

Tenderpreneurship and Business Growth in Developing Countries: A Review of Literature

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DOI: <https://doi.org/10.47772/IJRISS.2023.70608>

Received: 21 April 2023; Accepted: 04 May 2023; Published: 19 June 2023

ABSTRACT

This paper theoretically attempts to examine tenderpreneurship in developing countries, by conducting a review of the literature on this practice. The paper endeavours to define 'tenderpreneurship' by examining literature, reports, opinion pieces etc on this practice which seems to be spreading rapidly in the public and private sectors in, South Africa, Botswana and Kenya. It also explores the causes of 'tenderpreneurship' and how 'tenderpreneurship'. The paper further attempts to use the theory of accountability to demonstrate that where tenderpreneurship is practiced, there are potential connotations of poor governance on the part of government or private company officers who award lucrative tenders to tenderpreneurship. The paper concludes by attempting to examine the possible ramifications of 'tenderpreneurship'. Concisely, it concludes that tenderpreneurship has the potential to condemn the society to poverty at both personal and national level and rob them of their respect and dignity. The discussion from this paper has potential to contribute to policy decision makers on bad governance practices emanating from possibly crooked tendering processes both in the public and private sector under tenderpreneurship.

Keywords: tenderpreneurship, tendering, governance, accountability

INTRODUCTION

Tenderpreneurship has become a buzzword in some African countries in the past two decades more especially in South Africa, Botswana and more recently in Kenya. Tenderpreneur is a portmanteau or combination of 'tendering' and 'entrepreneur'. Bid rigging, tenderpreneurism, political arm twisting, fraud, corruption, fronting and insider deals are regularly cited as catalyzing the erosion of value in the Kenyan public procurement system (The global competitive report, 2013-14). Against this procurement market failure, ethical procurement is key to sustaining competition through the bidding process (Andreka, 2017). Professionalism in bidding defines all tasks involved from need identification to contract monitoring (Glas, Schaupp&Essig, 2017). A range of benefits are attributed to tenders offered professionally. This includes reduced costs, increased quality and timely delivery value for money (Ameyah, Mensah & Osei-Tutu, 2018).

Tenderpreneurship has become synonymous with tender manipulation and corruption in state procurement and large value contract in supply South African state-owned companies (Southall, 2011). In South African law, corruption means the private use of public funds, bribery of public officials and improper favouritism by government officials (PRECCA, 2004). In 2016, transparency International (2016) ranked South Africa 64 out of 167 countries in the world. It received the score of 45 out of 100.

Ray (2018) show that a saving of 25% could be derived from competitive bidding and prices across 18 tenders could decline by around 20% with competitive bidding. Although this is the case, studies by Lennerfors (2017) show that there is no direct relationship between tender assisted bidding and value for

money

In Kenya, the public procurement is highly vulnerable to fraud and corruption. According to transparent International Corruption Perspective (ICP), Kenya is ranked as number 136 out of 175 of the most corrupt and countries prone to tenderpreneurship (GCR, 2015-16). Consequently, bribery, bid rigging and assisted tender winning in government have raised the number of cases handled by the ethics and anti-corruption watchdog (PWC, 2016).

The Concept of Tenderpreneurship

The concept of tenderpreneurship was first introduced by Steve Tendonin 1949 as he defined it to be a form of entrepreneurship that results in non-profit consumption rather than profit making (Joseph, 2013). However, there has been evidence that this definition is inaccurate. Tenderpreneurship, as the name suggests, is an innovative approach to businesses which balances social benefits with fiscal returns. This means that the entrepreneur seeks to produce a profit through not just selling products or services but also by caring for their employees, customers, community and environment (Turley & Perera, 2014).

The business environment consists of three kinds of individuals known as entrepreneurs, tenderpreneurs and intrapreneurs (Schoeman, 2015). An entrepreneur starts their own company, whereas an intrapreneur works at a company that someone else founded. Tenderpreneurship involves a business dealing and surviving through illicitly obtained government tenders and quotation bids, through supply of either services or products (Ramakoba, 2015).

