

Interrogating the Absence of the National Council on Public Procurement: Bidders and Contractors Perspectives



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ABSTRACT: Despite the concerted commitment of numerous government entities to a transparent, efficient and cost-effective procurement process since the passage of the PPA in 2007, the National Council on Public Procurement, created by the PPA in 2007, has not yet been constituted. The objective of this study was to examine how the government's failure to establish the National Council on Public Procurement (NCPP) affected the due process mechanism and the public procurement system. This investigation employed a survey methodology. The study was conducted in the South-East geopolitical zone of Nigeria. The population for the study was, 205 contractors engaged in the Federal Government's minor works procurement process within the South East Zone since the enactment of the PPA. A sample of 117 contractors was drawn using both the purposive/judgmental and random sampling methods. Data gathering sources included both primary and secondary sources. The primary data collection instrument was a structured questionnaire with both closed- and open-ended questions, while books, journals, and other papers served as secondary data sources. Data analysis utilized descriptive and inferential statistics in particular. Ironically, the results demonstrated that the government's unwillingness to establish the NCPP in compliance with the articles of the PPA (2007) had no adverse effect on the public procurement system.

KEYWORDS: Public Procurement, Dues Process, Cost-effective, Transparent and Efficient

1.1 INTRODUCTION

International and regional institutions such as the European Union (EU), the World Trade Organization (WTO), and the United Nations Commission on International Trade Law (UNICTRAL) propelled the implementation of public procurement reforms by the governments of numerous developing nations. The extent of corruption in the public procurement processes of these nations and the involvement of multinational businesses were and continue to be the key concerns of these international organizations. According to Country Procurement Assessment Report (2000), prior to the adoption of the Country Procurement Assessment Report (CPAR) in 2000, which was commissioned by President Obasanjo in 1999, there were no laws governing public procurement in Nigeria; instead, it was managed by the Financial Regulations (FR). The FR was an administrative document that was subject to arbitrary modification for political motives. The Nigerian government accepted the CPAR's short- and medium-term recommendations with a few minor revisions. The government then began steps to create new procurement policies and procedures. These steps included:

(a) the publication of Circular No. F.15775 on June 27, 2001, entitled "New Policy Guidelines for Procurement and Award of Contracts in Government Ministries/Parastatals". The circular contained the procedures for awarding contracts in conformity with international best practices for government procurement.

(b). The Budget Monitoring and Price Unit (BMPIU), commonly known as the Due Process Office in the Presidency, was established by the Federal Government of Nigeria in 2001. The establishment of the BMPIU signaled the beginning of the legalization of Nigeria's public procurement system. The BMPIU was the precursor to the Public Procurement Act of 2007, which brought Nigeria into the League of Nations with a legal framework for public procurement (BMPIU, 2001). Nonetheless, sixteen years after the enactment of the PPA which gave legal backing for the institutionalization of public procurement in Nigeria, it is instructive successive governments, including the Obasanjo regime that enacted the law have failed to constitute the NCPP, despite the demands of the people, civil society organizations, and the National Assembly for action. This poses a challenge for the goals envisioned in the public procurement process in the country, hence the present study.

2.1 LITERATURE REVIEW

Public Procurement

The purchasing of commodities, works, and services by the government, Ministries, Departments, and Agencies (MDAs) is known

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as public procurement. The United Nations defines public procurement as the entire process of acquiring goods, civil works, and services, including all functions from identifying needs, selecting and soliciting sources, contract preparation and award, and all phases of contract administration through the end of a services contract or the useful life of an asset (UNDP, 2007). In effect, public procurement is the method by which the government acquires materials and services for public-sector investments. These inputs are divided into three categories: labor, products, and services. According to Section 3(3) of the Procurement Procedures Manual (2008), procurement procedures are regulated by five fundamental considerations, namely:

- ❖ ensuring that necessary goods and services are acquired with a focus on efficiency and economy;
- ❖ ensuring that public funds are only used to purchase goods required for national development;
- ❖ ensuring that all qualified bidders have an equal opportunity to compete for contracts;
- ❖ ensuring that the procurement process is open and fair, and
- ❖ encouraging the expansion of regional manufacturers and contractors for Public Contracts.

Scholars Aduba (2007) Ameyaw, et al. (2012) and Ekekwuo (2012) agree on the fundamental considerations documented in the Nigerian Procurement Procedures Manual (2008). However, there appears to be no verifiable evidence that public procurement practitioners in Nigeria have been guided by them. This goes to prove the fact that the challenges of the implementation of the PPA (2007) are not only anchored on the deficiencies of the Procurement Act but also because practitioners and government agencies seems not be guided by the procedures outlined both in the Act and the Manual. This brings the issue of compliance with the articles of the PPA (2007), particularly the constitution of the NCPP to the fore.

2.2 The Institutional Framework for Public Procurement

In order to ensure that the procurement process is governed by the essential values of transparency, value for money, efficiency, economy, effectiveness, and competition, the public procurement laws of many nations establish agencies and structures that are completely accountable for it. The Office of Government Commerce (OGC, n.d.) pointed out that in the United Kingdom, the OGC is primarily responsible for public procurement. The Internal and External Audit Office is similarly accountable for monitoring the procurement process for compliance with laws, accounting standards, efficiency, and economy (OGC, 2008). In Turkey, Hasan (2010) noted that the Public Procurement Authority (PPA) oversees public procurement. In Kenya, Section 8 of the Public Procurement Oversight Authority Act was passed in 2007 to establish the agency (Odhiambo & Kamau, 2003). Ghana's Public Procurement and Disposal of Assets Authority was founded based on the UNCITRAL model, while Uganda's Public Procurement and Disposal of Assets Authority drafted the Public Procurement and Disposal of Assets Act of 2003 (Ameyaw, 2003). These institutions, their scope of authority, and their obligations adhere to international standards for public procurement, including institutional and legal frameworks.

In Nigeria, the PPA (2007) established two institutions namely, the National Council on Public Procurement (NCPP) and Bureau of Public Procurement (BPP) in managing the procurement process and adhering to the standards. The Act equally highlighted their membership and responsibilities. The underlining objective for nations is to hand over the procurement of goods and services to independent institutions created by the procurement laws in the bid to meet the international benchmark on public procurement and achieve the fundamental objectives of transparency, value for money, efficiency, economy, effectiveness, and competition. These are essential in achieving the goals of the procurement act and adhering to international standards.

