

Impact of Political Interference in the Procurement Processes in Local Authorities: Insight of City of Harare

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ABSTRACT

The aim of the study was to look on the impact of political interference in the procurement processes in local authorities' insight of City of Harare. The objectives of the study were to understand the nature of procurement process in local authorities in Zimbabwe, to examine the impact of political interference in procurement practices in local authorities and to proffer recommendations to mitigate the negative impacts of political interference in procurement processes in local authorities. The conceptual framework of this study is guided by three independent variables which were; political interference in project allocation, contract award, procurement legal framework and procurement performance as a dependent variable. The researcher used mixed methods research design and the population for this study was made up City of Harare procurement staff members and its stakeholders. A sample was selected and the researcher employed judgmental or purposive sampling in this study. The study reveals that that major tenders are influenced by politicians. This is at variance with the principle of politics administration dichotomy which provides that politicians are mainly responsible for policy making and not implementation. The study shows that corruption is a major challenge in public procurement because there were a number of tenders that have been associated with corruption and below are a summarization of the some of the issues. Harare City Council has been accused of awarding tenders for the supply of water treatment chemicals to shady and incompetent companies that offered them kickbacks. The study recommends that Harare City Council should introduce training programmes to the procurement officers and also there is need to ensure transparency in the awarding of tenders irrespective of nationality and political affiliation.

INTRODUCTION

Globally, public procurement occupies a key role in service delivery and performance of government departments and public entities. According to Naude, et.al. (2018) "public procurement has its origins in the fiduciary obligation to deliver goods and services to citizens, public procurement is essential for the execution of public contracts. Certainly, public procurement encompasses all the processes related to the acquirement of goods and services by government, parastatals and local public authorities (Makaza (2019). Political interference in the procurement process, according to Kuruppu (2021), is one of the main reasons for procurement malpractice in some regions of the world. Public procurement is explained as the process by which public sector organisations ministries, parastatals and local authorities to acquire goods and services. Such goods and services include: standard items such as stationery; standard to more complex expenditures such as the construction of roads; and key services to citizens such as education (Martin-Ortega & Methven O'Brien 2019).

In Zimbabwe, public procurement is dominated by procedures and guidelines meant to ensure a fair process that provide value for money. In real practice, these guidelines tend to provide opportunities for abuse and malpractice for some procurement officials. Constitution amendment number 20, section 315 makes provision for the public procurement in general. Procurement Act (chapter 22:14) gives more details about functions, appointment and disqualification of members that constitute the State Procurement Board (SPB). This article discusses the research method used and reviews the nature of public procurement and its origin. It discusses public procurement in Zimbabwe and the legislative framework that is in place.

The Procurement Regulations, Statutory Instrument 171 of 2002 (Zimbabwe Government 2002) were passed by Parliament and approved by the President in 2002. They outline the public procurement procedures to be used

in government, including the different procurement methods, the procurement cycles and other procedural requirements. Public procurement is a prominent function for any government. Due to the huge amount of public funds, the governments have implemented numerous reforms to ensure efficiency and value for money (Beke 2018) For instance, the governments have adopted the electronic procurement system, enacted the public procurement act and its regulations from time to time, established various organs to monitor the procurement function, and undertaken internal and external auditing periodically (Masoud, et al., 2021).

Statement of the problem

The public procurement system in Zimbabwe is to ensure that in a harmonized procedure, all goods and services purchased by public institutions are done in a way that ensures a careful, economic and efficient use of public resources. However, some of the politicians think that they have the right intervene in the procurement procedures thereby leading to capricious procurement decisions (World Bank, 2017). Prior to the introduction of the new procurement reforms in 2018, the public sector in Zimbabwe operated a centralised, corrupt, chaotic, and inefficient system which had a negative impact on good local governance and democracy.

Research objectives

The research was guided by the following objectives:

To analyse the nature and context of procurement processes in local authorities in Zimbabwe

To examine the variables influencing procurement practices in local authorities in Zimbabwe.

To discuss the challenges in the procurement processes in local authorities in Zimbabwe

To proffer recommendations to mitigate the negative impacts of political interference in procurement processes in local authorities.

