

**PROCUREMENT POLICIES AND COMPLIANCE OF LOCAL GOVERNMENT
IN CENTRAL EQUATORIA STATE,
JUBA, SOUTH SUDAN**

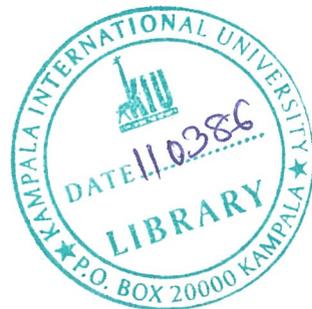
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A THESIS REPORT PRESENTED TO THE COLLEGE OF HIGH DEGREES AND
RESEARCH IN PARTIAL FULFILLMENT OF THE REQUIREMENT FOR THE
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DECLARATION A

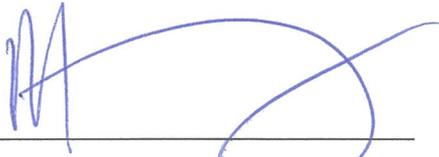
"I hereby declare that this Thesis Report is my original work and has not been presented elsewhere for any academic award or recognition"

SIGNATURE:  DATE: 8/11/2014

TIPA JACKSON LOKABANGCIA

DECLARATION B

"I hereby confirm that the work reported in this Thesis Report was carried out by the candidate under my supervision"

SIGNATURE: 

DATE: 

DR SSENDAGI MOHAMED

DEDICATION

This Thesis is cordially dedicated to my beloved children: Amena Jerry Tipa, Juru Blessing Tipa, Juan Mercy Tipa, Kiyang Kezziah Tipa, Juan Tyra Tipa, Nyara Cyrus Tipa, Modi Edimond Tipa and Bondi Joel Tipa, my beloved wives: Chandiru Susan Tipa, Kiden Scovia Lokabangcia; my lovely Brothers: Dume Michael Dunno, Loduma Alex & Tukube Emmanuel; sisters: Celina Yangi Eiyu, Kutuale Cilivian Lily and Late Esther Kiden Chandia; mother Lucy Kabang Loria and my late father Peter Bongo Amena through whom I get peace and treasure.

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My special thanks also go to Central Equatoria State Local Government officials, opinion leaders and other stakeholders selected for giving me the opportunity to interact and get the required data for completing this Thesis Report, and all the respondents who filled and returned their questionnaires in time

Finally, my great debt of gratitude and honor go to my beloved parents: Lucy Kabang Loria Modi and late Peter Bongo Amena Bondi Muni for producing, upbringing and supporting me in education; cousin Dume Michael Dunno Awuda for always supporting me and standing by my side-financially, materially, socially, emotionally and spiritually; my wives: Chandiru Susan Yuro Tipa and Kiden Scovia Murye Lokabangcia for their tender care, moral support, acceptance and commitment to the management of the family while I was pursuing the MBA studies; mama Margret Poni Moi for always encouraging and praying for me in life; and children: Amena Tipa, Juru Tipa, Juan Mercy, Kiyang Tipa, Juan Tipa, Nyara Tipa and Modi Tipa for always being by my side whenever I am at home which give me joy peace and courage to work more harder for the good our family, clan and that of posterity

LIST OF ACRONYMS

IFB	Invitation for Bids
RFP	Request for Proposal
RFQ	Request for Quotation
PLCC	Pearson's Linear Correlation Coefficient
SPSS	Statistics Package for Social Scientists
OECD	Organization of Economic Cooperation and Development