2.3 The National Council of Public Procurement (NCPP)

The PPA (2007) established the National Council on Public Procurement (NCPP). This deviates from the UNICTRAL Model Law. It prescribes its membership and functions. Besides the need to align with international trends, the history of corruption in Nigeria's procurement process necessitated the establishment of a policy-making and approval body that supervises the procurement process namely; the NCPP. The members of the NCPP are expected to be appointed by the President, with the Director General of the BPP serving as the Council's secretary. In line with Section 1(2) (a-f) of the PPA (2007), the NCPP has the responsibility to recommend to the President the nomination of the Director General of the BPP. The PPA grants the NCPP considerable authority (PPA, 2007). Unfortunately, 16 years after the passage of the PPA, the NCPP's board for effective discharge of its statutory responsibilities are yet to be affected.

On the other hand, there are concerns that if and when the NCPP is constituted, given the quality of its membership as in the PPA, it will have an imbalanced effect on the BPP and its actions, in favour of the President who makes the appointment. In effect, even though the NCPP has not yet been constituted, the executive believes that the NCPP would be too autonomous from the executive and, as a result, has too much influence over the procurement process.

Due to the absence of a properly constituted NCPP, a fundamental provision of the PPA has been breached. As a result of the failure to properly constitute the NCPP, nearly every clause of the PPA are been observed in breach. For example, Section 1(2) (a) of the PPA regulates the examination, approval, and change of the financial threshold for application by procurement bodies, which is crucial for the transparent execution of the PPA. Concerns among stakeholders revolve on who performs out this vital role in the absence of the NCPP.

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Several parties have expressed discontent with the failure of multiple administrations to establish the Council since 2007; therefore, the invasion of the NCPP's jurisdiction by other entities has attracted severe criticism. The consequent usurping of the powers of the NCPP by other institutions has been vigorously condemned. Onyekpere (2010) opines that not constituting the Council means that the government alone is regulating public procurement contrary to the intention of the Act. In the same vein, in 2010, the 7th Senate of the Federal Republic of Nigeria ordered the President to inaugurate the NCPP in adherence to Section 1(4) of the PPA (2007). Also, according to Senator Lawan (2019), the non-appointment and non-inauguration of the Council has rendered the execution of the Public Procurement Act 2007 ineffective. In fact the challenges characterizing the procurement process in the Federal Government's contract award was due to partial execution of the Act (Awom, 2012). In 2007, the Federal Executive Council granted contracts that were not permissible under the PPA (2007). The pattern has remained the same with every successive government. This means that the FEC has usurped the responsibilities of NCPP and has in fact become a de facto NCPP awarding contracts, authorizing the implementation, and receiving audit reports on such contracts in contravention of stipulated procedures (Atta, 2009). This is illegal, because no provision of the PPA makes the Executive Council directly involved in public procurement. The BPP records reveal that the Federal Government awarded 358 contracts worth N1.6 trillion between January 2010 and March 2011. In November 2012, FEC announced approvals for different contracts worth N1.3 trillion. (Punch, 2013). This is in contravention of Section 17 of the PPA that states subject to the monetary and prior review thresholds for procurement in the Act as may from time to time be determined by the Council, a Parastatals Tenders Boards and the Ministerial Tenders Board for MDAs and a Ministry or extra –ministerial entity respectively shall be the approving authorities (BPP, 2007, p.14).

This is unlawful because there is no provision in the PPA that directly involves the Executive Council in public procurement. Protagonists of government's position that the NCPP should not be established for a variety of reasons propose that the executive powers of the federation support it. This claim has been contested by proponents of the NCPP. According to reports, to allay the fears of all the groups that had opposed the executives meddlesomeness in contract awards; the President proposed that the World Bank examined the procurement procedures of the Executive Council. This was rejected by all stakeholders because it would constitute yet another violation of the PPA, as it is not covered by the Act. According to Jacob (2010) and Akisole (2012), the most plausible reason for not establishing the NCPP is that the government does not wish to lose its prized contracting authority. There is also fear of corruption within the NCPP, assuming it is constituted, due to the makeup of its members; a very weak argument proposed by government. From all indications, it is pertinent that the agitation for the creation of the NCPP has continued unabated in view of the corruption laden contract award process of the Executive Council and the MDAs. This often promotes corruption, poor execution works and provision of services and other facets of corruption, including abandonment of works.

2.4 Bureau of Public Procurement (BPP)

Part II of the PPA 2007 established the Bureau of Public Procurement (BPP) and provided it with legal authority, permanent succession, responsibilities and powers, in addition to the nomination of the Director General, senior officials, and personnel. Under Sections 4(a)-(d) of the PPA, the BPP is tasked with the following responsibilities:

- a. Harmonize existing government policies and practices on public procurement and ensuring probity, accountability, and transparency in the procurement process
- b. The establishment of pricing standards and benchmarks
- c. Ensure the application of fair, competitive, transparent, value-for money standards and practices for the procurement and disposal of public assets and services and
- d. The attainment of transparency, competitiveness, and cost effectiveness and professionalism in the public sector procurement system (BPP, 2007, p.4)

As stated in Section 6(1) (a), in order to successfully carry out these duties, the PPA grants the BPP extensive and specific authority. These include:

- a. Enforce monetary and prior review thresholds set by the Council for application of the provisions for the application of the provisions of this Act by the procuring entities;
- b. Subject to paragraph (a) of this subsection, issue certificate of "No Objection" for Contract Award" within the prior review threshold for all procurement within the purview of this Act.
- c. From time to time, stipulate procedures and documentation pre- requisite for issuance of "certificate of No Objection for Contract Award Sections 7, 8, and 10 of the PPA outlined the appointment of the Director General and other Bureau executives. Section 7(1) of the Act stipulates that the President must choose a Director General for the Bureau based on the Council's recommendation. (2013) (15)

The Bureau has continued to fulfill its obligations and exercise its jurisdiction without authorization from the NCPP. Therefore, all BPP actions and inactions are exceedingly contentious and polarizing. The activities of the BPP are subject to Council approval and are not legally binding. This is a clear case of non-compliance with the due process mechanism embedded in the PPA (2007).

2.5 Due Process Mechanism and Public Procurement

The BMPIU introduced the due process rules and procedures into the Nigerian public procurement system as a policy instrument to

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ensure strict adherence to the stated procedures or processes. Due Process is "a means for ensuring strict conformity with the openness, competition, and cost-accuracy standards and procedures that should govern contract awarding in the Nigerian Federal Government" (BMPIU, 2005 & Afemikhe, 2006). With the enactment of the PPA in 2007, the due process system became the legal and practical foundation for Nigerian public procurement process.

According to BMPIU (2005), Afemikhe (2006) and Moise (2020), the goal of the Due Process in Nigeria's Procurement Process is to assure strict compliance with the fundamental principles of procurement, such as openness, competition, economy, efficiency, and timeliness. The mechanism was intended to carry out statutory functions that the procurement system had previously ignored, such as regulating and setting standards to enforce harmonized bidding and tender documents; formulating general policies and guidelines on public sector procurement; and upholding professional ethics and reporting erring personnel.