LITERATURE REVIEW

Political interference in the procurement process, according to Kuruppu (2021), is one of the main reasons for procurement malpractice in some regions of the world. Goldman et al., (2016), respectively, provide a crystal-clear example of how politicians affect the procurement process and its overall outcome. The allocation of government contracts in the United States of America is actually influenced by political boards connected to the major political parties. In Malaysia, politicians frequently meddle in the procurement process to further their own interests (Hui et al., 2015). According to study, politicians influenced the creation of laws governing procurement that made it possible for it to take place with little oversight (Titl & Geys, 2019).

In Zimbabwe quite a number of senior officials and political leaders have been implicated in a number of procurement scandals for national projects. This behaviour on its own deters compliance to procurement rules and regulations. To Hui et al. (2015) political interference from the local politicians, other influential stakeholders and senior management has deterred transparency resulting in non-compliance. Additionally, politicians influenced the procurement process by hiring and firing procurement professionals, appointing people who support political leadership to important positions, and ensuring that businesses connected to them profit from the procurement process (Knack et al., 2019). According to David-Barrett and Fazekas (2019), political connections in public procurement are also visible in scandals. They cited an example in which the son of Hungary's Prime Minister's company won 19 tenders in a short period of time and was the only bidder on at least eight occasions, despite the fact that there were 10-12 experienced suppliers. The researcher identified stakeholder theory applicable in this study.

Stakeholder Theory

The stakeholder theory lends support to this research. Freeman established the stakeholder theory in 1984, defining the stakeholder as any group or individual who can affect or is affected by the achievement of an organization's objectives. He identified four groups as stakeholder of the organization, which were; suppliers, customers, investors, and employees (Freeman, 1984). Freeman et al (2014) expanded the definition of

stakeholder to include other types of stakeholders who may have an impact on an organization's goals, such as the media, the general public, suppliers, government, regulators, political groups, trade associations, policymakers, and others. In the broad context of this theory, it is conceivable to state that an organization interacts with many stakeholder groups.

The researcher used the stakeholder theory in this study because it illustrates the impact of stakeholder (politicians) involvement on organizational performance, a phenomenon that frequently occurs in the public procurement process (Boatemaa-Yeboah & Tamakloe, 2019). Politicians have been included in the study from the list of stakeholders that have an impact on an organization's goals because research from many developing countries, including Tanzania in particular, indicates that they are more likely than other stakeholders to interfere with the procurement process given the enormous amount of money involved (Chikerwe et al., 2019; Nuerthey et al., 2018; Matto, 2022).

Procurement processes

Award of Contracting

Generally, the contract is granted to the contractor, supplier, or service provider who meets the principles that have been stated in the bid document. The tender document is required to state very clearly the criteria that need to be considered in the evaluation of the tenders. The criteria are for the preliminary, technical, and financial stages. However, studies show that on occasion, politicians tend to interfere with the procurement process by ensuring their companies or their allies win the tenders without considering whether the company meets the criteria set for the evaluation (Hui et al., 2016). Other scholars, like Goldman et al. (2017) contended that the suppliers were awarded contracts based on their ties to the political parties in power at the time. The study insists that many companies which supporting parties which are in power for a given period of time are received more tenders compare to opposition side companies. In the same vein, Pastory (2019) illustrated how politicians interfered with the procurement process by disobeying the requirements to advertise tenders, conduct competitive procurement, obtain approval from the tender board, and sign procurement contracts.

Projects allocation

Normally, the procurement management unit plans the procurement activities that are to be implemented for the prospective year depending on the budget allocation of the procuring entity (Changalima et al., 2022). The plan will state which project is to be implemented at a given time, which procurement method is to be used, and from which supplier (depending on the procurement method applied) (URT, 2013). Unfortunately, as Chikwere et al. (2019) argue, politicians interfere with the procurement process by instructing the procuring entities on which project to implement and when to implement it. Other scholars revealed that politicians meddle with the procurement process by changing the location where the project is to be implemented in order to get more support for their political gain (Boatemaa-Yeboah & Tamakloe 2019).

