to rules. These rules are viewed as redundant and prevent actions and faster decision making. Bureaucracy may entail unnecessary paper work, obtaining very many unnecessary licenses, many levels of document approvals making decision making slow or expensive. This is not good environment to do business.

Albrow (2011) views bureaucracy as a centrally organized structure full of routine, where tasks are done according to established policies. This definition implies that bureaucracy is rule-bound, functionally structured and elevates impersonality. It has been equated with inefficiency, laziness and wastage.

In most developing countries corruption thrives due to complex restrictive regulations which are often coupled with inadequate controls. Tanzi (1998) observed that corruption in developing and transitional economies, flourishes due to use of restrictive rules and regulations. This is manifested in the number of licenses, paperwork and generally rigid administrative procedures which contribute to the high cost of doing business in these countries. For example, a container from South Africa takes three weeks, requires five sets of invoices, 28 Southern Africa Development Community certificates, 84 Customs stamps, 56 Customs signatures and

83 export documents before it can enter Angola (Gahigi, K.July, 6 2017).

It can be concluded that even though bureaucratic procedures are put in place to enhance transparency and fairness in the procurement process, it is important to strike a balance between efficiency and lengthy bureaucratic procedures. This is because excessive, tedious processes that require firms to go through lengthy administrative procedural requirements have been a conduit of bribes.

III. METHODOLOGY

The study used descriptive research design to establish whether the independent variable procurement process affects the dependent variable service delivery by solid waste collecting firms in a PPP arrangement. The study was done in Nairobi City County.

The target population was all solid waste collecting companies in NCC under PPP arrangement. The researcher used a census study because the population was only 57, thus making it easy to collect data from every unit of the population. Since pilot used 10% of the target population, the final research 51 firms. Questionnaires were used to collect data from the supervisors and managers of solid waste collecting firms. The instruments were validated by researchers from Jomo Kenyatta university of Agriculture and Technology (JKUAT) and pilot tested for reliability using cronbach alpha reliability test where they attained a score of .769 which is above the acceptable threshold. This is backed by Connelly (2008), who said that a pilot study sample for any social science research should be 10% of the sample projected for the larger parent study.

The primary data collected was processed by first editing it to detect possible errors; then the questions and variables were coded using the Statistical Package for Social Sciences (SPSS). Data analysis was done using the SPSS program and tables and figures were presented using the APA format of data presentation. Regression analysis was used to establish the relationship between independent variable procurement process and dependent variable service delivery by solid waste collecting firms in a PPP arrangement i.e. $Y = a + b1X1$

IV. RESULTS AND DISCUSSIONS

4.1 Transparency

One question being investigated was whether respondents agree that there was transparency in the process of procuring solid waste collectors. The results in Table 1 indicated that over half the respondents, 54.4% either disagree or strongly disagree agree that there is transparency. These results could explain why corruption and bribery were said to influence procurement process in solid waste collecting firms in NCC. Grierson and Needham (2006) were of the view that when there is transparency in procurement process it reduces the likelihood of unethical behavior and corruption. This view is supported by Shu et al. (2011) who observed that lack of

transparency in procurement activities usher in unethical practices such as corruption and abuse of public resources.

Table 1:
To what extent do you agree that there was transparency in tendering process when procuring solid waste collectors in NCC

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	strongly agree	6	10.5	10.5	10.5
	agree	16	28.1	28.1	38.6
	neutral	4	7.0	7.0	45.6
	disagree	20	35.1	35.1	80.7
	strongly disagree	11	19.3	19.3	100.0
	Total	57	100.0	100.0	

The study sought to establish whether respondents are of the view that lack of transparency has resulted to poor performance by solid waste collectors. Table 2 below indicates that 78.9% strongly agree or agree that there is poor performance. Whenever transparency is sacrificed in a procurement process, quality of work is sacrificed. These

results establish that there is a link between transparency and service delivery. It can be concluded that where transparency is observed performance is guaranteed. Balsevich et al. (2011) observed that when there is transparency, the performance improves especially in public sector.

Table 2
Lack of transparency in procuring solid waste collectors have led to poor service delivery by these firms

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	strongly agree	10	17.5	17.5	17.5
	agree	35	61.4	61.4	78.9
	neutral	12	21.1	21.1	100.0
	Total	57	100.0	100.0	

The research wanted to establish whether there was symmetry of information during the tendering process. The result in Table 3 indicates that 54.3% of respondents were of the opinion that information was not symmetrical. It is critical to ensure that relevant information is availed to all suppliers as this levels the ground for competition. Soreide (2002) was of

the view that having confidential information creates opportunity to obtain bribes by public officials. Della Porto and Vannucci (1999) noted that when the briber know in advance various parameter used to qualify a tender, s/he can obtain the contract without any irregularity.