The BMPIU claimed that the government saved a large amount of money since the due process system improved the quality of service delivery and the effectiveness of national budget implementation. However, this claim has been and continues to be questioned, especially in the light of the suspected corruption in the oil and electrical sectors under the authority of the Due Process Office (Gian, 2020; Achinike, 2021 & Dapel, 2021). It was also severely criticized by stakeholders for an excessive bureaucratic red tape and the accompanying unjustified delays in the life cycle of projects, the cost-effectiveness and timeliness of the service provided.

In Nigeria's procurement system, the due process mechanism assures strict compliance with the PPA 2007 stipulations and application of the key principles of public procurement. These would be accomplished by injecting the necessary fiscal discipline and sound economic principles to encourage transparency, accountability, and the restoration of public faith in governance through the elimination of historically exploitative behaviors (Fayomi, 2013).

The PPA provided that all steps of the procurement process be defined and permeated by due process, keeping in mind the fundamental principles of public procurement. These steps are i) procurement strategy/project planning, (ii) prequalification document preparation, and (iii) prequalification document review; (iv) prequalification requirements; (iii) advertising requirements (v) request for proposal/technical specifications (Financial Bid Process) (vi) opening of bids and winner determination (BPP, 2008). Clearly, the application of the fundamental principles of public procurement is closely linked to the due process mechanism. Moreover, Section 16(d) & (e) on the fundamental principles for public procurement are consistent with the universally lauded and acknowledged characteristics of a credible public procurement regime: economy, efficiency, fairness, dependability; transparency and accountability; and ethical standards. (Procurement Procedures (BPP, 2008).

Significance and Gap in Literature Review

A. Significance

Overall, the literature and research on the PPA (2007) and Nigeria's procurement system has concentrated exclusively on contract awarding at the detriment of all other areas of public procurement. Furthermore, the paucity of literature and research capturing bidders' and contractors' perspectives on the PPA (2007) makes this study extremely timely.

B. Literature Review Gap

2.6. Public Procurement Theoretical Foundations

The PPA (2007) is a public policy. It is a regulatory policy with the sole purpose of ensuring that due process is followed in Nigeria's procurement system. A significant void exists in the literature and research on PPA (2007) as a public policy. In the extant research on the issue, the theoretical underpinnings connecting the ideological implications of Nigeria's liberalization of public procurement procedures, as in the PPA, for national development have not received the attention they deserve. It is critical to conduct studies on the 'one size fits all' procurement procedures introduced by the World Bank and unilaterally implemented to developing nations regardless of context does not always yield the desired results. The requirement to consider context in terms of the availability and level of development of necessary supporting infrastructure and institutions cannot be over emphasized. It also exposes the procurement system to unrestricted competition between Nigerian and international economic interests, to Nigeria's detriment. The ramifications for the rise of indigenous technology, capital flight via MNC repatriation of cash, and unemployment are clear.

2.7 Procurement as a tool for National Development

The implementation of procurement, is project execution. The link between procurement and national development has received little attention. The influence of late budget approval, the life cycle of procurement to contract award within a defined timetable, and successful project execution has not been well documented in the literature and research on the subject. The use of public procurement rules to defend their domestic businesses, generate jobs, and drive economic growth has not been optimally highlighted in literature.

Government procurement should be carried out in a way that facilitates the achievement of the State's economic and social development policy goals, including but not limited to environmental protection, assistance to underdeveloped or ethnic minority regions, and promotion of small and medium-sized enterprises.

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2.8. Procurement takes place At the Crossroads of the Private and Public Sectors

In most situations, the participation of the private sector in the implementation of the PPA (2007) does not represent the actual situation since the private sector has been depicted as the victim. This may not be entirely factual due to allegations of private sector collusion with politicians and procuring bodies to skew the procurement process. This necessitates a study of the connection between the private sector and the procurement bodies in the PPA (2007) implementation.

2.9. Political Intervention

The current criticisms on political meddling in Nigeria's procurement system focus mostly on the NCPP's non-inauguration and the resulting implications. There is little extant literature and body of knowledge based on empirical investigations on the reason for the President's actions in terms of power relations and suggests strategies to resolve them. The lack of study on various types of political intervention in the procurement process that jeopardize the procurement process's integrity requires immediate attention. In light of the massive allocation to constituency projects in national budgets, cases such as the selection of contractors to carry out constituency projects attracted by members of the National Assembly should be investigated and documented.

2.10 Bidders and Contractors Perspectives on the PPA (2007)

Virtually most of the work done on this subject did not study the bidders/ contractors knowledge of the PPA (2007) and their perspectives on the absence of the NCPP on the procurement process. This gap informed the focus of the study on the perspectives of the bidders/ contractors on the impact of the absence of the NCPP on the public procurement system.

2.11 Theoretical Framework

Fischer (2006) (24) defines public policy as a political consensus on a path of action (or inaction) intended to fix or ameliorate problems on the political agenda, including economic, social, and environmental challenges. The PPA is a regulatory policy since it directs government procurement activities and inactions. Four Discourses on Public Policy Evaluation by Fischer identifies four significant discourses for policy evaluation. They include analytical technical discourse, contextual discourse, system discourse, and ideological discourse. These discourses, according to him, vary from specific empirical to abstract normative themes.

This study is, however, limited to the Technical Analytical discourse, which is the first-order evaluation that serves as its theoretical foundation. This study focuses on the institutional framework for carrying out public policy. It focuses on the PPA-established institutions, especially the NCPP and Bureau of Public Procurement (BPP), as well as their respective mandates, statutory powers, and responsibilities.

The questions below, in conjunction with Fischer's template, will aid in the application of the Technical Analytical discourse to the examination of the PPA (2007) and Due Process Mechanism from the contractors' perspectives.

- a. Did the Federal Government of Nigeria violate the PPA's Article on due process by refusing to establish the requisite institutional structure for public procurement?
- b. What are the repercussions of failing to establish the NCPP?
- c. Who is responsible for performing the NCPP's tasks in its absence?
- d. How will the takeover NCPP's legal authority impact due process mechanism and the application of the fundamental principles of public procurement? (Article 16 (1) - (20).

3.1 RESEARCH METHODOLOGY

The study's data came from both primary sources (a structured questionnaire with closed and open-ended questions) and secondary sources - books, journals, the procurement documents and legislation of other nations, World Bank, OECD, and EU Working Papers, and a structured questionnaire with closed and open-ended questions.