The studies go further by depicting that some politicians directed a particular project like a hospital, road, or school to be implemented in a particular location contrary to what was planned before for the sake of getting political support. Furthermore, Swainson and Mahanty (2018) revealed that politicians intervene in the budget allocation for specific organizations for the sake of political benefits. In the same vein as depicted by Pastory (2019) who studied Inter-governmental relations and procurement non-compliance in African local government systems: Insights from Tanzania revealed how president instructed the local government authorities to construct school science laboratories without being budgeted.

Legal Frameworks underpinning procurement processes in local authorities

Public procurement, like other public functions, is governed by laws, policies, and guidelines that outline the procedures and means for conducting it. In Zimbabwe local governments are constitutional bodies established under chapter 14 of the Constitution of Zimbabwe. The Constitution of Zimbabwe (Amendment No: 20 of 2013). The Zimbabwean Constitution goes some distance towards determining public procurement objectives that the public procurement system should aspire to achieve. Section 9 of the Constitution is a mandatory call for the

government to 'adopt and implement policies and legislation to develop efficiency, competence, accountability, transparency, personal integrity and financial probity.

The Procurement Act (2 of 2013). The Public Procurement Act regulates the procurement cycle from procurement planning, approaches to the market, evaluation and award of tenders, contract management and disposal of assets. Under the old Act, the State Procurement Board conducted procurement on behalf of procuring entities. The Procurement Act predates the Constitution, having been passed in 1999. However, its philosophy can easily relate to the economic principles and values mentioned in the Constitution's provisions discussed above.

Accordingly, a study of the main features of this Act certainly sheds light on public procurement regulation in Zimbabwe. The Act applies to all procurement entities, defined in section 1 to mean any of three bodies, namely (a) the State Procurement Board, (b) any (i) Ministry, department or other division of the Government; or (ii) statutory body that engages in procurement; or (c) any local authority or person declared under subsection 2 to be a procuring entity. It is clear from this definition that the Act applies to, and affects procurement by arms or organs or institutions of government, or those subsidiary bodies that carry out procurement on behalf of these governmental institutions. Essentially, the Procurement Act regulates procurement of both central and local government.

International and regional experiences in public procurement

In Africa, as in other parts of the world, there is a lot of mismanagement in the public procurement process, which ultimately prevents value for money from being obtained from the purchased goods, works, and services (Sarawa and Ma'sud, 2019). Also, Morakinyo et al. (2020) argued that politician interference affects the effective implementation of Public Procurement Policy in Kaduna State, Nigeria. While, in the same vein Chikwere et al. (2019) argued that politicians occasionally interfere with the budget allocation and implementation of organizations' procurement plans. The study went further by saying that politicians normally ensure that certain projects that have political benefits are allocated sufficient funds and implemented in strategic political locations. Adjepong and Anane (2022) claimed that political interference influenced procurement planning at Kumasi Metropolis, Ghana, by ensuring that the procurement projects are carried out at a time when politicians are likely to benefit from the procurement. This has also been demonstrated in Ghana. According to Myeza et al. (2021) political interference has an impact on public procurement violations in South Africa and prevents the procuring entities from achieving their intended goals.

Challenges in the public procurement process in Zimbabwe's local authorities

Dzuke & Naude (2015) argued that various challenges in the public procurement process that detract from service delivery and these include a lack of strategic recognition of the procurement function and procurement policy; a lack of professional, managerial and leadership skills; a lack of appropriated funds from Treasury; and a lack of accountability in the procurement process. In Zimbabwe, the flagrant abuse of the procurement system is largely due to the fact that there is hardly any consistent enforcement of the rules and regulations. The procurement entities pretend to comply with procurement procedures while in actual fact compromising the spirit of the rules.

The public officials and their accomplices severely compromise the systems because they have no fear of retribution if ever it comes. What is prevalent is advertising bids for a very short time so that just a few potential bidders get the opportunity and this reduces competition against their favourites who might have known about the coming advert well in advance. Uromo (2014) observes that despite, the fact that conflict of interest is covered under law, the law is not enforced in practice. For that reason, public officials still award tenders to themselves through a third party. In some cases, they award contracts to companies that are non-existent. It is against this background that the researcher sort to assess the impact of political interference in the procurement processes in local authorities' insight of city of Harare.