This term is commonly used by economists with reference to the financial crisis of 2008-2009. The term tenderpreneurship describes a new class of insiders who use contacts to corruptly benefit from the public procurement process. The term tenderpreneur first popped up during the rule of Thabo Mbeki in South Africa (1999- 2008). Initially, the term had ambivalent connotation harboring positive and negative undertones (Dlamini, 2010).

Tenderpreneurship involves a business dealing and surviving on tender and quotation bids, through supply of either services or products, mainly to government departments (Lennersfors, 2017). Services vary from construction, engineering, and various forms of consultancy, all of which require specialised skills and training whereas products are the tangibles ranging from stationary, machinery food, and various chemicals. This therefore means that the higher the skills required for any business undertaking, the higher the value and returns from such tender. And for sure the higher the expected returns the high the level of corruption dealings, and the higher the officials involved (Thekwini, 2016).

Tenderpreneurship is a conflict of interest between the personal and the business and an economic activity that doesn't generate profit. It does not necessarily result in an increase in revenue but, instead, generates benefits for others. Given the current unethical trend in most public procurement, where common items are procured at 60% above market prices, the practice of 'tenderpreneurship' remains a contributor to government failure and a hindrance to attainment of value for money in public procurement (Ramakoba, 2015).

The Concept of Growth

Small businesses, whose owners have experience of participating in entrepreneurship programs exhibited superior managerial practice. The economic impact of SMEs can be measured by their contribution to output, employment, income, investment, exports and other economic indicators (Gakure, Ngugi *et al.*, 2013). In literature related to entrepreneurship, performance in business is measured by growth in employees or sales and by the increase in profits. Sajilan & Tehseen (2016) designed a conceptual

framework for SMEs entrepreneurial competencies and business performance indicators.

SMEs growth performance indicators include increase in profit, sales growth, growth in employees, firm's asset growth, industry average or comparison with the competing firms and value added. Several indicators can be used to gauge performance including high productivity, leadership, high profits, high production, low costs, community development and business growth (Muthalib, Harafa, Yani, & Rostin, 2014). The owner of a business is a key factor in business growth and performance. The relationship between the owner of a business and its growth indicated that entrepreneurial minded owners grow their businesses to maturity due to their administrative competencies (Sarwoko, Surachman, & Hadiwidjojo, 2013).

Business growth consists of two components: measured output, and expansion of internal processes (Pittaway, 2017). In theory, business growth is made up of two elements: managing growth and enabling growth, and both are achievable through improvement in control, planning, and formalized structure. Business growth leads to the complexity of management and crises within and outside an organization. There is little or no evidence that growth comes in sequential predetermined stages. Movement from one stage to another is through transformational approaches involving structures, functions, and characteristics that will allow a firm to face new task and problems (Lennersfors, 2017).

Transformation includes changes in human resources, product, marketing, strategic orientation, financial structures, and operations. Owners/managers of small businesses must adjust their managerial behavior to be more formal as their organizations grow. Organization's managers should identify, develop, and implement new knowledge that will resolve encountered challenges and problems during the growth process. There is a need for owners/managers of small businesses to establish networks between stakeholders of an organization to help improve smooth transitional growth. Organizations must develop a path that will communicate firm's vision, corporate culture, and mission to internal and external stakeholders of the firm to enable a smooth and effective transitional growth from one given stage to another (Pittaway, 2015).

Kenya's Business Environment

Kenya has the reputation for being East Africa's major economic hub. The dominant sectors are agriculture, tourism, construction, financial services, energy, media, and telecommunication. Kenya's business environment has multiple layers of complexity. Consultations have shown that business transactions also occur in the context of a 'low-trust society' in which many people would not trust anyone outside their immediate personal or clan network (Herrington, *et al.* 2014).