The study's population consisted of South East Zone contractors who had engaged in the Federal Government's public procurement under any MDA. The location of the research subjects was the Anambra Imo River Basin Development Authority (AIRBDA), Owerri, Imo State, which was not under investigation. Since the Agency's operations span five states of the South East Zone, the study relied on the attendance records of bidders who pre-qualified, got forms for financial bids, and attended the bid opening sessions of Anambra Imo River Development Authority. The research population comprised 205 contractors for small-scale construction projects.

In this study, a multiple- stage sampling strategy was implemented. To ascertain the location of the subjects, a technique of judgmental sampling was utilized. Anambra Imo River Development Authority Owerri, was chosen since its operations covered the entire Southeast. Subsequently, a random sampling technique was utilized to choose a sample of contractors. According to Research Advisors (2006) (25), the optimal sample size for a population of 205, with a confidence level of 90% and a Margin Error (degree of accuracy) of 0.05, is 117, which corresponds to 57% of the investigated population. This sample size was deemed sufficient because it greatly exceeds Gay & Diehl's (1992) (26) recommendation that 10% of a large population is a minimum sample size, whereas 20% may be required for smaller populations. Nwana (1981) (27) concurs, noting, "There is no definite proportion for selecting a representative sample; if the population is a few hundred, a sample of 40 percent or more will suffice."

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A sample of 117 contractors from the Anambra Imo River Basin Development Authority (AIRBDA) in Owerri, Imo State, Nigeria, was taken at random and in no particular order. All bidders and contractors from various Federal Government agencies engaged in AIRBDA's public procurement activities, as previously announced. The sample consisted of only contractors who tendered and executed modest projects priced at N5, 000, 000 and above.

For data analysis, descriptive and inferential statistics were employed. This requires using simple percentages presented in tables, the mean, standard deviation, and Chi square. Also utilized was the Statistical Package for the Social Sciences (SPSS).

3.2 Techniques for Data Analysis: 117 questionnaires were distributed to bidders and contractors during the 2018 fiscal year, sixty percent (60%) of them were returned.

Research Questions

1. Has the NCPP been constituted?
2. Has the NCPP performed its duties as in the PPA (2007) creditably?
3. Who performed the duties of the NCPP in its absence
4. Did the absence of the NCPP affect the enforcement of the due process mechanism in the procurement process?
5. Was the BPP constituted in accordance with the PPA

Table 1. Data Presentation and Analysis

S/N	INSTITUTIONS OF THE PPA	SA	A	UD	D	SDA	Mean±SD	Remarks
1	The National Council Of Public Procurement (NCPP) has been constituted and inaugurated according to the provisions of the Public Procurement Act (2007).	15 21.4%	39 55.7%	10 14.3%	5 7.1%	1 1.4%	3.89±0.82	Agreed
2	The NCPP discharges its statutory functions creditably.	5 7.8%	24 37.5%	26 40.6%	7 10.9%	2 3	3.34±0.91	Agreed
3	The NCPP determines the monetary and prior review thresholds as in the PPA	5 7.9%	26 41.3%	25 39.7%	7 11.1%	0 0%	3.46±0.80	Agreed
4	The NCPP recommends to the President The Director General and other principal officers of the Bureau of Public Procurement(BPP) for appointment in accordance with the PPA	9 15.0%	25 41.7%	20 33.3%	6 10.0%	0 0%	3.62±0.87	Agreed
5	The NCPP makes all public procurement policies, decisions and supervises the BPP.	10 16.1%	27 43.6%	20 32.3%	5 8.1%	0 0%	3.68±0.85	Agreed

Source: Compiled from Fieldwork 2018

Table 1.1- 1.5 Bidders and Contractors Perspectives on the National Council on Public Procurement (NCPP)

The answers to the Research Questions were derived from responses to questions on Tables 1.1- 1.5.

Table 1.1 shows the responses on the Institutions of Public Procurement Act by the Contractors. 21.4% and 55.7% strongly agree and agree respectively that the National Council of Public Procurement (NCPP) had been constituted and inaugurated according to the provisions of the Public Procurement Act (2007). Only 1.4% were undecided while 8.5% disagreed. The mean response was 3.89 and Standard Deviation =0.89 The implication is that bidders and contractors agreed that the NCPP has been constituted. This means that they lack fundamental understanding of the governance of public procurement in Nigeria, particularly in terms of institutions vested with the responsibilities of maintaining standards and providing level playing grounds.

To buttress, 45.3% of respondents agreed that the NCPP discharges its statutory functions creditably. 40.6% were undecided while 14% disagreed. The mean response was 3.34.

About 49% subscribe to the proposition that the NCPP determines the monetary and prior review thresholds as in the PPA, 39.7% were undecided while 11% disagreed. The mean response was 3.46. (Table 1.3)

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Accordingly, 56.7% agree that the NCPP recommends to the President the Director General and other principal officers of the Bureau of Public Procurement (BPP) for appointment in accordance with the PPA (2007) while 10% disagree and 33% were undecided. The mean response was 362 (Table 1.4)

The responses to the proposition that the NCPP makes all public procurement policies and supervises the BPP were 16% and 43.5% strongly agree and agree respectively, while 32.3% were undecided and 8% disagree. The mean response was 3.68. (Table 1.5)

Responses on Table 1 show that the refusal of the Federal Government of Nigeria to constitute the institutions (NCPP & BPP) established by the PPA (2007) in accordance with its provisions had not affected the enforcement of the due process mechanism in the public procurement process. However, Table 1.12 disagreed that the BPP handles complaints from the bidders objectively. This queries the integrity of the complaints procedure.

PPDC (2011) (29) notes that not constituting the Council means that the federal government alone is regulating public procurement contrary to the intent of the Act. However, as previously indicated the NCPP is intended to be the overall supervisory body, superintending the BPP, albeit not the day-to-day operations, which in turn supervises the procurement activities of the MDAs. Unfortunately, the NCPP had not been constituted and in effect, does not exist. So many reasons have been adduced for and against the refusal of the federal government to establish the NCPP. Some of the reasons are: i) lack of political will to part with roles in procurement by the executive branch, (ii) possibility of the Council becoming corrupt when set up, (iii) corruption associated with benefits and powers accruing from controlling public procurement, (iv) use of contract awards for political patronage, and (v) lack of desire for rigorous due process in procurement (PPDC, 2011) (30).

The above reasons by the PPDC were very significant barriers impeding the inauguration of the NCPP and are still relevant now. This raises the question of who approves the policies made by the BPP. It is obvious that it is not clear who performs the duties of the NCPP in its absence. There are speculations that the Executive Council, the President and even SGF supervise the BPP and perform other functions of the NCPP. This implies that in practice; policy making functions that ought to be performed by the NCPP are currently being performed by the BPP, Secretary to Government of the Federation (SGF) and the Federal Executive; the directives in form of procurement policies from the Office of the SGF are indications that the policy making function of the NCPP has been usurped by it.