While the rules and regulations on public procurement attempt to plug loopholes for corrupt practices there seem to be no enabling legal framework to allow bidder's enforceable right to review when public entities breach the

rules. The statutes are clear on the oversight role of the State Procurement Board on procuring entities but it appears the law is silent on who oversees the State Procurement Board itself. Literature has shown that, the most successful procurement systems are those that provide bidders a legal basis to challenge the actions of public procurement officials when they breach rules (Hunja, 2015).

The Auditor-General report of 2021 unearthed violations of procurement procedures and processes by some of the four (4) City Councils that submitted books for audit in that year were under review. For instance, it was established that Mutare City Council circumvented these procedures when it acquired motor vehicles through its subsidiary. The OAG report also highlighted that a local contractor was contracted and paid about US\$3.26 million in 2010 to construct the Dangamvura water pipeline but to date, the pipeline is yet to be completed. As a result of such irregular procurement processes, local authorities may incur financial losses and misappropriation of assets. Also, residents will suffer prejudice from delays in the completion of life-changing projects.

Public procurement entails the buying, purchasing, renting, leasing or otherwise acquiring any materials, services or construction services by the government, state-owned enterprises, and local authorities on behalf of the people they serve. However, as with central government, public procurement remains in intensive care unit with local government failing to adhere to procurement regulations. This goes for Buhera and Kusile RDCs. For Kusile RDC monthly billing reports and the number of billable properties were not availed for audit; and while the RDC receives royalties from the harvesting of indigenous timber trees that includes, teak, mahogany and mopani within its jurisdiction, the council did not avail agreements between the Timber Millers and Council for audit. Kusile RDC accrued timber royalties of US\$6 763 during 2016 financial year against US\$41 124 recognized in 2015, however there was no explanation provided to justify the decrease in such revenue.

Research methodology

The researcher used mixed methods research design. A mixed method research design resides in the middle of this continuum because it incorporates elements of both qualitative and quantitative approaches for this study (Creswell 2014). Mixed methods research is an approach to inquiry involving collecting both quantitative and qualitative data, integrating the two forms of data, and using distinct designs that may involve philosophical assumptions and theoretical frameworks. The core assumption of this form of inquiry is that the combination of qualitative and quantitative approaches provides a more complete understanding of a research problem than either approach alone. The population for this study was made up City of Harare procurement staff members and its stakeholders. From the population, 50 participants were sampled which consisted engineers, managers, administration officers, general employees and other stakeholders who are actively involved in procurement and the researcher employed judgmental or purposive sampling in this study.

The nature of procurement process in local authorities in Zimbabwe

Participants were asked to give views if there are political interference within local authorities in the City of Harare and the findings are presented in figure 1.1 below.