Kenya's private sector activity is also informally regulated, especially through government issued contracts or licenses for projects at the national or sub-national level. Obtaining such opportunities requires participation in tenders which in turn rely on informal payments by those actors who wish to win them. Such practices have created an elite of 'tenderpreneurs' that spans across business and politics (PWC, 2016).

Such 'tenderpreneurship' or other forms of state-controlled economic development is a common phenomenon in many developing countries; and also described in terms of 'limited' or 'open' access orders. In 'limited access orders', authorities limit access to valuable political and economic opportunities through barriers-to-entry such as patronage, tenders or licenses (Ochieng, 2018). It allows governments to create a credible commitment among elites not to fight each other because they are better off participating in a mutually beneficial network than by challenging the authorities. 'Open access orders' structure access to political and economic opportunities in competitive terms through markets, elections, and merit. In Kenya, business takes place within the full spectrum of limited and open access orders. Within this spectrum different camps have an interest in maintaining their position within a 'limited-access' order, or in levelling the playing field to allow access to be defined by merit, quality and delivery of results (Chege, 2018).

Problem Statement

According to Ochieng (2018) tenderpreneurs are neither entrepreneur, project managers nor development specialists per se. Nevertheless, tenderpreneurship poses serious threats to ethics in public sector procurement functions. Though not highly tackled in academic researches, it raises relative prices above 20% (Mallik & Saha, 2016). Moreover, the problem with tenders launched under such dubious circumstances is that they run high risks of failure. Relating to tenderpreneurship, Mironov and Zhuravskaya, (2016), illustrate that unethical practice accounts for 50 percent of the cases in commercial courts globally.

In most countries, potential tenderpreneurs are promoted to agree on beforehand bid winning formula and price based on insider information relations or political conspiracy. The undue influence increases the supplier value for money while the procuring entity's decline. For this to happen, most public officials are involved in the reward system promoting symbiotic relationships between political and business actors (Cheung, Rau & Stouvaltis, 2016).

Objective

The purpose of this paper is to review tenderpreneurship and growth in business environment in developing countries.

Scope

The paper makes an effort to make a comparison between "tenderpreneurship" and the traditional form of tendering which follows best practice governance principles. The paper further attempts to use the theory of accountability to demonstrate that where tenderpreneurship is practiced, there are connotations of poor governance on the part of government or private company officers who award lucrative tenders to tenderpreneurs.

Accordingly, this paper is divided as follows; section 2 presents the research design and methodology adopted in this paper, while section 3 presents a discussion of the literature and theoretical framework is discussed in section 4. Consequences of tenderpreneurship are presented in section 5. The paper ends with a summary and conclusion in section 6.

RESEARCH DESIGN & METHODOLOGY

Not much has been done by way of research in the area of tenderpreneurship. An extensive search on the internet for the definition of the word 'tenderpreneur' indicates that there is a dearth of literature on this concept. In a way, this paper may be among the first to examine the concept of 'tenderpreneurship' from an academic standpoint because most of the writings uncovered by the researchers are mainly opinion pieces on web pages and newspaper reports. This paper therefore adopts a theoretical approach by reviewing available literature on tenderpreneurship. The paper theoretically compares the definition of tenderpreneurship with the traditional tendering process and draws inferences/conclusions from the dissimilarities. An endeavour is also made to theoretically demonstrate how tenderpreneurship affects citizen economic empowerment. A further attempt is made by the researchers to theoretically demonstrate accountability issues and or lack thereof occasioned by tenderpreneurship.

LITERATURE REVIEW

Owing to the dearth of literature on 'tenderpreneurship', this section attempts to discuss the traditional form

of tendering compared to the ‘tenderpreneur’ way of tendering. The section also attempts to unpack the root causes of ‘tenderpreneur’ by examining citizen economic empowerment and how possibly, those responsible for awarding tenders may hide behind the veil of citizen economic empowerment to award tenders to tenderpreneurs.