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ABSTRACT

The study on "Procurement policies and Compliance of Local Government" was conducted in Central Equatoria State, Juba, South Sudan. The study was guided by three specific objectives: i) to determine the level of Local Government compliance to procurement policies in Central Equatoria State; ii) to examine whether the procurement policies has helped to improved the quality of procurement outcomes of Local Government in Central Equatoria State; and iii) to find out if there is relationship between procurement policies and compliance of Local Government in Central Equatoria State, Juba, South Sudan. The study used descriptive correlation designed to describe the relationship between the two variables. 100 sample population was used, both men and women of different ages, education levels and experience in working with the local government. The data was collected through questionnaires and interviews and both qualitative and quantitative methods were used to analyze the data. Pearson's Linear Correlation Coefficient was also used to determine the relationship between the two variables. The findings revealed the following: most of the respondents ranged between the ages of 25-35 years (50%) and 84 (84%) were male while 16 (16%) were females implying unequal representation of women in Central Equatoria State Ministry of Local Government. Those who attained diploma as their highest qualification were the majority 41% followed by certificate holders (37%), and bachelor degree (13%) and master degree (9%) holders were the minority, and majority of the respondents (68%) have over three years working experience with Local Government. There is moderate level (2.81%) of Local Government compliance to procurement policies and also moderate (2.95%) contribution to the improvement of the quality of procurement outcomes by procurement policies and no significant relationship between procurement policies and the level of compliance of Local Government in Central Equatoria State Juba, South Sudan. The researcher recommends the Local Government to consider recruitment of more female staff and capacity building of personnel, wide dissemination and enforcement, embark on anti-corruption measures to promote compliance of procurement policies, and Cooperation between Local Government and other law enforcing bodies to ensure significant relationship between procurement policies and compliance of Local Government in Central Equatoria State.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

This chapter entails the research background, statement of the problem, purpose of the study, research objectives, research questions, hypothesis, scope and significance of the study.

1.1.1 Historical Perspective

Globally, public procurement has become a major concern of both the business enterprises and public institutions. With the introduction of major public bodies and intergovernmental organizations, such as United Nations and World Bank, procurement became a well-recognized science and good procurement practices and performance has now become an important requirement in all economies world over. The global recession of 2008-2009 places procurement at the crux of business strategy.

The World Bank has created a sector specifically to handle procurement related issues; to help developing countries to improve on the procurement systems as good procurement policies and practices are essential for good governance and for the growth of an economy.

According to Richard Wynne (2008), governments across the world have followed the private sector and begun to look at ways to improve procurement practices within the public sector as a result of the potential prizes from improved procurement practices which are generally well-known in terms of significant financial benefits as well as improved internal processes and overall financial and demand management. Learnings from other government sectors across Australia have demonstrated that these benefits are achievable.

The local government sector in Victoria has recognized this broad potential and already put in place a range of individual initiatives to improve procurement practices and aggregate expenditure in order to extract better value for money for ratepayers and their communities (Richard Wynne, 2008).

In Africa where south Sudan, is found, most of the procurement legal systems and policies are new, reflecting the stakeholders' concern for appropriate utilization of public funds and global trends of liberalization and competition. The globalized turbulent and uncertain economies have led to new view points, and changes in the way public institutions including Local Governments are run. The focus is now on attaining efficiency in service delivery through effective and efficient procurement systems and policies (J.M. Ntayi, J. Ssewanyama and S. Eyaa, 2009).

In South Sudan, before attainment of independence on July 9 2011, procurement in public sector was centralized under the Central Tender Board. The board purchased all goods and service for all government departments all over the country. Unfortunately, the centralization was characterized by a lot of inefficiencies and inconsistencies, and corruption in service delivery associated with bureaucratic controls and red tape.

Following the attainment of her independence coupled with global demands for deregulation, South Sudan adopted decentralization and liberalization policies, which led to creation of South Sudan Local Government Act 2011 and Public Procurement and Disposal Act 2011. The Act was enacted with an aim of eliminating the weaknesses in procurement practices that characterized the Central Tender Board at Local Government level.

Despite the enacting of the new laws, cases of poor service delivery have increased with frequent reports of corruption in the Local Government, provision of substandard services and denying some consumers the relevant services. Yet,

the Ministry of Local Government under the decentralization policy was given duties and roles that involve a lot of procurement that have often run into problems, (South Sudan Local Government Act 2011).

Apart from the fact that the setup of Local Government is different, procurement processes before the Procurement Act was introduced were also different. For instance, the government ministries including Ministry of Local Government have no proper governing boards and the Under Secretary or Director General is the Chief administrative and accounting officer with the minister as the higher policy making persons in the ministry.

