



INFLUENCE OF SELECTION PROCEDURES ON COMPLIANCE WITH ACCESS TO GOVERNMENT PROCUREMENT OPPORTUNITIES (AGPO) REGULATIONS FOR SPECIAL GROUPS BY PUBLIC UNIVERSITIES IN KENYA

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Abstract

Public procurement has become an issue of public attention and debate. It has been subjected to reforms, restructuring, rules and regulations. Despite statutory provisions and internal controls, public sector institutions have not fully complied with AGPO regulations for special groups. Millions of shillings are wasted due to non compliance. Little is known on influence of selection procedure on compliance with AGPO regulations. This study sought to analyze influence of selection procedure on compliance with AGPO regulations for special groups by Public Universities in Kenya. This study used a mixed research design as it allowed the researcher to use both quantitative and qualitative research methods. The target population consisted of supply chain officers in all public universities in Kenya. The sample size for this study was therefore 62 respondents from all the public universities. Data was collected using two instruments; a semi-structured questionnaire and an interview guide. The questionnaires were self-administered. Quantitative data was analyzed using descriptive and inferential statistics. The Statistical Packages for Social Sciences (IBM SPSS Statistics 20) was used to aid in data analysis. Quantitative data analysis results were presented in tables and charts. Qualitative data was analyzed using content analysis. Results of qualitative data analysis were presented in descriptive narrative form. The results also show that selection procedures positively contributed to level of compliance with AGPO regulations. This study recommends that public procurement entities should have elaborate selection procedures to ensure that there is a higher level compliance with AGPO regulations.

Key Words: Selection Procedure and Level Of Compliance with AGPO

1.0 Introduction

Worldwide, public procurement has become an issue of public attention and debate, and has been subjected to reforms, restructuring, rules and regulations. Public procurement refers to the acquisition of goods, services and works by a procuring entity using public funds (World Bank, 1995). According to Roodhooft and Abbeele (2006), public bodies have always been big

purchasers, dealing with huge budgets. Mahmood (2010) also reiterated that public procurement represents 18.42% of the world GDP. Public procurement has its origins in the fiduciary obligation of government administrations to deliver goods, infrastructure and services to the population of a country or a specific geographic region, city or town (Odhiambo & Kamau, 2003). According to the World Bank (2006) a Public procurement system is said to be well functioning if it achieves the objectives of transparency, competition, economy, fairness and accountability. Onsongo, Okioga, Otieno and Mongare (2012) have defined public procurement as the purchase of commodities and contracting of construction works and services if such acquisition is effected with resources from state budgets, local authority budgets, state funds, domestic loans or foreign loans guaranteed by the state, foreign aid as well as revenue received from the economic activity of the state. Public procurement refers to the government activity of purchasing the goods and services needed to perform its functions (Arrowsmith, 2010). The procurement management requirements normally include quality, timeliness, cost, maximizing competition and maintaining integrity. The procurement policy requirements normally include economic goals for example preferring domestic or local firms, environmental protection or green procurement social goals which include assisting the minority, youth and women owned business concerns and international trade agreements. The prime objective of the rules and procedures of the public procurement regime are to achieve value for public money in the award of public contracts by use of an open, non – discriminatory and fair competitive process. Public procurement is an important function of government (Thai, 2001).

The Public Procurement Directorate under the Ministry of Finance is in charge of the AGPO initiative. The Cabinet Secretary for the National Treasury published the Public Procurement (Preference & Reservations) (Amendment) Regulations 2013. The objective of these regulations is to accord the youth and other disadvantaged groups in Kenya preference in the supply of goods and services to the government. This is in line with one of the key promises of the government to give the youth, persons with disability (PWD) and women at least 30% of all supply contracts in public procurement. The significance of these regulations is that the National Treasury and all the Treasuries in the 47 County governments shall be required to register and maintain a database for all Small or Micro-Enterprises (SME) or disadvantaged groups that wish to participate in public procurement (Wanderi, 2014).