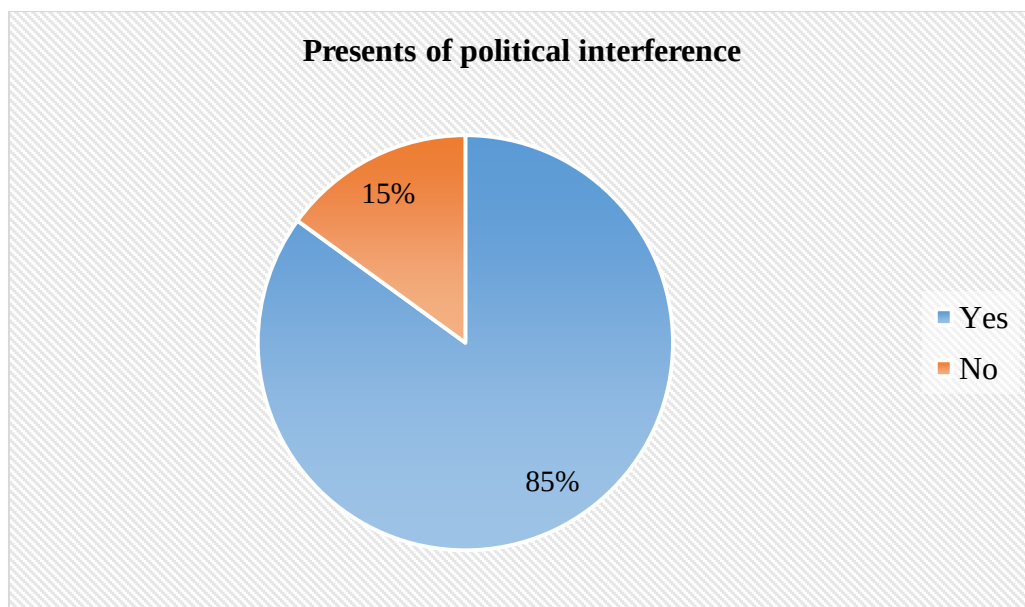


Figure 1.1 Presents of political interference

Majority 85% indicated that political interference is evidenced in the local authorities in the City of Harare as shown while 15% indicated that there was no political interference in the local authorities. These finding contradicts the finding of Tsabora (2014), who argued that politicians were involved in the procurement processes. However, this finding is in line with the findings of Masoud (2022), who came out with the opposite observation that the politicians had influence on the processes in the procurement.

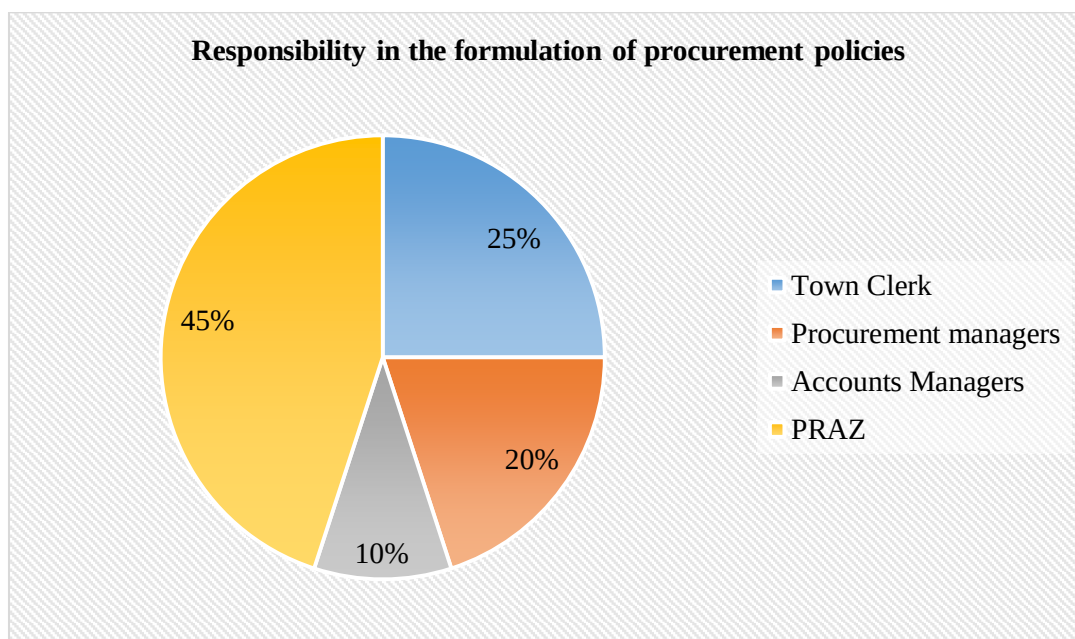


Figure 1.2 Responsibility in the formulation of procurement policies

The participants were asked to indicate who is responsible for the formulation of procurement policies in the City of Harare and majority cited Procurement Regulatory Authority of Zimbabwe (PRAZ), while 25% cited town clerk, 20% cited procurement managers and 10% cited Accounts managers. This finding contradicts the finding of Titl & Geys (2019), who argued that politicians interfere with the procurement process through the amending of some sections and clauses for their personal interests.

In order to determine the degree upon which political interference affects project allocation in parastatal organizations, participants were asked to assess their agreement with a number of claims. Figure 1.3 displays the findings.