There are also many other policies that have emanated from the Office of the Secretary to the Government of the Federation that points to the fact that the SGF superintends the BPP. For instance, the PPA mandates the NCPP to approve the thresholds but does not empower the NCPP as approving authority for contracts. However the BPP exercising its powers of policy making but contrary to the Provisions of the PPA conferred the authority to approve contracts beyond the thresholds of the Ministerial Tender Board on the NCPP. (App.11). This has conferred enormous powers over the award of contracts, powers that have resulted to executive meddlesomeness in the award of contracts.. The contention is that if the elected political office holders determine policy which dictate contracts to be awarded, approve or award contracts themselves and also provide oversight to the process, it creates more room for decisions to be successfully skewed for personal interest...if and when anything goes wrong in the process the same political office holder who has taken the policy decision, awarded the contract, overseen implementation, will also be the one administratively ensure accountability, in which case such involvement by the political office holder will diminish the in-house opportunity to provide administrative checks and balances. Ekekwuo (2012).

The Study conducted by the PPDC in 2011 concluded that, "what emerges clearly and without dispute is even a greater appearance of political interference in procurement policy formulation and regulation which the reform had intended to avoid. This act is in contravention of the PPA, the due process mechanism and undue political interference in the process. This and other incursions by the executive have been abused and are for the allegations of manipulations of the procurement process and other functions remain unperformed, leading to gaps in the procurement system. Williams- Elegbe (2012)(32).

Also it is necessary to note the implications of non-constitution of the NCPP by the the President, this fact informed Onyekpere's assertion that in law the actions that were supposed to be taken by Council because of the absence of the Council, usurped by another body are illegal and ultra vires the bodies that took the act Essentially it provides a chain reaction for open and consistent violation of the letters and spirit of the PPA.(Onyekpere, 2010.19). The other institution created by the PPA (2007) is the BPP; it is the Secretariat of the NCPP. It has a corporate personality and also its statutory functions are the implementation of the PPA under the supervision of the NCPP. According to Section 7(1) of the PPA, "there shall be for the Bureau, a Director General, principal officers appointed by the President, on the recommendation of the Council after competitive selections".

In furtherance of the inquiry on the institutions created by the PPA and the performance of their statutory functions in accordance with its provisions the propositions on Tables 2:1 -2:9 were presented to the respondents. Their responses were as in Tables 2:1 – 2:9

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Table 2.

S/N	INSTITUTIONS OF THE PPA	SA	A	UD	D	SDA	Mean±SD	Remarks
1	The BPP was established in accordance with the provisions of the Act	9 14.3%	35 55.6%	14 22.1%	5 7.9%	0 0%	3.77±0.80	Agreed
2	The Director General of the BPP was appointed in accordance with the provisions of the Act	5 7.5%	33 49.3%	22 32.8%	6 9.0%	1 1.5%	3.52±0.82	Agreed
3	The BPP organizes seminars to create awareness publicize and explain the Act	9 13.2%	25 36.8%	23 33.8%	10 14.7%	1 1.5%	3.50±0.95	Agree
4	I have attended some of the sensitization programmes of the BPP	7 10.5%	27 40.3%	16 23.9%	15 22.4%	2 3.0%	3.33±1.04	Agreed
5	The BPP formulates procurement guidelines, policies and implementation guidelines.	8 11.9%	48 71.6%	11 16.4%	-	-	3.81±0.63	Agreed
6	The BPP performs its statutory functions creditably.	4 6.2%	24 36.9%	23 35.4%	11 16.9%	1 1.5%	3.30±0.89	Agreed
7	The BPP Handles complaints from bidders objectively	3 4.6%	16 24.2%	23 34.8%	21 31.8%	3 4.6%	2.92±0.97	Disagreed
8	The BPP Disciplines accounting officers, the tenders' boards and other personnel of an erring procuring entity	5 7.4%	16 23.5%	35 51.5%	8 11.8%	4 5.9%	3.15±0.93	Agreed
9	The BPP sanctions indicted contractors and bidders.	4 5.7%	31 44.3%	27 38.2%	7 10.0%	1 1.4%	3.43±0.81	Agreed

Table 2.1 - 2:9 Bidders and Contractors Perspectives on the BPP and the Due Process mechanism

69.9% agreed that the BPP was established in accordance with the articles of the PPA, 22.1% were undecided while 0% disagreed. (Table 2.1). The respondents were of the opinion that the DG of the BPP was appointed in accordance with the provisions of the Act (56.8%), while (32.8%) were undecided and 10.5% disagreed. (Table 2.2).

The responses reveal that the bidders and contractors (50%) agree that the BPP organizes seminars to create awareness, publicize and explain the Act. However, 33.8% were undecided on the same proposition. This creates the impression that the PPA is not widely publicized; especially the respondents were not aware of or had not studied the PPA. This situation most probably account for the ignorance and confusion exhibited by the respondents to the questionnaire. (Table 2.3).

Concurring with the responses on Table 2.4, the respondents (50.8%) agreed that they had attended some of the sensitization programmes of the BPP. It is important to note that almost half (46.3%) of the respondents were either undecided or disagreed with the proposition. These uncertain/negative response percentages were relatively high and further explained the lack of in-depth knowledge of the PPA exhibited by the respondents. It is obvious that the issue of capacity building for procurement practitioners is at the moment and to a large extent concentrated on the procurement officers. The apparent lack of knowledge of the respondents on their obligation and their rights in the public procurement process and the PPA regime has adversely affected their input to the realization of the objectives of the PPA.

The BPP formulates procurement guidelines, policies and implementation guidelines with 83.5%. (Table 2.5) this is evidenced by the publications and policies of the BPP.

Ironically, only 43.1% of the respondents were of the view that the BPP performs its statutory functions creditably. (Table 2.6) 28.8% of the respondents agreed that the BPP handles complaints from the bidders objectively, 34.8% were undecided while 36.4% disagreed entirely with the proposition with a standard deviation of 0.97 and mean of 2.92. This pattern of response (Table 2.7) contradicts the foregoing and registers uncertainty of the respondents about the implementation of the PPA and the role of the BPP in this regard.

The responses in Tables 2.8 and 2.9 on the discipline of the accounting officers, tenders' boards, and other personnel of erring procuring entity and the BPP sanctions indicted contractors and bidders reveal that 30.9% agreed, 51.5% were undecided and 17.7% disagreed while in contrast, 50% agreed, 38.2% were neutral and 11.4% disagreed respectively.