The regulations also make it possible for procuring entities to divide supplies in lots of goods, works and services into practicable quantities which the youth SMEs and other disadvantaged groups can afford. A new Regulation enjoins the National, County governments and other agencies of government to allocate at least 30% of their procurement to the youth, SMEs and other disadvantaged groups. To enhance compliance with this regulation these procuring entities will now be required to make budgets, issue tender notices and award contracts with at least 30% participation by the youth, SMEs and other disadvantaged groups. They will also be required to submit quarterly reports to the Public Procurement Oversight Authority for compliance audits (Zadawa, Hussin & Osmadi, 2015).

The Access to Government Procurement Opportunity Program is an affirmative action aimed at empowering youth, women and persons with disability-owned enterprises by giving them more opportunities to do business with Government (Gatere & Shale, 2014). It was introduced by government to facilitate the youth, women and persons with disability-owned enterprises to participate in government procurement (Government of Uganda, 2013). A Presidential Directive

was issued that 30% of government procurement opportunities be set aside specifically for enterprises owned by youths, women and people with disabilities. Government tenders amount to billions each year hence it is a great opening for the Youth, Women and Persons with Disability. In 2013, procurement rules were amended to allow 30 percent of contracts to be given to the youth, women and persons with disability without competition from established firms (Gatere & Shale, 2014). Ngeno, Namusonge and Nteere (2014) investigated the effects of discriminatory public procurement practices on organizational performance in public sector. This study sought to evaluate the effect of reservation practices on the performance of State Corporations in Kenya. The findings of the study revealed that a combination of preservation practices and preferencing practices led to high variations in State Corporations performance. Public procurement opportunities reservations and preferences positively influenced the performance of State Corporations in Kenya.

1.2 Statement of the Problem

The regulations provide that a procuring entity shall allocate at least thirty percent of its procurement spend for the purposes of procuring goods, works and services from youth, women and persons with disability owned enterprises. Well-defined selection criteria allow suppliers to produce a response that is appropriately aligned with the requirements and the value of the contract. According to Mulwa, Kalai and Migosi (2013) selection criteria that Allows an appropriate timeframe for responses elicits higher quality responses and allows suppliers to include more intricate details of their bid to improve the evaluation and selection process and provides a better outcome. Compliance with AGPO in manufacturing companies in countries such as Japan is influenced by situations such as new product development, modifications to a set of existing suppliers due to a bad performance, the end of a contract, expansion to different markets, current suppliers' capacity is not sufficient to satisfy increases in demand that triggers the need for supplier selection (Monczka *et al.*, 2005). However, the set of criteria to be selected prominently depends on the organization's objectives and the type of industry in which the organization competes. The current study seek to determine the extent to which selection procedures has a significant influence on compliance with Access to Government Procurement Opportunities (AGPO) regulations for special groups by public universities in Kenya.

The regulations also provide that the Procurement Unit in procuring entity shall select suppliers through appraisal of potential suppliers in order to compile and maintain a suppliers' database or list for award of contracts for supply of specific goods and or services (Public Procurement and Disposal Regulations, 2013). There have been concerns by procuring entities because small and micro enterprises are not consistent and are also not known to produce quality goods and services. This study sought to analyze influence of selection procedures on compliance with AGPO regulations for special groups by Public Universities in Kenya compliance with AGPO regulations for special groups by public institutions with a focus on Public Universities in Kenya.

1.3 Research Objectives

The general objective of this study was to determine influence of selection procedures on compliance with AGPO regulations for special groups by Public Universities in Kenya

2.0 LITERATURE REVIEW

2.1 Theoretical Framework

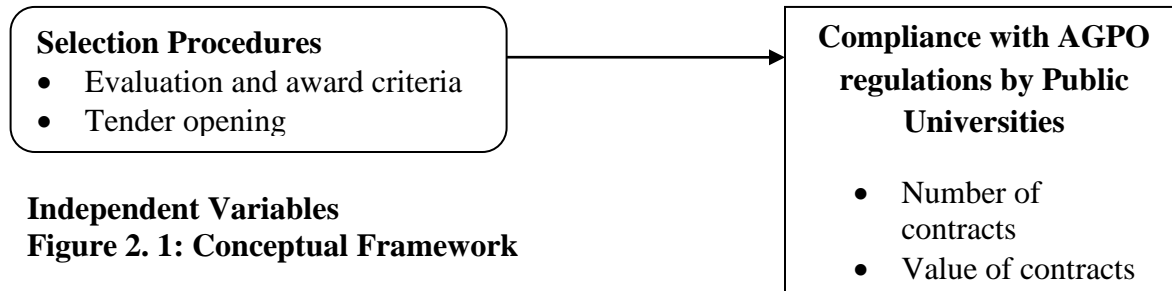
The theory of public purchases was described by Stiglitz (2000) by pointing out that one of the central points of neoclassical economics is the competition, which should lead to efficient resources allocation under the conditions of functioning markets. This allocation produces an equilibrium which is Pareto-efficient. Neoclassical economics classifies goods and services as private and public, while the proportion of the share of private and public goods should be determined through competition and functioning markets. The foregoing shows that goods and services should be produced when the public entity is able to produce it with lower costs than the private company (Teixeira, 2012). According to this model the issue of public purchasing is from a certain perspective of the make-or-buy decision. This decision can be described as a strategic choice between producing the goods internally (make) or buying it externally (buy).