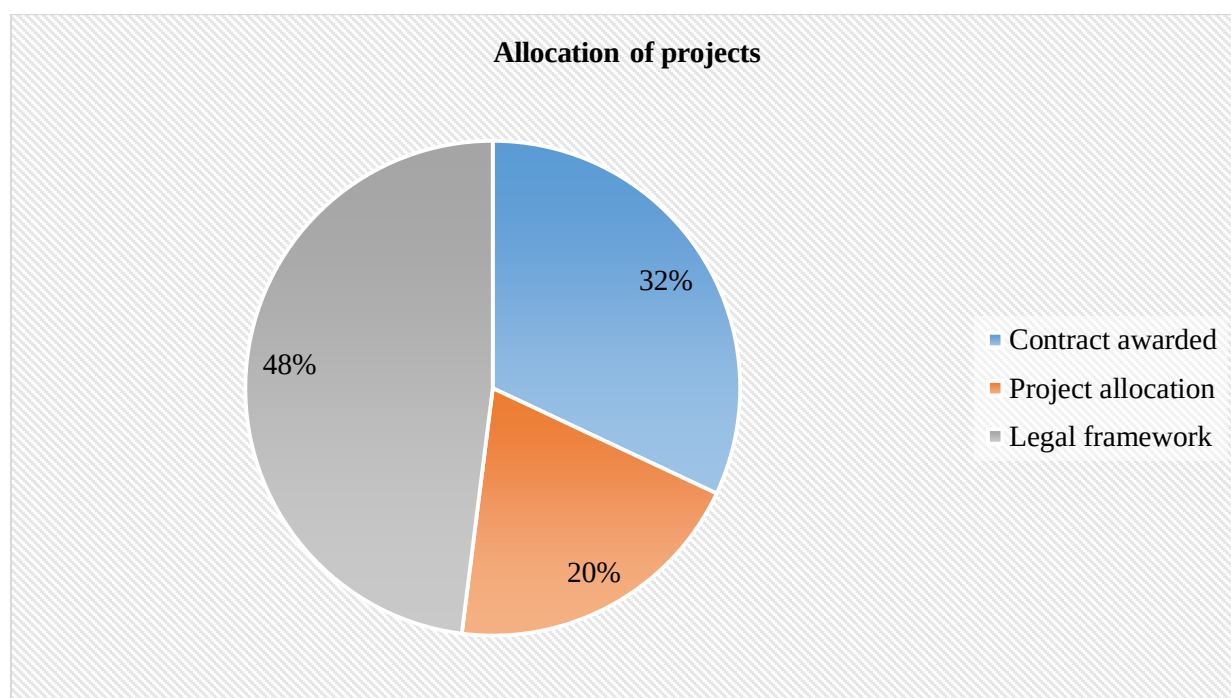


Figure 1.3 Project allocation

From the findings in figure 4.3 majority 48% indicated that projects are allocated guided by the legal framework, 32% indicated that they are contract awarded and 20% indicated that the allocation of projects are contract award. This implies that in local authorities, political interference on contract legal framework had a positive influence on procurement performance, whereas political interference on project allocation had a significant negative impact on procurement performance. On the nature of political interference in the City of Harare the participants gave their views as shown in table 1.1 below.

Table 1.1 Nature of political interference in the City of Harare

Statement	F	%	F	%	F	%	F	%	F	%
There is political interference in the selection of suppliers/contractors	2	3	8	12	10	15	15	23	30	46
The contracts are awarded based on political parties of the suppliers.	2	3	8	12	12	18	20	31	23	35
Contracts are awarded based on the relationship with the politicians	3	5	5	8	9	14	16	25	32	49
Contracts are awarded based on ambitions of the politicians	4	6	5	8	8	12	22	34	26	40

The findings shows that majority 46% indicated that there is political interference in the selection of suppliers/contractors to a very great extent, 35% indicated that the contracts are awarded based on political parties of the suppliers to a very great extent while 49% indicated that contracts are awarded based on the relationship with the politicians to a very great extent and 40% indicated that contracts are awarded based on ambitions of the politicians to a very great extent.

Impact of political interference in procurement practices in local authorities

The participants were asked to state the impacts of political interference in procurement practices in local authorities and the findings are shown in figure 1.4 below.