Table 3
To what extent do you agree that there was symmetry of information to all stakeholders during tendering process of solid waste collectors

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	strongly agree	7	12.3	12.3	12.3
	agree	15	26.3	26.3	38.6
	neutral	4	7.0	7.0	45.6
	disagree	22	38.6	38.6	84.2
	strongly disagree	9	15.8	15.8	100.0
	Total	57	100.0	100.0	

4.2 Political interference

The research sought to establish whether political interference influenced awarding of tenders to solid waste collecting firms under PPP arrangement in NCC. The common method that

politicians interfered with tendering procedures is through corrupt practices. Coincidentally, the results indicated that 66.7% of the respondents confirmed that indeed there was corruption in the process. It is no secret that one of the

departments affected by corruption in public sector is procurement. Although corruption is rampant in most developing countries, statistics on the vice have been hard to come by. Sarandan (1999); Sandhltz et al (2000); Guhan , and

Paul, (1997) are in agreement that in most African countries, corruption is a common routine and has become cultural norm and practice. Solid waste collection is no exception to corruption practices as data in Table 4 indicates.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	strongly agree	1	1.8	1.8	1.8
	agree	37	64.9	64.9	66.7
	neutral	11	19.3	19.3	86.0
	disagree	8	14.0	14.0	100.0
	Total	57	100.0	100.0	

When determining whether politicians and their cronies won tenders to collect garbage in NCC, the result indicated that 70.2% were of the view that politicians and their cronies own some of the garbage collecting firms in NCC. Though it may not be illegal to do business with government when you are a politician, it is illegal to interfere with the procurement process. According to Herbst, (1990); Shleifer (1998),

corruption occurs when there is political patronage, where the politicians at the helm of countries affairs preside over complex political structures which condone corruption. They collaborate with procurement officials to win tenders by having confidential information that other competitors don't have thus giving them undue advantage. Table 5 shows the results from respondents

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	strongly agree	11	19.3	19.3	19.3
	agree	29	50.9	50.9	70.2
	neutral	17	29.8	29.8	100.0
	Total	57	100.0	100.0	

The study also sought to find out whether politicians used bribes and threat influence tendering process. Results in Table

6 shows that 79% of respondents confirmed that bribes and threats are the main methods used by politicians.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	strongly agree	22	38.6	38.6	38.6
	agree	23	40.4	40.4	78.9
	neutral	6	10.5	10.5	89.5
	disagree	6	10.5	10.5	100.0
	Total	57	100.0	100.0	

4.3 Bureaucratic procedures

Bureaucracy entails unnecessary paper work, obtaining very many unnecessary licenses, many levels of document approvals making decision making slow and expensive. Molhotra (2012) viewed lengthy procedures as

discouragement to firms in procurement process. The study wanted to establish whether bureaucracy affected procurement process. To start with, respondents were asked whether they agree there were bureaucratic procedures when seeking licenses for garbage collection. Results in Table 7 shows that 80.7% of the respondents were of the view that there were

bureaucratic procedures. This may affect the time it takes to register a business and increase costs. Dzhumashev (2010) is

of the view that reducing bureaucracy will ease business operation, enhance competition and lead to economic growth.

Table 7
To what extent do you agree that there was bureaucratic procedures when seeking licenses for solid waste collection

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	strongly agree	6	10.5	10.5	10.5
	agree	40	70.2	70.2	80.7
	neutral	11	19.3	19.3	100.0
	Total	57	100.0	100.0	

The study also sought to establish whether bureaucratic procedures have effects on the entry of firms in solid waste collection in NCC. The results in Table 8 indicate that 70.2% of the respondents were of the view that they have an effect on the entry of firms in solid waste collection business in

NCC. This can explain why NCC, with a population of over 4 million is served by only 57 solid waste collecting firms under a PPP arrangement. This view is supported by De Soto (1990) who opined that excessive legislation and registration procedure reduces the number of new enterprises in a country.

Table 8
Long bureaucratic procurement procedures led to some company to pull out or be disqualified leading to few firms collecting solid waste in NCC

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	strongly agree	6	10.5	10.5	10.5
	agree	34	59.6	59.6	70.2
	neutral	11	19.3	19.3	89.5
	disagree	6	10.5	10.5	100.0
	Total	57	100.0	100.0	

4.4 Regression Analysis

Linear regression is done to establish a linear estimation of relationship between a response variable and one or more explanatory variable. Jaccard *et al.* (2006) noted that regression analysis is driven by a theoretical or a conceptual model that can be drawn in the form of a path diagram. The diagram provides the model for setting the regression and what statistics to examine.

4.4.1 Regression Analysis between procurement process and service delivery by solid waste collecting firms under PPP arrangement in NCC.