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Statement of hypothesis in a null form

H0₁: The absence of the NCPP has adverse effects on the due process Mechanism in the public procurement system of Nigeria.

Decision criteria: Accept the null hypothesis if the probability value of chi-sq value is not less than 5% level of significance, otherwise reject the null hypothesis.

Table 3. Chi- Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	20.000 ^a	16	.220
Likelihood Ratio	16.094	16	.446
Linear-by-Linear Association	3.974	1	.046
N of Valid Cases	5		

a. 25 cells (100.0%) have expected count less than 5. The minimum expected count is .20.

The study applied asymptotic sig. two tailed chi- square test where the result of the pearson chi-square and likelihood ratio are 0.220 and 0.446 respectively. Based on our decision criteria, the null hypothesis is not accepted since the linear by linear association value (0.046) of chi-square is less than 5% level of significance as indicated in Table 3 above. The study therefore conclude that the absence of the NCPP has adverse effects on the due process Mechanism in the public procurement system of Nigeria.

Statement of Hypothesis two in null form

H0₂: The establishment and operations of the BPP are ultra vires to the Due process mechanism and the PPA

Decision criteria: Accept the null hypothesis if the probability value of chi-sq is not less than 5% level of significance, otherwise reject the null hypothesis.

Table 4. Chi-Square Tests

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	20.000 ^a	16	.220
Likelihood Ratio	16.094	16	.446
Linear-by-Linear Association	3.820	1	.051
N of Valid Cases	5		

a. 25 cells (100.0%) have expected count less than 5. The minimum expected count is .20.

The study applied asymptotic sig. two tailed chi- square test where the result of the pearson chi-square and likelihood ratio are 0.220 and 0.446 respectively. Based on our decision criteria, the null hypothesis is not accepted since the linear by linear association value (0.051) of chi-square is less than 5% level of significance as indicated in Table 4 above. The study therefore conclude that the establishment and operations of the BPP are ultra vires to Due process mechanism and the PPA

Table 5. The Response Table

Response	Ofo	Ofi	Ofo-Ofi	(Ofo-Ofi) ²	$\frac{(Ofo-Ofi)^2}{Ofi}$
Strongly Agree	15	14	1	1	0.07
Agree	39	14	25	625	44.64
Undecided	10	14	-4	16	1.14
Strongly Disagree	1	14	-13	169	169
Disagree	5	14	-9	81	5.79
Total	70				X ² =63.71

Source: Compiled from Field Work (2018)

Assumed level of significance 0.05

Degree of freedom (df) = total categories of responses minus 1 (N-1) = 5-1=4

Therefore, df = 4 @ 0.05, df = 4 = 9.488

Thus, the calculated chi square value is 63.71 and the tabulated value is 9.488.

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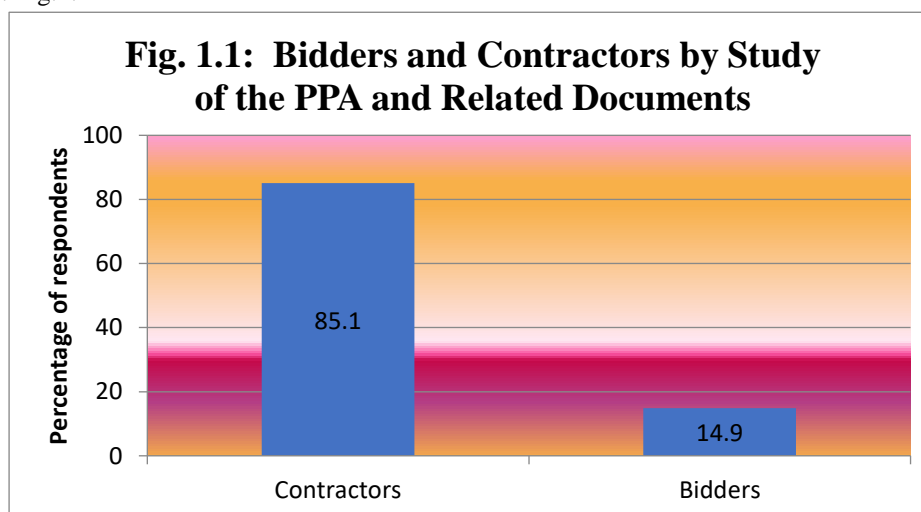
Decision: Since the calculated chi square value is greater than the tabulated or critical value, we reject the Null Hypothesis (Ho). Therefore; the refusal of the Federal Government of Nigeria to constitute the institution established by the PPA (2007) in accordance with its provisions has not affected the enforcement of the due process mechanism in Nigeria's public procurement system.

This decision contradicts the prevailing situation with the implementation of the PPA. This response pattern issued from the fact that most of the respondents were completely unaware of the fact that the NCPP had not been constituted and that the BPP was not constituted in accordance with the provisions of the PPA (2007). In effect, most of the duties currently performed by the BPP are in contravention of the Articles of the PPA and therefore not in tandem with the due process mechanism.

3.4 Analysis and Interpretation of the Bidders and Contractors Responses on the Institutions of the PPA and the Due Process Mechanism

The respondents in this study were categorized according to the value of contracts they had participated in the bidding processes of various federal government establishments within the South East Zone of Nigeria, whether they were successful or not. As indicated earlier; the location of the sample was AIRBDA. The respondents had participated in the public procurement process of other Federal Government of Nigeria within the South East zone.

The responses on Fig.1.1 show that majority (85.1%) of the Contractors had studied the PPA (2007) while only (14.9%) of the bidders had. This response pattern implied that most of the contractors had a good knowledge of the PPA (2007). However these claims were contradicted by the responses to the propositions that revealed that most of respondents did not possess the rudimentary and prerequisite knowledge on the PPA as claimed. This is evidenced by the fact that there were no differences between the response patterns of the contractors that claimed that they had studied the PPA from those of the Bidders with only 15% that had studied the Act. Fig.1.1



In effect, the presumption that the response patterns of those that had not had a successful bid would be different was faulted by the uniformity of the responses from the two groups. This and other contending issues further justified the decision to analyze the responses from the two groups together. Responses on Table 1.1 point to the fact that the NCPP had been constituted and inaugurated with 87.1% affirmative, 8.5% negative with 3.89 mean responses and standard deviation 0.82. Consequent upon the above; the lack of knowledge of our subjects of the PPA was further exhibited in their responses Tables 1.3 – 1.5 that were all positive and implied that they strongly agreed and agreed to the propositions that:

- The NCPP determines the monetary and prior review thresholds as in (Table 1.3)
- The NCPP recommends to the President, the Director General and other principal officers. of the BPP for appointment in accordance with the PPA (Table 1.4)
- The NCPP makes all public procurement policies, decisions and supervises the BPP. (Table 1.5).
- The BPP was established in accordance with the provisions of the Act (Table 1.6)
- The Director General of the BPP was appointed in accordance with the Act. (Table 1.7)

The responses to our proposition completely contradict the prevailing situation with the PPA because it is impossible for the NCPP that has not been established to perform its statutory functions as derived from the positive responses to the propositions presented above. (Table 1). The pertinent questions that issued from the responses above were, in the absence of the NCPP:

- who determines the monetary and prior review thresholds?
- Who recommends to the President, the Director General and other principal officers of the BPP for appointment?
- Who makes and approves policies that guide the BPP in its operations.