In Public Procurement and Disposal Act (2005), procurement is defined as the acquisition by purchase, lease, rental, hire purchase, tenancy, franchise or any other contractual means of any type of works, assets, services, or goods including livestock or any other combination. Procurement performance on the other hand, is a relatively new area in the research circles. However, original performance measurement has been receiving increased attention in the recent years, in both private and public organizations. The current literature also reflects increased focus on the performance of the state and government levels (Nancy & Muturi, 2015). According to Mwendwa (2013) the objective of procurement is to acquire the right quality materials or services at the right time, in the right quantity, from the right source and at the right prices. According to Monczka, Trent and Handfield (2005), the first step in supplier selection usually implies the identification of the need for a specific product or service. Different situations may trigger the need for supplier selection. For example, new product development, modifications to a set of existing suppliers due to a bad performance, the end of a contract, expansion to different markets, current suppliers' capacity is not sufficient to satisfy increases in demand. These situations are particular to every organization. Although all contractors who are qualified to undertake the contract are eligible to tender, tender evaluation points are granted to those contractors who satisfy prescribed criteria or who undertake to attain specific goals in the performance of the contract.

Supplier selection is complicated because of the multiple criteria involved in the decision process. Additionally, many times these criteria may conflict each other. Therefore, defining the proper criteria becomes critical. Some of the most widely used criteria in supplier selection are supplier's capacity, quality, and purchasing price. However, the set of criteria to be chosen largely depends on the organization's objectives and the type of industry in which the organization competes (Mummalaneni, Dubas & Chao, 2016). Sourcing requires that organizations to clearly define the strategy approach to be taken during the supplier selection process. Examples of sourcing strategies are: single versus multiple suppliers, domestic versus international and short term versus long term supplier contracts. Single sourcing may not be an appropriate strategy in most purchasing situations. Single sourcing tends to minimize total costs by determining the best supplier for each purchased part or product. However, dependency on a single supplier exposes the buying organization to a greater risk of supply interruption. An example of realized supply risk resulting from a single sourcing strategy is the case of Toyota's

1977 brake valve crisis. Toyota's assembly plants in Japan were forced to shut down for several days after a fire at its only supplier's (Aisin Seiki) main plant. This facility was the only source for valves that were used in all Toyota vehicles (Nkonge, 2013). The estimated cost of this single event was \$195 million and 70,000 units of production. Thereafter, Toyota sought at least two suppliers for each part .

Conceptual Framework



Independent Variables

Figure 2. 1: Conceptual Framework

2.3 Empirical Review

Zadawa, Hussin and Osmadi, (2015) examined determinants of compliance with public procurement guidelines in the Nigerian Construction Industry. The Nigerian Construction industry through its procurement activities was contributing immensely to the economic development of the country. The study adopted descriptive survey research design. Nigeria as a developing nation is still working hard to strengthening the public procurement sector through which public infrastructural facilities are developed. Public Procurement Guidelines are the procedural manual guiding public procurement processes. The guidelines are as provided by the public procurement Act PPA 2007, since then compliance with the guidelines has been facing a lot of obstacles. The findings revealed determinants of compliance with the procurement guidelines to include Familiarity with the procurement guidelines, Fraudulent Practices, and Influencing Projects awards. The study focus on construction industry in Nigeria while the current study focused on public universities in Kenya.