The introduction of the new laws including procurement policies in South Sudan in general and Central Equatoria State Local Government in particular seems to have caused a marked change in procurement practices both in terms of procedures, respect for chain of command, decision making mode, and clarity of the roles of different organs. For example the new procurement laws created a multiplicity of organs such as the Public Procurement and Disposal Authority, Authorizing officer, Tender Review Committee, Procurement Committees, Bid Opening committees, Bid Evaluation Committee and User Department among others. Moreover, there is no much evidence to indicate that the level of corruption changed with the introduction of the new laws, (South Sudan Local Government Act 2011 and Public Procurement and Disposal Act 2011).

Nevertheless, the Juba Post (2nd July, 2013) indicated that a lot of procurement corruption is indulged in the process of procuring and supplies of most organizations and that the procurement process and award of tenders through Local Government is the most abused channel for political corruption. For instance, in 2012 alone over six billion were lost in the process and a number of unfinished projects can be seen in the area.

Therefore, given the relatively huge amount of public resources in procurement budgets, together with the fact that Local Government has conventional organizational structures that would require substantial compliance to the procurement policies, it is imperative to assess the level of compliance to the procurement policies, whether the objectives of the procurement policies are being achieved and whether the introduction of the new procurement policies has helped to improve the quality of procurement outcomes in the Local Government in Central Equatoria State (South Sudan Local Government Act 2011 and Public Procurement and Disposal Act 2011) .

1.1.2 Theoretical Perspective

This study was based on Omer Dekel (2008) Legal theory of competitive Bidding for Government Contracts. According to the theory, Public procurement is meant to serve three objectives: to ensure integrity in the awarding of contracts and to prevent contracting tainted with favoritism, conflict of interest, or corruption; to allow government to engage in economically efficient contracting; and to provide an equal opportunity to all members of society to compete for the economic advantage inherent in contracting with the government (<http://ssrn.com/abstract=1391182> 1/19/2008 8:33:22 AM).

According to the theory, public contracting tainted by favoritism raises difficulties on a number of levels: First, it poses a morale problem, as a violation of the public's faith in the government and in its representatives, and also creates a social problem because a society in which economic survival depends on acquaintance with or the bribery of decision makers is by definition a corrupt one and is therefore incapable of instilling values of fairness, honesty, voluntarism, and the need to contribute to the community.

The theory assumes that the government holds public assets and funds in trust and its trustee status translates into a duty to make the most efficient use of these assets and funds which is why one of the objective of the public tender

mechanism is to guarantee economically efficient contracting; and that in a perfect market with no externalities, the most efficient transaction will be the one made with the offeror who makes the best offer. According to the theory the public has higher expectations that the government's commercial activity which is essentially parallel to the free-market activity of any other market actor will be characterized by economic efficiency.

The theory is adopted in this study, because, public procurement is supposed to be conducted with open competitiveness, integrity, fairness (equal treatment) economic efficiency and transparency for public entities or government to maximize value for money, (Omer Dekel (2008).

According to Chen and Huang (2006), procurement contracting is vital in realization of timely service delivery, value for money, efficiency and effectiveness in service provision.

However, this theory has some limitations which among others include: efficiency is a complex concept and economic efficient contracting therefore may be defined in different ways; an absolutely perfect market is a construct of economic models and is far removed from reality; and government's commitment to equal opportunity in its contracting is purely instrumental and only justified if it promotes economic efficiency or prevent corruption, (Omer Dekel (2008).

1.1.3 Conceptual Perspective

Procurement policies as defined by South Sudan Public Procurement and Disposal Act (2011) refers to the rules and regulations that are set in place to govern the process of acquiring goods and services needed by an organization to function efficiently.

The Procurement Policy sets out the policies and practices applicable to the procurement of services and goods necessary to fulfil the organization's activities.

The objectives are to promote the prudent use of funds with selected suppliers through efficient, transparent and sound business practices that include standardized procedures, quality control, contract and performance management and reporting (GAVI Alliance Procurement Policy).

Most procurement policies including that of South Sudan reflect the interest of the Inter-American Development Bank (IDB) and its member countries to grant transparency, competition, equality of opportunities, and the principles of economy, efficiency and integrity in the procurement of IDB-financed operations.

According to Telgen (2007), procurement policies are introduced to enhance effective public procurement, aiming at ensuring: the availability of relevant services when they are needed by the citizens or user departments, appropriate use of public funds without fraud and corruption, efficient use of funds or getting the most from a fixed sum of money, accountability to relevant stakeholders that funds were properly utilized to realized the procurement goals, value for every shilling spent, and facilitating realization of policy objectives including social, economic and political objectives.