Tenderpreneur Process

Under tenderpreneur, the expertise it seems are the ‘connections’ the tenderpreneur has with greedy government or private sector company officials in high offices with sticky palms which have to be greased/oiled to win a tender. In tenderpreneur, the officials (government or private sector company) responsible for awarding tenders, award the tender to their ‘business partner’ (the tenderpreneur) who submit the tender. The tenderpreneur is then awarded the over inflated tender to carry out the specific project e.g. building a road, hospital, maintenance of public equipment, supply of goods and services etc (Chege, 2018).

In order for the tenderpreneur to be paid for work done, an inspector is assigned to inspect the tenderpreneur’s completed (substandard) work. A corrupt official (government or private sector company) inspector who is part of the syndicate, is assigned to conduct the inspection, in order to ensure that the tenderpreneur’s work is certified as completed and meeting (supposedly) the expected standard (of the corrupt syndicate). The corrupt (government or private sector company) inspector duly approves and issues an inspection certificate for the work done irrespective of defects and or any anomalies. The tenderpreneur gets paid on the strength of the inspection certificate issued by the corrupt inspector (Marjavar, 2017).

After payment is made to the tenderpreneur, private arrangements are made to ‘share the spoils’ of the loot between the tenderpreneur, (government or private company) officials responsible for awarding tenders, inspectors and any other peripheral official who are part of the syndicate and played a role in facilitating this process of looting from public coffers or the private company. This practice will be repeated in another cycle for as long as the formula for sharing the spoils is strictly adhered to. If, the formula is contravened along the process of sharing the spoils, normally there is a tendency to leak the corrupt activity of the syndicate by the aggrieved party who has not been favoured by the sharing formula (Laryea, 2013).

Since the aggrieved party has no recourse to the courts of law, they resort to spilling the beans or blowing cover on their shenanigans in the process incriminating themselves and the entire criminal syndicate. A dispute with regard to the sharing formula brings to life the old adage that, there is no honour among thieves!! However, disputes rarely arise resulting in perpetual looting of public coffers by greedy officials (Chege, 2018).

Causes of Tenderpreneur

According to Street (2013) the root cause of tenderpreneur is poor regulation in the market which results in unscrupulous characters taking shortcuts by paying off bribes or facilitation fees to corrupt (government or private sector company) officials, instead of producing proper products, nurturing good brands and reputations, or investing in great employees. Street (2013) contends that tenderpreneur is not unique to developing nations, but that it is also present in developed nations. The difference, according to the author between developed and developing nations, is the degree of safeguards which have been built into the economic system to limit the damage brought about by tenderpreneur (Marjavar, 2017).

In developing countries, the safeguards are weak while in the developed countries the safeguards are strong. In developing countries there is a tendency to avoid every opportunity to create consequences for corrupt procurement. Measures on anti-corruption are not strong because of lack of political will on the part of the leaders who tend to allow their supporters to loot from government coffers and are also beneficiaries of such

theft. Political leaders tend to look away while their supporters help themselves to state resources apparently to allow them to amass wealth which will be used during future general elections. Clearly, this indicates that in developing countries, political leadership either participates in the looting of public coffers or turn a blind eye when the looters descend on government coffers, a situation akin to asking the foxes to guard the henhouse (Piper & Chairman, 2018).

Theoretical Framework

The definition of tenderpreneurship has connotations of poor governance on the part of (government or private sector company) officers who award lucrative tenders to tenderpreneurs. In particular, public officers display lack of regard for accountability, ethics, responsibility, independence in the discharge of the responsibilities of their offices. The definition connotes that public officers connive with thieves (tenderpreneurs) to loot government/public coffers hiding behind the veil of tendering procedures (Laryea, 2013).

The definition insinuates dereliction of duty on the part of government or private sector company officers, incompetence, theft and outright thuggery perpetuated by greed and the lust for self-enrichment at the expense of the poor masses who have to bare the brunt of poor service delivery, poor economic empowerment, substandard public projects and abject poverty on the part of communities and ultimately nations (Hackett et al. 2007).