Jaafar, Ramli and Aziz (2014) investigated the extent of compliance with Government Procurement Policy in public institutions in Malaysia. Although compliance with the Government Procurement Policy is mandated by regulations, cases of non-compliance, irregularities and frauds in government procurement do still occur. Mandating compliance with procurement standards by law does not necessarily resulting in full compliance without concerning other relevant factors. This research focuses on voluntariness of compliance behaviour and factors that affect compliance with Government Procurement Policy among procurement practitioners in Malaysia. A factor relating to procurement ethics is also introduced to increase the scope and going beyond the proposed framework from prior studies. Survey questionnaires were administered to 104 government organizations, and 177 responses were received from procurement officers. Based on multiple regression analysis, the results indicate that familiarity with the policies; enforcement, professionalism and ethics have a positive impact on compliance. However, perceived inefficiency of the policies was found insignificantly negative impact on procurement compliance. The findings may be useful in ensuring the accomplishment of procurement best practices in Malaysia.

Nduta, Ayuma, Langat, and Yego (2015), carried out a study on the factors affecting youth participation in public procurement. The independent variable of analysis was opportunity awareness, finance availability, regulatory requirements and patronage perception whereas youth participation was the dependent variable. The researcher used descriptive and inferential statistics. A population of 345 youth owned enterprises operating within Mombasa County were used with a sample size of 135 enterprises. The study adopted stratified and systematic random sampling as well as snowballing data collection techniques. The study revealed that Pearson's correlation between the youth Participation with awareness and Finances was .600 and .510 respectively. Whereas Patronage perception and regulatory requirements had a negative correlation of - .445 and -.260 respectively with the Dependent Variable. Multiple linear regressions was used to analyze the relations between the variables at a 0.05 significance level. This study however failed to determine factor affecting compliance with AGPO regulations for special groups in public universities.

Achura, Arasa and Ochiri (2005) undertook a study on the effectiveness of public procurement audits for constituency development funds in Kenya. The study adopted a survey of constituencies in Kenya. The effectiveness of public procurement audits will determine the effective use of constituency development funds in Kenya. The study recommended that the government should put in place effectiveness public procurement audit system to ensure effectiveness use of constituency development funds. The study failed to determine factors that influence compliance with AGPO regulation for special groups such as women and youth accessing to government procurement opportunities. Barden (2012) carried out a study on challenges of procurement in South Africa. An exploration of challenges experienced in the field of procurement within the South African public sector. Granting procurement process constitutional status has helped so much in addressing past inequitable policies and practices. The development of competency through customized training materials and programs in the involvement of stakeholders in the bidding process and the employment of good strategic sourcing practices. The study does not examine youth access to government

Ngeno, Namusonge and Nteere (2014) investigated the effects of discriminatory public procurement practices on organizational performance in public sector. This study sought to evaluate the effect of reservation practices on the performance of State Corporations in Kenya. This study adopted a mixed research design and a target population of 139 procurement managers sampled through a simple random sampling. Data analysis methods a multiple linear regression model was applied to examine the relationship between the variables. The model treated organizational performance as the dependent variable while the independent variables were discriminatory public procurement practices including; reservations, preferences, indirect practices and supply side practices. The findings of the study showed that a combination of preservation practices and preferencing practices explained 75.7% of variations in State Corporations performance. The study concluded that reservations, preferences and indirect practices, positively influenced the performance of State Corporations in Kenya. This study however failed to indicate the extent to which preservation practices and preferencing practices determine compliance with AGPO for special groups in public sector organizations and more specifically public universities in Kenya.

3.0 RESEARCH METHODOLOGY

3.1 Research Design

This study used a mixed research design as recommended by Saunders, Lewis and Thornhill (2009). This allowed the researcher to use both quantitative and qualitative research methods to establish the determinants of compliance with AGPO for special groups regulations. Quantitative methods emphasizes data analysis using measurements and in numerical form. Statistical measures were used to test hypothesis and make predictions. Qualitative methods on the other hand emphasizes on data analysis based on content or words rather than in numerical form. Qualitative methods provide verbal descriptions rather than numerical. These two approaches complemented each other (Kothari, 2004). The target population consisted of supply chain officers in all public universities in Kenya. According to the Commission for University Education, there are 22 public universities and 9 constituent colleges in Kenya. There are four positions in a procurement department comprising of chief procurement officer, principal procurement officer, senior procurement officer, and procurement officer. However, some constituent colleges do not have all the positions filled. The target population for this study was therefore 106 supply chain officers. The sampling frame for this study was all supply chain officers in public universities. To obtain the desired sample size for the study with the population of 106. The sample size for this study was therefore 62 respondents from all the public universities.