Effective procurement practices are defined by Uganda Ministry of Defense Procurement Handout, 2004 as those systems offering a high level of transparency, accountability, and value for money.

There are four steps incorporated into most government procurement policies: group buying, just in time delivery, negotiated bulk pricing, and reduced administrative overhead, Telgen (2007).

The process of public procurement will seek to minimize expenses associated with the purchase of those goods and services by using such strategies as volume purchasing; the establishment of a set roster of vendors, and establishing reorder

protocols that help to keep inventories low without jeopardizing the function of the operation (Telgen, 2007 and Lyson, 2000).

The principle aim of procurement is to obtain goods and services of the right quality, in the right quantity, from the right source, delivered to right place at the right time at the least cost and price (Lyson, 2000 and Telgen, 2007).

To the researcher procurement policies are rules and regulations that are put in place to govern the process of acquiring goods and services needed by an organization such as the Local Government to function efficiently. They include competitive bidding, conformity to standards, efficiency, fairness, integrity and transparency in procurement.

Compliance is defined by Bulter group as adhering to the law, regulations and standards that apply in a given procurement setting. To Davis et al, (2005), the group term compliance as a plethora of red tape that affects organizations of complexions. However, application of effective information systems may reduce the red tape and make compliance easier.

According to Dye (2005), the focus of compliance should be on enhancing value for money, achieving fairness, openness, and transparency without restricting public servants in a tangle of rules, and a culture of ethics, innovation should be cultivated in public procurement.

Compliance to the researcher refers to conformity to set procurement laws, rules, regulations and standards and the practice of open and competitive bidding, fairness, integrity, transparency, conformity to specification, quality, authorization process and level of communication; efficient use of funds, user department satisfaction, and achievement of procurement law objectives.

Local government is a form of public administration which in a majority of contexts, exists as the lowest tier of administration within a given state. The term is used to contrast with offices at state level, which are referred to as the central government, national government, or (where appropriate) federal government and also to supranational government which deals with governing institutions between states.

Local governments generally act within powers delegated to them by legislation or directives of the higher level of government. In federal states, local government generally comprises the third (or sometimes fourth) tier of government, whereas in unitary states, local government usually occupies the second or third tier of government, often with greater powers than higher-level administrative divisions.

Local government is also defined as the people who have the authority to make decisions or pass laws in a small geographic area near to them. An example of local government is the town council. A local government is a body that leads a community and a state government leads the whole state.

In the researcher's context, Local Government means the level of government closest to the people and have the authority to make decisions or pass laws in a small geographic area near to them within a given state in South Sudan

1.1.4 Contextual Perspective

Before South Sudan become independent on 9 July 2011, the government of South Sudan used to claimed that the low level of service delivery, is a result of the centralized control and management of funds by the Central Government, Government of National Unity headed by President Umar Al Bashir of Sudan; that the Khartoum (Bashir's) government tend to delay the release of government consolidated funds for activities in South Sudan on political ground. The government also used to blame misappropriations of public/government funds to

the weaknesses of the legal frameworks established by the Khartoum Government.

Following the attainment of independence coupled with global demands for deregulation, South Sudan adopted decentralization and liberalization policies, which led to creation of South Sudan Local Government Act 2011 and Public Procurement and Disposal Act 2011. The Act was enacted with an aim of eliminating the weaknesses in procurement practices that characterized the Central Tender Board at Local Government level.

The procurement policies were introduced to enhance effective public procurement, aiming at ensuring: the availability of relevant services when they are needed by the citizens or user departments, appropriate use of public funds without fraud and corruption, efficient use of funds or getting the most from a fixed sum of money, accountability to relevant stakeholders that funds were properly utilized to realized the procurement goals, value for every shilling spent, and facilitating realization of policy objectives including social, economic and political objectives (Telgen, 2007).

Unfortunately, the Juba Post (2nd July, 2013) indicated that a lot of procurement corruption is indulged in the process of procuring and supplies of most organizations and that the procurement process and award of tenders through Local Government is the most abused channel for political corruption. For instance, in 2012 alone over six billions were lost in the process and a number of unfinished projects can be seen in South Sudan. Even the Auditor General (2013) report indicates that, the level of corruption in South Sudan is very high and the level of service delivery and performance of Local Government is still very lower than expected.