The following sub-section attempts to draw inferences from the definition of tenderpreneurship in comparison with best practice corporate governance principles. Emphasis would be placed on poor accountability as implied by the definition of tenderpreneurship practices by government or private company officers who award over inflated contracts to tenderpreneurs.

Corporate Governance, Agency Theory & Tenderpreneurship

Researchers on corporate governance have proffered several definitions of corporate governance. For instance Nganga et al. (2003) defines it as the prevention of theft, while Shleifer and Vishny (1996), define it as the ways suppliers of finance to corporations assure themselves of getting a return on their investment, how they make sure that managers do not steal capital or invest in bad projects. In other words, corporate governance is “the mechanism through which outside investors are protected against expropriation by insiders” (Shleifer & Vishny, 1996).

Jensen and Meckling (1976) define an agency relationship “as a contract under which one or more persons (the principal(s)) engage another person (the agent) to perform some service on their behalf, which involves delegating some decision making authority to the agent.” Two problems arise in an agency relationship, when: (a) the desires or goals of the principal and agent conflict, and (b) it is difficult or expensive for the principal to verify what the agent is actually doing (information asymmetry).

The former agency problem arises because of the assumptions that: first, the principal and agent have different risk appetite (e.g. different attitudes towards risk) (Eisenhardt 1989). Differences in risk appetite may result in different actions (Eisenhardt 1989); second, the principal and agent have different goals and interests. The third assumption is that, if both parties to the relationship are utility maximisers there is good reason to believe that the agent will not always act in the best interests of the principal (Jensen and Meckling 1976). Agency theory therefore seeks to resolve problems which can arise when the interests of the principal/agent are in conflict and when it is difficult or expensive for the principal to verify what the agent is doing presumably on his behalf.

According to this definition, insiders include among others; managers, major shareholders (individuals,

other firms, family interests or governments) as well as large creditors such as banks (Hackett et al. 2007). Outsiders include equity investors, providers of debt and minority shareholders who do not have any management roles but contribute capital towards the firm. In the context of tendering/bidding, officials responsible for adjudicating in the award of tenders are agents (insiders) while the electorate/shareholders (in the case of public/private sector companies) are the principals (outsiders).

Tenderpreneuring implies lack of accountability on the part of agents private sector company/government officials to their principals because agents tend to repeat the unscrupulous awarding of tenders for as long as the formula for sharing the proceeds of their crime is strictly adhered to. Accountability can be seen as a relationship involving the “giving and demanding of reasons for conduct” (Roberts and Scapens, 1985).

CONSEQUENCES OF TENDERPRENEURING

Tenderpreneuring has possible dire consequences on several fronts.

Misuse of Resources

Tenderpreneuring may potentially rob the general public of financial resources which could otherwise be channelled to other worthy courses. Tenderpreneur’s cost of the project is generally not based on the actual cost of delivering the project plus mark-up, but rather on the amount of money that the ‘tenderpreneur’ and his syndicate or cartel are willing to siphon out of government coffers. It is at best a scheme devised by the syndicate to steal from the public (institutionalized corruption). On the face of it, the theft seems a legitimate payment for services rendered to government and or the public, complete with all the necessary legal documents, while in reality it is looting masqueraded as a legitimate transaction (Street, 2013).

Lack and Inadequate Product Delivery

Tenderpreneurs hardly deliver projects which meet the required standard owing to the fact that they or their companies did not meet all the necessary qualifying criteria e.g. do not have expertise in the jobs/works they have tendered for. Clearly, an entity who does not have skill in a vocation may not be expected to produce work of any acceptable quality in that area. For instance, an entity whose only qualification and or expertise is a ‘cellular phone with calling credit’ may not be expected to produce acceptable quality infrastructure work like building roads, hospitals, schools etc. As a result, the public pays an overinflated price for substandard poor-quality infrastructure work (Mark, 2006).