3.3 Data Analysis and Presentation

Quantitative data was analyzed using descriptive and inferential statistics. Descriptive statistics such as frequencies, mean scores, percentages and standard deviation were used to analyze quantitative data. Pearson correlation coefficient was used to measure the strength and direction of the relationship between dependent variable and independent variables. Correlation technique allowed the researcher to analyze the degree and direction of the relationship between two variables. Linear multiple regression analysis was used to establish the relations between the dependent and independent variables. Multiple regression analysis is a tool that uses two or more independent variables to predict a dependent variable.

4.0 RESEARCH FINDINGS AND DISCUSSION

4.1 Introduction

The study targeted 62 respondents from 31 public universities in Kenya. All the administered questionnaires were filled and returned. This translated into 100% response rate. This excellent response rate can be attributed to the fact that the researcher administered the questionnaires personally and took ample time to conduct the study.

4.2 Selection Procedures and compliance with AGPO Regulations

The extent selection procedures applied to AGPO regulations for special groups, results indicated that the regulations concerning tendering process for special groups were inadequate to a moderate extent ($M=3.48$, $SD=0.628$). The results indicated that compliance with the regulations on tender evaluation and award criteria for special groups such as youth were

inadequate to a moderate extent (M=3.28, SD=.432). The findings of this study have revealed that the regulations on submission, receipt and opening of tenders for special groups were inadequate to a moderate extent (M=3.50, SD=0.513). The results show that the regulations concerning the complaints system structure for special groups were inadequate to a moderate extent (M=3.78, SD=0.678) and the regulations on communication of awards for special groups were also inadequate to a moderate extent (M=3.73, SD=.833). The results indicated that selection procedure determine influence compliance with AGPO regulations. The respondents indicated that identification of the need for a specific product or services, product specifications, suppliers' capacity, quality, resources availability and purchasing price and sourcing strategy influence compliance with compliance with AGPO regulations for special group in public universities in Kenya. The interviewees indicated that multiple criteria involved in selection process, conflicts during selection of the contracts, poor sourcing and sourcing types, lack of flexibility in selection of suppliers, inadequate resources coupled with complicated procurement process affected compliance with AGPO for special groups at public university. The finding were supported by Nancy and Muturi (2015) who revealed that there existed positive and significant correlation between procurement ethics in selection of vendors and compliance with public procurement regulations in public sector organizations.

Table 1: Selection Procedures and compliance with AGPO Regulations

Extent selection procedure Influence Compliance with AGPO	mean	Std Dev
The regulations concerning tendering process for special groups is inadequate	3.48	0.628
The regulations on tender evaluation and award criteria is inadequate	3.28	0.932
The regulations on submission, receipt and opening of tenders for is inadequate	3.50	0.513
The regulations concerning the complaints system structure is inadequate	3.78	0.678
The regulations on communication of awards for special groups is inadequate	3.73	0.833

4.3 Complexity in the process of source selection

The results in Table 2 showed that respondents agreed with the statements that they experience complexity in selecting contracting partner (M=4.02, SD=.713) and awarding the contract (M=4.00, SD=.692). The results also show that respondents were neutral on the statements that finalizing the terms and conditions of performance as indicated by 3.86 and Standard dev 0.701 and they experienced complexity in evaluating responses to the solicitation (M=3.74, SD=.765). The results also show that respondents disagreed with that statements that they experienced complexity in publishing or advertising the procurement opportunities (M=3.28, SD=.0.619) and disseminating the solicitation or tender documents to interested parties (M=2.23, SD=.838).