Besides, the introduction of the new laws in South Sudan in general and Central Equatoria State Local Government in particular seems to have caused a marked

change in procurement practices both in terms of procedures, respect for chain of command, decision making mode, and clarity of the roles of different organs. For example the new procurement laws created a multiplicity of organs such as the Public Procurement and Disposal Authority, Authorizing officer, Tender Review Committee, Procurement Committees, Bid Opening committees, Bid Evaluation Committee and User Department among others. Yet, the roles of these organs in some instances appear to be intertwined, with a changed high potential for ambiguity and conflict. Moreover, there is no evidence to indicate that the level of corruption changed with the introduction of the new laws, (South Sudan Public Procurement and Disposal Act 2011).

Given the above scenario and the relatively huge amount of public resources in procurement budgets, together with the fact that the Local Government has conventional organizational structures that would require substantial adaptation to the procurement policies, it is imperative to examine the level of the Local Government compliance to the procurement policies, whether the objectives of the procurement laws are being achieved and whether the introduction of the new procurement policies has helped to improve the quality of procurement outcomes in Central Equatoria State

1.2 Statement of the Problem

Despite the enacting of the Local Government Act (2011) and Public Procurement policies, to promote compliance and the prudent use of funds with selected suppliers through efficient, transparent and sound business practices that include standardized procedures, quality control, contract and performance management and reporting (South Sudan Local Government Act 2011; Telgen, 2007), the Juba Post, (2nd July, 2013) indicated that a lot of procurement corruption; a sign of noncompliance is indulged in the process of procuring and supplies of most organizations and that the procurement process and award of tenders through Local Government is the most abused channel for political corruption. For instance, in 2012 alone over six billions were lost in the process and a number of

unfinished projects can be seen in South Sudan. Even the Auditor General (2013) report indicates that, the level of corruption in South Sudan is very high and the level of service delivery and performance of Local Government is still very lower than expected.

The implementation of the procurement policies on public procurement also seems to have caused marked change and the need for compliance in terms of procedures, respect for chain of command, decision making mode, and clarity of the roles of different organs in the Local Government in Central Equatoria State. For example, the new procurement laws created a multiplicity of organs such as the Public Procurement and Disposal Authority, Authorizing officer, Tender Review Committee, Procurement Committees, Bid Opening committees, Bid Evaluation Committee and User Department among others (South Sudan Public Procurement and Disposal Act 2011).

Therefore given the above scenario and the fact that the Local Government has conventional organizational structures that would require substantial adaptation and compliance to the procurement policies, it is important to examine the level of compliance to the procurement policies, whether there is significant relationship between procurement policies and compliance and whether the introduction of the new procurement policies has helped to improve the quality of procurement outcomes in the Local Government in Central Equatoria State, Juba.

1.3 Purpose of the Study

The study is to find out if there is any significant relationship between procurement policies and compliance of Local Government in Central Equatoria State and to examine procurement policies has helped to improve the quality of procurement outcomes in Central Equatoria State.

1.4 Objectives

- (i) To determine the level of Local Government compliance to procurement policies in Central Equatoria State, Juba, South Sudan.
- (ii) To examine whether the procurement policies has helped to improved the quality of procurement outcomes of Local Government in Central Equatoria State, Juba, South Sudan.
- (iii) To find out if there is relationship between procurement policies and compliance of Local Government in Central Equatoria State, Juba, South Sudan.

1.5 Research questions:

- (i) What is the level of Local Government compliance to procurement policies in Central Equatoria State, Juba, South Sudan?
- (ii) Has the procurement policies helped to improve the quality of procurement outcomes of Local Government in Central Equatoria State, Juba, South Sudan?
- (iii) Is there any relationship between procurement policies and compliance of Local Government in Central Equatoria State, Juba, South Sudan?

1.6 Hypothesis

Null: There is no significant relationship between procurement policies and compliance of Local Government in Central Equatoria State, Juba, South Sudan.