Increased Risk

Tenderpreneuring puts the lives of users of public projects at a greater risk (Laryea, 2013). For instance, corrupt government inspectors who are part of the tenderpreneuring syndicate are assigned to inspect works carried out by tenderpreneurs, wherein they issue certificates which indicate that work (completed) meets the required standard as opposed to condemning the work. As a result, a defective project is certified by corrupt inspectors as meeting the required standard and that other relevant documents such as certificate of occupancy be issued for the project and or facility in question to be put to use by the general public. The project in question could be a highway, a classroom, a hospital building etc, which are used by the general public on a daily basis. Over time, the defective project may collapse if it is a building resulting in injuries to the occupants and possibly death in the worst-case scenario (Magang & Magang, 2016).

Increased Cost Burden

Tenderpreneuring is costly to the public in maintenance costs because the defective project (e.g. road, building etc) passed as meeting the required standard may require frequent maintenance to be done once the tenderpreneur contractor has handed the project over to the respective government department (Bovens, 2006).

Impaired Economic and Social Development

Tenderpreneurship stifles economic and social development because public coffers are perpetually looted by a few well-connected individuals. Tenderpreneurship overstrains government budget and takes away resources from projects meant to benefit the poor. This results in government failing to allocate resources to important projects which may uplift the lives of the general public such as expenditure on education, health, policing, provision of safe drinking water, provision of electricity etc. It (tenderpreneurship) condemns the society to poverty at both personal and national level and robs them of their respect and dignity (Magang & Magang, 2016).

Substandard Delivery of Services

Sixth, in addition, to not meeting the required standard, tenderpreneurship projects are hardly completed on time and on budget owing to lack of expertise in project management skills of the tenderpreneur and skills in carrying out the project in question. In some instances, tenderpreneurs assign their tenders to companies skilled in the works they have tendered for, in a practice called 'fronting'. Although, this may result in good quality work produced by the assigned company, this is costly and deprives the general public of resources which could otherwise be allocated to other projects; because of the process of securing resources through a middleman. As an alternative, the procuring department could otherwise directly engage the skilled supplier and cut out the middleman who is the tenderpreneur (Laryea, 2013).

CONCLUSIONS & RECOMMENDATIONS

This paper has attempted to define tenderpreneurship using opinion pieces found from a search of the literature. An attempt was made to demonstrate how tenderpreneurship is perpetuated in public/private organizations, what caused tenderpreneurship and its impact on citizen economic empowerment. The paper makes an attempt to demonstrate how tenderpreneurship impacts negatively on accountability in the public and private sector. An attempt is also made to demonstrate that the long chain of delegation between principals and agents in public institutions creates an enabling environment for corrupt practices such as tenderpreneurship to thrive.

Finally, possible consequences of tenderpreneurship are explored. The findings from this paper may possibly highlight bad practices perpetuated in both the private sector/governmental organizations in the award of tenders in developing countries. The findings may also highlight the need to strengthen internal control mechanisms pertaining to tendering processes and the need to ensure that best practice corporate governance is adhered to at all times in the conduct of corporate transactions at both private sector/governmental organizations.

The paper may conscientize policy decision makers of the need to safeguard scarce public resources which are possibly looted by tenderpreneurs and their accomplices both in the private sector/governmental organizations in developing countries. In addition, the findings from the paper may possibly generate debates regarding tenderpreneurship.

This paper has several limitations; first, there is a dearth of literature on the concept of tenderpreneurship and as such the authors tended to rely mostly on opinion pieces from authors across three developing countries. Second, although the paper draws on comments from private/public sector organizations observations who attended several professional development training program/workshops over a two-year period, more could be done by way of empirical research to investigate tenderpreneurship. Third, the paper tends to view tenderpreneurship from a negative lens owing to the limited literature in this area. Possibly, tenderpreneurship may not necessarily be as bad as it is being portrayed by the discussion from the paper. Finally, conclusions from this paper are mostly based on theoretical suppositions drawn from the literature and other concepts,

hence the need to conduct empirical research to investigate tenderpreneurship.

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