Table 2: Complexity in the Process of Source Selection

Selection Procedure Items	mean	Std Dev
Publishing or advertising the procurement opportunity	2.23	0.838
Disseminating the solicitation or tender documents to interested parties	3.28	0.619
Evaluating responses to the solicitation	3.74	0.765
Selecting a contracting partner	4.02	0.713
Finalizing the terms and conditions of performance	3.86	0.701
Awarding the contract	4.00	0.692

4.4 Level of Compliance

The respondents were requested to indicate what determines whether public universities comply with the AGPO regulations for special groups or not and presented in Table 3. The respondents indicated that effective contract administration, proper prequalification, efficiency sourcing and elimination of discrimination and effective internal contract controls determine compliance with AGPO regulations for special groups in public universities in Kenya. This was further supported by interviewees who indicated that contract awarded, value of contract awarded to the special groups, number of contracts, effective coordination between procurement units and account units, effectiveness in contract management and administration, adhering to selection criteria and promote professionalism in public procurement determines whether an institution complies with the AGPO regulations for special groups. The respondents were asked to indicate the total number of contracts awarded in previous financial year. The results show that 29% of the respondents indicated total contracts awarded in the previous financial year were 51-60 while 25.8% of the respondents indicated 21-30 and 41-50 each. The results also show that 8.1% of the respondents indicated that in their institutions total contracts awarded in previous financial year were 81-90 while 6.5% and 4.8% of the respondents indicated 61-70 and 71-80 respectively.

Table 3: Contracts reserved for special groups in the last financial year awarded to special groups

	Frequency	Percent	Cumulative Percent
'11-20'	39	62.9	62.9
'21-30'	18	29.0	91.9
'31-40'	5	8.1	100.0
Total	62	100.0	

In Table 3, the results show that the majority of respondents indicated value of contracts reserved for special groups in the last financial year awarded to special groups as 50-100 millions while 43.8% indicated 100-500 millions.

Table 4: Value of contracts reserved for special groups in the last financial year awarded to special groups

	Frequency	Percent	Valid Percent	Cumulative Percent
50-100 millions	27	43.5	56.3	56.3
100-500 millions	21	33.9	43.7	100.0
Total	48	77.4	100.0	

The results in Table 4 show that the majority of respondents indicated 1-10 (75.8%) while 16.1% of the respondents indicated 11-20. The results also show that 8.1% of the respondents indicated that contracts awarded to the special groups in the last financial year in their institutions were 21-30.

Table 4: Contracts Awarded To Special Groups in the Last Financial Year

	Frequency	Percent
'1-10	47	75.8
'11-20'	10	16.1
'21-30'	5	8.1
Total	62	100.0

The results in Table 5 show that the majority of the respondents indicated that value of contracts awarded to special groups in the last financial year was 50-100 millions (68.9%) while 31.1% indicated below 50 millions.

Table 5: Value of contracts awarded to special groups in the last financial year

	Frequency	Percent	Cumulative Percent
Below 50 millions	14	31.1	31.1
50-100 millions	31	68.9	100.0
Total	45	100.0	

Results in Table 5 indicated that offering value of contracts awarded to special groups being higher, increase in number of contract given special groups, increase in suppliers by special groups in public universities. The findings were supported by McCrudden (2007) who argued that in the United States of America, the Public Works Act 1977 provided that at least 10% of each grant for local works project is expended for minority business enterprise

4.4 Selection procedures has no effects on compliance with AGPO regulations for special groups by Public Universities in Kenya

The second objective of the study was to determine how selection procedures affect compliance with AGPO regulations for special groups by Public Universities in Kenya From Table 6, it is clear that there is a significant positive linear correlation between selection procedures and compliance with AGPO regulations for special groups by Public Universities in Kenya.

Table 6: Selection Procedures and Compliance with AGPO Regulations

Preservation practices	Pearson	1	.614*
	Correlation Sig. (2-tailed)		.000
Compliance with AGPO regulations	Pearson	.614*	1
	Correlation Sig. (2-tailed)	.000	

Table 6 indicates that there was a positive significant linear relationship between selection procedures and compliance with AGPO regulations for special groups by Public Universities in Kenya. This relationship had been illustrated by the correlation coefficient of 0 as $r=0.614$, $P=0.001 < 0.05$. This demonstrated that there existed a strong positive relationship between selection procedures and compliance with AGPO regulations for special groups by Public Universities in Kenya. Selection procedures are critical determinant of compliance with AGPO regulation in public universities.