These inconsistencies in the response patterns made it obvious that the respondents were either not objective or did not possess the requisite knowledge on the PPA.

Assumed level of significance 0.05

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Degree of freedom (df) = total categories of responses minus 1 (N-1) = 5-1=4

Therefore, df = 4 @ 0.05, df = 4 = 9.488

Thus, the calculated chi square value is 63.71 and the tabulated value is 9.488.

Decision: Since the calculated chi square value is greater than the tabulated or critical value, we reject the Null Hypothesis (Ho). Therefore; the refusal of the Federal Government of Nigeria to constitute the institution established by the PPA (2007) in accordance with its provisions has not affected the enforcement of the due process mechanism in Nigeria's public procurement system.

This decision contradicts the prevailing situation with the implementation of the PPA. This response pattern issued from the fact that most of the respondents were completely unaware of the fact that the NCPP had not been constituted and that the BPP was not constituted in accordance with the provisions of the PPA (2007). In effect, most of the duties currently performed by the BPP are in contravention of the Articles of the PPA and therefore not in tandem with the due process mechanism.

3.5 Analysis and Interpretation of the Bidders and Contractors Responses on the Institutions of the PPA and the Due Process Mechanism

Decision Rule: For the purpose of the analysis and interpretation of the data hereby presented; the mean response of 3 and above were classified as "Agree" with the proposition while less than 3.00 were classified as "disagree".

The responses on Table 1:1 show that the majority (85.1%) of the Contractors had studied the PPA (2007) while only (14.9%) of the bidders had. This response pattern implied that most of the contractors had a good knowledge of the PPA (2007). However these claims were contradicted by the responses to the propositions that revealed that most of respondents did not possess the rudimentary and prerequisite knowledge on the PPA as claimed. This is evidenced by the fact that there were no differences between the response pattern of the contractors that claimed that they had studied the PPA from those of the Bidders with only 15% that had studied the Act (Fig.1). In effect, the presumption that the response patterns of those that had not had a successful bid would be different was faulted by the uniformity of the responses from the two groups. This and other contending issues further justified the decision to analyze the responses from the two groups together.

Responses on Table 1.1 point to the fact that the NCPP had been constituted and inaugurated with 87.1% affirmative, 8.5% negative with 3.89 mean responses and standard deviation 0.82. Consequent upon the above; the lack of knowledge of our subjects of the PPA was further exhibited in their responses Tables 1.3 – 1.5 that were all positive and implied that they strongly agreed and agreed to the propositions that:

- a. The NCPP determines the monetary and prior review thresholds as in (Table 1.3)
- b. The NCPP recommends to the President, the Director General and other principal officers .of the BPP for appointment in accordance with the PPA (Table 1.4)
- c. The NCPP makes all public procurement policies, decisions and supervises the BPP. (Table 1.5).
- d. The BPP was established in accordance with the provisions of the Act (Table 2.1)
- e. The Director General of the BPP was appointed in accordance with the Act. (Table 2.2)

The responses to our propositions completely contradict the prevailing situation with the PPA because it is impossible for the NCPP that has not been established to perform its statutory functions as derived from the positive responses to the propositions presented above. (Table 1). The pertinent questions that issued from the responses above were, in the absence of the NCPP:

- a. Who determines the monetary and prior review thresholds?
- b. Who recommends to the President, the Director General and other principle officers of the BPP for appointment?
- c. Who makes and approves policies that guide the BPP in its operations

4.1 FINDINGS OF THE STUDY

1. There were no differences on the perspectives of the bidders and contractors on the subject matter.
2. Contrary to their claims, the bidders and contractors do not possess requisite knowledge on the PPA(2007) and related laws in view of their response to the proposals on the NCPP and BPP they claimed have been established and constituted in accordance with Sections 1,2 and 4 of the PPA.
3. The NCPP has not been constituted by the Federal Government.
4. The BPP has been established, performs its statutory functions and some duties of the NCPP in contravention of the PPA (2007).
5. The Director General (DG) BPP was and still not appointed in accordance with the provisions of the PPA (2007). The elements of competition, transparency and due process that are critical to the procurement reforms process were compromised in the process with attendant adverse consequences for the implementation of the PPA.
6. The powers of the NCPP have been usurped by the Presidency, the Federal Executive Council (FEC), Secretary to the Government of the Federation (SGF) and the Head of Service of the Federation and others in contravention of the PPA. The legality of the actions taken by these usurping authorities had been continually queried.

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4.2 CONCLUSION

The PPA created legal, institutional, and regulatory institutions. These due process-driven institutions were required to build a transparent, competitive, efficient, cost-effective, value-for-money, and equitable public procurement system. Although some institutions, such as the BPP and procurement structures within MDAs, have been established and the DG, BPP, has been appointed albeit not in line with the provisions of the PPA (2007); the Federal Government of Nigeria's refusal to establish the NCPP and appoint the DG, BPP based on the NCPP's recommendation to the President poses significant challenges to Nigeria's public procurement system.

In the absence of the NCPP, the Federal Executive Council, Office of the Secretary to the Government, and the BPP have assumed the NCPP's responsibilities and activities. These illegalities call into question the actions of all of these usurping institutions. The Federal Government of Nigeria's refusal to establish and constitute the NCPP, as well as appoint the DG and key officers of the BPP in accordance with the PPA, has violated the due process mechanism in Nigeria's public procurement system; even though the bidders and contractors responses are contradictory. This fact exposes the dearth of their knowledge of the PPA and this warrants intense sensitization on the PPA by the BPP.

Also, the involvement of the FEC, Ministers, National Assembly members, and MDA Boards in MDA procurement procedures raises the issue of political intervention in public procurement, which the CPAR severely condemned. Despite Nigeria's legislative, institutional, and regulatory frameworks for public procurement, challenges of transparency, efficiency, value for money, equity, effectiveness, and due process persist. Bidders, contractors, the government and its agencies, public procurement practitioners, and other stakeholders are able to influence, distort, and corrupt the public procurement process at all levels as a result of these factors. This situation also indicates that incorporating the due process mechanism into the PPA (2007) did not overcome implementation concerns. As a result, the CPAR and Nigeria's procurement reforms have not fully attained global best practices in public procurement.