To evaluate the influence of procurement process on service delivery by solid waste collecting firms under PPP arrangement in NCC, a simple linear regression analysis was performed and the findings presented in Table 9, 10 and 11. Table 9 presents an R² result of 26.73%, which implies that the independent variable, procurement process can explain up to a total of 26.73% of the total variability in the dependent variable, service delivery by solid waste collecting firms under PPP arrangement in NCC

Table 9

Model Summary of procurement process and service delivery by solid waste collecting firms under PPP arrangement in NCC

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.517 ^a	.2673	.2507	0.2114

4.5 ANOVA for procurement process and service delivery by solid waste collecting firms under PPP arrangement in NCC.

Analysis of Variance, ANOVA is a statistical procedure used to test the degree to which two or more groups vary or differ

in an experiment. ANOVA tests splits the aggregate variability found inside a data set into two parts: systematic factors and random factors (Jaccard *et al.*, 2006). Analysts use ANOVA test to determine the result that independent

variables have on the dependent variable amid regression study and also to test whether the overall model fitted on the data is significance. An ANOVA test was performed and the results obtained are presented in Table 10. The results indicate that, the model fitted on the data was statistically significant which is supported by F value of (20.064,1, 55) with a p-value (.000) which is less than .05 the level of significance. This means that, the null hypothesis that procurement process

does not have a statistically significant influence service delivery by solid waste collecting firms under PPP arrangement in NCC is rejected and instead the alternative hypothesis that that procurement process does has a statistically significant influence on service delivery by solid waste collecting firms under PPP arrangement in NCC is accepted.

Table 10

ANOVA for procurement process service delivery by solid waste collecting firms under PPP arrangement in NCC

	Model	Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	.248	1	.248	20.064	.022
	Residual	.660	55	.012		
	Total	.908	56			

To support the ANOVA findings on procurement process and service delivery by solid waste collecting firms under PPP arrangement in NCC, the regression coefficients were obtained and presented in Table 11. These results show that procurement process has a statistically significant positive influence on service delivery by solid waste collecting firms

under PPP arrangement in NCC (p-value = .000) which is less than the level of significance of 0.05. Therefore, any change the procurement process would result in .306 times changes in service delivery by solid waste collecting firms under PPP arrangement in NCC

Table 11

Coefficients of procurement process and service delivery by solid waste collecting firms under PPP arrangement in NCC

	Unstandardized Coefficients		t	Sig.
	B	Std. Error		
(Constant)	.819	.097	8.457	.000
Competitive procurement process	.306	.130	2.357	.000

Using the summary presented in Table 11, a linear regression model of the form, $y = \alpha + \beta x_i$ can be fitted as follows:

Service delivery = 0.819 + 0.306 Competitive procurement process

V. CONCLUSION

It can be concluded from the study that procurement does affect implement at service delivery by solid waste collecting firms under PPP arrangement in NCC. Procurement had a R^2 result of .267 or 26.7%, which implies that the independent variable, competitive procurement can explain up to 26.7% of the total variability in the dependent variable, service delivery by solid waste collecting firms under PPP arrangement in NCC. The results indicated that procurement is a key determinant in service delivery. The results also showed that procurement has a statistically significant positive influence on service delivery by solid waste collecting firms under PPP arrangement in NCC (p-value = .000). This is less than the required level of significance of 0.05. Therefore, any change in procurement would result in .306 times changes in the service delivery by solid waste collectors in NCC.

Procurement in solid waste collection in NCC was missing going by the evidence from the respondents. Transparency was missing in the process of procurement with 54.4% disagreeing there was transparency in procurement process. Corruption was rampant with 66.7% confirming that it existed during tendering process. The results also showed that 70.2% of respondents agreed that politicians and their cronies owned solid waste collecting firms in NCC, confirming the presence of political interference in the tendering process. The results also indicated that 79% of respondents affirmed that bribes and threats were used to secure tenders in solid waste collection and disposal in NCC by politicians. Of concern, is the misuse of laws to manipulate the firms seeking tenders. Although, laws and regulations are sometimes used to ensure a level ground for competition they have been misused by public officials to solicit bribes. Respondents confirmed that some firms seeking to collect garbage in NCC withdrew due to existence of bureaucratic procedures. It is no wonder there

are fifty seven solid waste collectors under PPP arrangement in NCC serving over four million residents.

VI. RECOMMENDATIONS

Procurement is a key element in solid waste collection.. From the results of the study, the researcher makes a number of recommendations.

1. To ensure transparency in procurement process, there should be access to relevant information such as; objective of procurement, important rules, time limits, tender documents and evaluation methods to all parties without favour. Invitation for tenders should also be done in due time and published in the media accessed by majority of citizens.
2. Establishment of oversight and control unit will identify red flags, thus allowing enhancement of oversight and control system. Moreover, proportional sanctions which will act as deterrent to corruption should be put in place.
3. E-procurement should be adopted to reduce the contact between the procurement officials and procurers.
4. Reduction of bureaucracy should be implemented. It possibly will reduce corruption and other unethical practices in the procurement process since the officials will not use it to solicit bribes.
5. Trainings and lifestyle audit for Procurement officials should be regularly done.

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