(a) Regression line fitting

The study sought whether there existed a relationship between selection procedures on compliance with AGPO regulations for special groups by Public Universities in Kenya and results presented in Table 7. The unstandardized beta coefficient (Table 7) where $r=0.754$, $P=0.003$, $t= 12.465$. Therefore the study reject the null hypothesis and accepted the alternative hypothesis accepted which implies that selection procedures has a significance effects on compliance with AGPO regulations for special groups by Public Universities in Kenya. The findings concurred with Zadawa, Hussin and Osmadi, (2015) who revealed that the findings revealed that determinants of compliance such as selection procurement guidelines Influence Projects performance in Nigeria.

Table 7: Regression Coefficients

Model		Unstandardized Coefficients	Standardized Coefficients	t	Sig.	
1	selection procedures	B .754	Beta .736	Std. Error .036	12.465	.003

(b) Goodness of fit

In order to test the research objectives, regression analysis was employed. The model equation $Y= \beta_1X_1 + \epsilon$ explained 57.61.42% as measured by the goodness of fit (R-square) in Table 8. The results of the analysis are represented in Table 8 (model summary). This demonstrated that selection procedures explained 57.61 % (adjusted R- square = 0..5761) of the variance in compliance with AGPO regulations for special groups by Public Universities in Kenya.

4.8 Correlation Matrix Analysis

Pearson Correlation analysis was used to examine whether there existed correlation between variables.

Table 10: Correlation Matrix Analysis

Selection Procedure	Pearson Correlation	Compliance
	Sig. (2-tailed)	.548*
		.000

The results revealed that there existed a positive and significant correlation between Selection Procedure compliance a Pearson correlation (r) =0. 548; $P=0.000<0.05$. This implied there would be a positive relationship between selection procedure and compliance with AGPO regulations. The results were supported by Osei-Tutu, Mensah, and Ameyaw (2011) who revealed that level of compliance with the Public Procurement Act (Act663) in Ghana was promoted by fairness, transparency and enhance public procurement non-discriminatory. Results in Table indicate there exist correlation between contract management and compliance with AGPO regulations a Pearson correlation (r) =0.442; $P=0.003>0.05$. This implied there would be no relationship between contract management and compliance with AGPO regulations. However, the study established strong, positive correlation between contract management and pre-qualification criteria as $r=0.782$, $P=0.000<0.05$.

5.0 Summary of Findings

This study established that regulations concerning tendering process for special groups were inadequate and that regulations on tender evaluation and award criteria for special groups such as youth were inadequate to a moderate extent ($M=3.24$, $SD=.432$ and $M=3.48$, $SD=1.127$). The results depict that regulations on submission, receipt and opening of tenders, complaints system structure for special groups were inadequate to a moderate extent demonstrating and regulations on communication of awards that selection regulation for special groups were not complied with. There exist complexities in selecting contracting partner and awarding the contract to a great extent ($M=4.02$, $SD=.713$) and ($M=4.02$, $SD=.713$). The complexity in evaluating responses to the solicitation and completion of terms and conditions of performance was inadequate ($M=3.74$, $SD=.828$) and that there existed complexity in publishing or advertising the procurement opportunities and disseminating the solicitation or tender documents to interested parties. The finding revealed that there existed a positive and significant correlation between selection procedure compliance with AGPO regulations a Pearson correlation (r) =0.548; $P=0.000<0.05$ demonstrating that there positive relationship between selection procedure and compliance. This demonstrated that selection procedures determinants hinder compliance AGPO regulations for special groups by Public Universities in Kenya Ineffective selection procedures had a negative and significant contribution to level of compliance with AGPO regulations ($\beta=.970$, $p=.000<0.05$, $t=13.192$).

5.3 Conclusion

The study concluded that inadequate and ineffective regulations on tender evaluation and award criteria for special groups such as youth were inadequate. There existences of complexities in selecting contracting partner and awarding the contract, complex evaluation responses to the solicitation and completion of terms and conditions of performance was inadequate and complex publishing or advertising the procurement opportunities and disseminating the solicitation or tender documents to interested parties affected compliance with AGPO regulations for special groups by Public Universities in Kenya . The study found that selection procedures had a significant and positive relation with level of compliance with AGPO regulations ($r=0.970$, $P=.000$, $t=13.192$). The study therefore concluded that existence of elaborate procedural selection leads to a higher level of compliance with AGPO regulations for special groups.

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