Finally, noncompliance with the articles of the PPA demonstrates that in order to sustain procurement reforms, produce effective and sustainable results, and provide value for money, all stakeholders must demand compliance. This may be accomplished by increased awareness of the PPA and Nigerians' commitment to the due process mechanisms embedded in the PPA at all stages of the procurement process.

4.3 RECOMMENDATIONS

Given the ongoing issues highlighted by the study's findings, the following suggestions are made as feasible solutions to ensure that the due process mechanism guides the PPA's implementation (2007).

- ❖ For optimal performance, the institutions established by the PPA (NCPP) should be founded, constituted (BPP), immediately, and the conditions for effective and efficient fulfilment of its functions as outlined in Sections (1) and (2) of the PPA should be put in place in line with repeated demands of the National Assembly and civil society organizations.(Placng,2020 &HEDA,2023). These include establishing norms and guidelines for the BPP's operations, tasks, and obligations in order to confine its operations to those specified in the Act.
- ❖ The Presidency, the Executive Council, the Ministers, the Secretary to the Government of the Federation, the BPP, and others should immediately cease performing NCPP functions.
- ❖ As indicated in Section 7, the DG, BPP, and other important officials shall be chosen through a competitive procedure and on the suggestion of the NCPP. The method for appointing the DG, BPP, and tenure, in particular, must be followed by the government. This will remove the clear control that the DG, BPP has over the appointment process. The emotion of "thanks to the benefactor" has a negative impact on the public procurement system.
- ❖ In addition, the DG, BPP's indefinite tenure should be ended, and the process of selecting a new DG, BPP should begin.
- ❖ Sections 5 and 6 of the PPA (2007) must direct the DG, BPP in the fulfilment of his functions and the exercise of his powers, respectively.
- ❖ The BPP's standing as a corporate organization of the Federal Government of Nigeria should be ensured. This will protect the BPP's normal activities from outside influence. It would prevent political influence in the public procurement process by the Presidency, Executive Council of the Federation, SGF, Ministers, and members of the Boards of Directors of the MDAs, which is accountable for overt manipulation of the process in violation of the due process system.
- ❖ The BPP's tasks include promoting and interpreting the requirements of this Act (Sec.5b). The critical importance of improving this function's performance cannot be overstated.
- ❖ In view of its importance as a public policy that affects budget execution, the PPA should be distributed disseminated to the broader public to raise awareness. Raising public knowledge of the PPA will allow the public to question its violation and pressure stakeholders to comply with the PPA's articles, unwittingly incorporating the due process mechanism into the process. As a result, it becomes an embedded system that operates only by compliance

REFERENCES

- 1) Achinike, C.B. (2020). The Halliburton bribery scandal. Retrieved from <https://www.mondaq.com/nigeria/white-color-crime-anti-corruption-1130238>
- 2) Afemikhe, S. (2006). The due process mechanism and the management of public resources: Private sector perspective. A paper delivered at the National Training Workshop on Economic Reforms and the management of Public Resources.
- 3) Akisole, A. (2012, March 1). Procurement act: Coalition flays alleged violations. Thisday.
- 4) Ameyaw, C., Mensah, S. & Osei-Tutu, E. (2012). Public procurement in Ghana: The implementation challenges to the Procurement Law 2003 (Act 663). *International Journal of Construction Supply Chain Management*, 2(2), 61.
- 5) Awom, U. (2012). FRSC public procurement: As Senate wields the big axe. Retrieved from <http://www.nigeriaa2z.com/2012/03/04frsc-public-procurement-act-as> on August 13, 2022.
- 6) Bawole, J. N. & Adjei-Bamfo, P. (2022). Public procurement for public financial management in Africa: Agency theory lenses. In A. Farazmand (Eds), *Global Encyclopedia of Public Administration, Public Policy, and Governance*. Springer, Cham. https://doi.org/10.1007/978-3-030-66252-3_3860
- 7) Bureau of Public Procurement (2008). *Procurement procedures manual for public procurement in Nigeria*. Abuja: BPP.
- 8) Dapel, Z. (2021, September 9). Corruption is Nigeria's power sector demon. *The Guardian*. Retrieved from <https://guardian/opinion/corruption-is-Nigeria's-power-sector-demon>
- 9) Ekekwo, C.C. (2012). *Pathway for an improved procurement law in Nigeria*. Abuja: Veritable Silver Prints.
- 10) Fayomi, I. O. (2013). Public procurement and due process policy in Nigeria: Thrust, process and challenges. *Peak Journal of Social Science and Humanities*.
- 11) Federal Government of Nigeria (2007). *Public Procurement Act*. Lagos: Federal Government Printer.
- 12) Fischer, F. (2006). *Evaluating public policy*. USA: Thompson: Wadsworth Peterson.
- 13) Gay, L.R. & Diehl, P.L. (1992). *Research methods for business and management*. New York: Macmillan.
- 14) Gian Marco Moise (2020). Corruption in the oil sector: A systematic review and critique of literature. *The Extractive Industries and Society*, 8(2020), 217-236.
- 15) Jacob, O.A. (2010). *Procurement law in Nigeria: Challenges for the attainment of its objectives*. Oxford: Oxford University Press.
- 16) Nigeria Country Department: African Region (2000). *Nigeria Country Procurement Assessment Report, Volume I. Summary of Findings and Recommendations*.
- 17) Nwana, O.C. (1981). *Introduction to education research for student teachers*. Ibadan. Heinemann Educational Books.
- 18) Odhiambo, W. & Kamau, P. (2003). *Public procurement: Lessons from Kenya, Tanzania and Uganda*. OECD Development Centre Working Paper No. 208
- 19) OGC. (n.d.). *Government procurement code of good practice for customers and suppliers*. United Kingdom Code of Good Practice for Customers and Suppliers. Retrieved from www.ogc.gov.uk on Jan 24, 2022.
- 20) Onyekpere, E. (2010). *Diagnostics on the implementation of the Public Procurement Act*. Abuja: LASEC Consulting Ltd.
- 21) Research Advisors (2006). *Sample size table*. <https://www.research-advisors.com>
- 22) The Budget Monitoring and Price Intelligence Unit (BMPIU) (2001).
- 23) Williams -Elegbe Sope (2012). The reform and regulation of public procurement in Nigeria. *Public Contract Law Journal*, 41(2) (Winter 2012), 339-366.



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