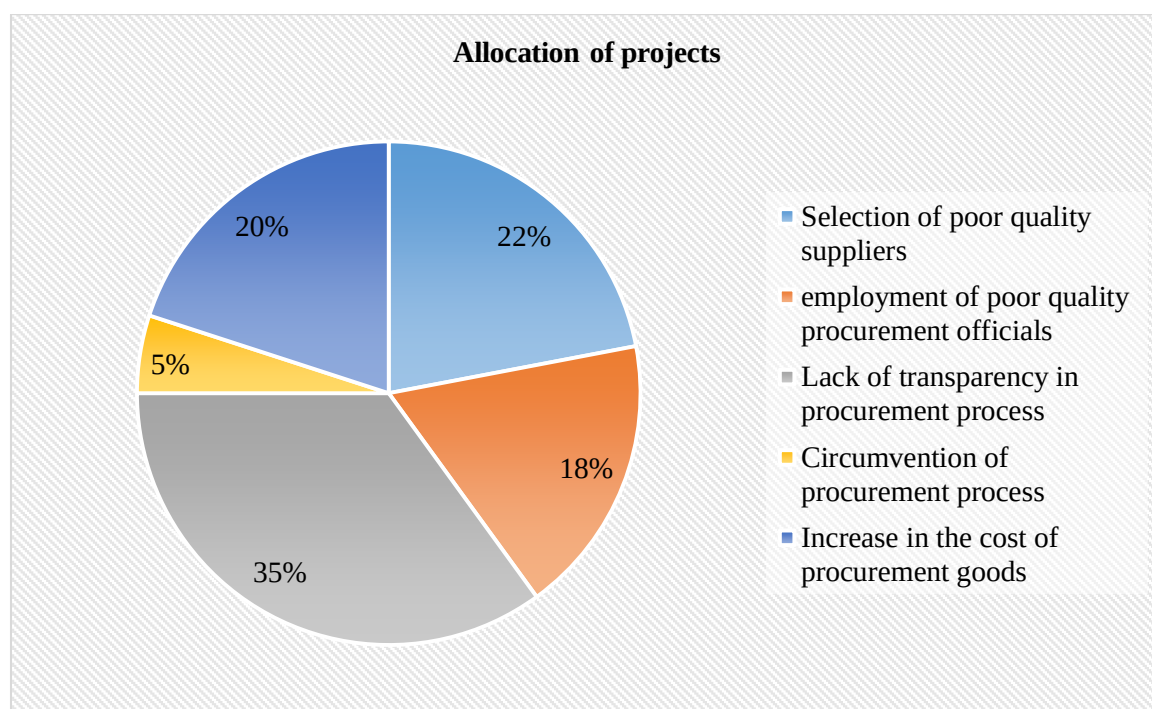


Figure 1.4 Impacts of political interference in procurement practices

Figure 1.4 shows that majority 35% indicate that lack of transparency in procurement processes is an impacts of political interference in procurement practices, 22% indicated that political interference increase in the costs of procurement of goods, 20% indicated political interference in procurement practices results in selection of poor quality suppliers, 18% cited that political interference in procurement cause circumventions of procurement processes and 5% indicated that political interference cause employment of poor quality procurement officials which has an impacts of political interference in procurement practices

Participants had rated the impacts of political interference in the City of Harare and the findings are shown in table 1.2 below

Table 1.2 Impacts of political interference in the City of Harare

Statement	F	%	F	%	F	%	F	%	F	%
There is political interference in the choice of the procurement projects	2	3	8	12	10	15	15	23	30	46
There is political interference in the timing of the procurement project's implementation	4	6	5	8	8	12	22	34	26	40
There is political interference in the placement procurement project.	3	5	5	8	9	14	16	25	32	49
There is political interference in the implementation of the procurement projects.	2	3	8	12	12	18	20	31	23	35

Table 1.2 shows that majority 46% states that there is political interference in the choice of the procurement projects, 40% states that there is political interference in the timing of the procurement project's implementation, 49% states that there is political interference in the placement procurement project and 35% states that there is political interference in the implementation of the procurement projects. On the rating of performance of local authorities in the City of Harare the findings are shown in table 1.3 below.

Table 1.3 Performance of local authorities in the City of Harare

Statement	F	%	F	%	F	%	F	%	F	%
Timely delivery of goods	30	46	15	23	10	15	8	12	2	3
The procured quality goods	23	35	20	31	12	18	8	12	2	3
Users satisfied with procured goods	32	49	16	25	9	14	5	8	3	5
The procured goods are free from damage	26	40	22	34	8	12	5	8	4	6
The procured goods are of right price	15	23	15	23	20	31	10	15	5	8

The findings on the performance of local authorities in the City of Harare majority 46% the timely delivery of goods has affected the performance of local authorities in the City of Harare, 35% indicated that the procured goods are of the right quality at a lesser extent, while 49% indicated that users were satisfied with the procured goods at lesser extent, 40% indicated that the procured goods are free from damage at lesser extent and 31% indicated that the procured goods are of right price at a moderate extent which had an impact on the performance of local authorities in the City of Harare.

CONCLUSION

The aim of the study was to look on the impact of political interference in the procurement processes in local authorities' insight of City of Harare. The objectives of the study were to understand the nature of procurement process in local authorities in Zimbabwe, to examine the impact of political interference in procurement practices in local authorities and to proffer recommendations to mitigate the negative impacts of political interference in procurement processes in local authorities. The conceptual framework of this study is guided by three independent variables which were; political interference in project allocation, contract award, procurement legal framework and procurement performance as a dependent variable. The researcher used mixed methods research design and the population for this study was made up City of Harare procurement staff members and its stakeholders.

From the population, 50 participants was sampled which consisted procurement officer, accounts managers and administration officers who are actively involved in the procurement. A sample was selected and the researcher employed judgmental or purposive sampling in this study. Data collected from the respondents was gathered, presented, and analyzed through descriptive narration tables, graphs, and pie charts. Descriptive narration was used to scrutinize the qualitative data collected from the targeted respondents. The research revealed a number of underlying issues concerning political interference in procurement of public goods and services in the City of Harare. The information was obtained by the researcher through self-administered questionnaire and interviews.

The study revealed that that major tenders are influenced by politicians. This is at variance with the principle of politics administration dichotomy which provides that politicians are mainly responsible for policy making and not implementation. Participants said that corruption is a major challenge in public procurement and this view is also supported by Shaw (2010). There are a number of tenders that have been associated with corruption and below are a summarization of the some of the issues. Harare City Council has been accused of awarding tenders for the supply of water treatment chemicals to shady and incompetent companies that offered them kickbacks. Finally, the study's limitation must be acknowledged, which can be used as a future research direction. This study only focused on public sector by examined the influence of political interference on procurement performance.

RECOMMENDATIONS

Given the economic status of Zimbabwe, it is prudent that public procurement be done fairly, transparently and realise the value for money. The recommendations highlighted have worked in some developed countries and appear to be working in other developing countries in Africa. Dealing decisively with public procurement

practitioners found guilty of flouting procurement procedures may go a long way to restore confidence in the public sector and help woo investors. The researcher recommends the following:

Adoption of Professional Procurement Practices

There is need for adoption of professional procurement practices. As a matter of fact putting purchasing in the rightful hands leads to the well management of critical resources within the organisation. If organisations in all sectors were to adopt professionally the Purchasing practices, this would result in a positive impact on the Gross Domestic Product of the country since input (purchasing) costs constitutes about 30-40% of costs to every final product. Meaning that appropriate management of resources from the Purchasing point of view is not an option but a must for the organisations to invest by employing the right people who can adopt and practice professionally the purchasing function.

Training

There is need for training of procurement officers. Training would ensure a purchasing practitioner to be someone who can make sound and credible decisions which can add value to the organisation. For example the Zambian Government made it mandatory that anyone to work in the Purchasing department in the public sector should have a Chartered Institute of Purchasing and Supply (CIPS) qualification as this would avoid unnecessary practices which would cost the nation.

Transparency

There is need to ensure transparency in the awarding of tenders. Tenders should be given to deserving companies irrespective of nationality and political affiliation.

Decentralisation

There is need to decentralize public procurement so that decisions can be made in time. Multi-layered bureaucracy frustrates in-house procurement processes at the grassroots levels. Also, having a centralized procurement policy has not managed to prevent corruption, but has actually perpetuated it.

Government involvement

Government should create tight procurement oversight mechanism on departmental procuring entities and the State Procurement Board. Stakeholders in local authorities must be educated on the value for money concept underlying public procurement systems so that they can report any form of graft.

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