1.7 Scope

1.7.1 Geographical Scope

This study was conducted in Central Equatoria State Ministry of Local Government Headquarter in Juba and two selected counties: Kajokei and Yei of Central Equatoria State in South Sudan. Central Equatoria State was selected out of the ten states of South Sudan, because, it has more organized Local Government structures and institutions. Central Equatoria has six counties namely Kajokeji, Yei, Lainya, Morobo, Terekeka and Juba and the two counties: KajoKeji and Yei

were also selected out of the six, because they have established relatively adequate local government structures and institution provided by the South Sudan Local Government Act 2011.

1.7.2 The Content Scope

The study was focused on procurement policies (which includes competitive bidding, conformity to rules and standards, fairness, integrity, transparency and economic efficiency) as the independent variable and compliance of Local Government (which include practice of open and competitive bidding, conformity to set procurement specifications and standards, fair and equal treatment of bidders, practice of integrity and ethical code of conduct, transparent procurement processes, procurement of right quality and quantity of goods and services at the right time achievement of procurement policy objectives; efficient use of funds and user department satisfaction) as the dependent variable.

The study considered mainly the procurement policies use by Local Government as provided by South Sudan Local Government Act 2011 and The South Sudan Public Procurement and Disposal Act 2011 to assess the relationship between procurement policies and compliance of Local Government and how procurement policies affect the compliance of Local Government in Central Equatoria State in South Sudan.

1.7.3 Time Scope

The study concentrated on procurement policies and compliance of Local Government in Central Equatoria State from 2011 up to 2013. This is the period when South Sudan operates as an independent country and therefore enacted and implemented own procurement policies and the associated legal frame works-bills, laws, regulations, guidelines and Acts. Also during this period South Sudan in general and Central Equatoria State in particular started to use its own Local Government structures and institutions.

1.8 Significance

The study is hoped to be beneficial to the following categories of People:

Government: The study findings increases the awareness of the Local Government on the level of compliance to procurement policies and the need to enforce maximum compliance to helped to achieve the objects of procurement policies and the quality of procurement outcomes and regulate procurement operations or functions and processes, to eliminate conflict of interest, avert or minimize fraud, regulate conduct of procurement officials and thereby improve performance of given institutions and service delivery

Local Government Officials: The study pointed out how compliance to procurement policies will contribute to the achievement of the objects of procurement laws and the quality of procurement outcomes, which will encourage the local government personnel to increase compliance to procurement policies and improve on their procurement procedures, processes and operations for efficient and effective monitoring and accountability of public funds, goods, facilities and services

Policy makers: the study provided information that can be used by Ministry of Local Government, and other policy makers and procurement units to provide strategic procurement decisions and arrangements for their institutions.

Researchers and academicians: The research findings provided some knowledge on public procurement and therefore would provoke further research in the area. Academicians who wish to undertake further research on the subject will also find the information arising from the study to be of great value since it will also add value on the existing literature.

Researcher: The study enabled the researcher not only to enriched but also gained more knowledge, skills and experience in research which could easily be exploited at a future date for similar activities.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

Literature review involves the systematic identification, location, reading and evaluation of documents containing information related to the planned research project (Martin E. Amin, 2005). This chapter presents the views ideas, discussions, observations, opinions and facts contributed by other scholars, theorists and stakeholders that the researcher finds relevant to provide and insight to the proposed study. The chapter covers theoretical review, conceptual framework and review of related literature on procurement policies and compliance of Local Government.

2.2 The Theoretical Review

The review of procurement policies and compliance of Local Government in Central Equatoria State was based on the Legal theory of competitive Bidding for Government Contracts as advanced by Omer Dekel (2008).

According to Omer Dekel (2008) theory of competitive bidding, Public procurement is meant to serve three objectives: to ensure integrity in the awarding of contracts and to prevent contracting tainted with favoritism, conflict of interest, or corruption; to allow government to engage in economically efficient contracting; and to provide an equal opportunity to all members of society to compete for the economic advantage inherent in contracting with the government.

The theory, postulates that public contracting tainted by favoritism raises difficulties on a number of levels. First, it poses a morale problem, as a violation of the public's faith in the government and in its representatives, and also creates a social problem because a society in which economic survival depends on acquaintance with or the bribery of decision makers is by definition a corrupt one

and is therefore incapable of instilling values of fairness, honesty, voluntarism, and the need to contribute to the community.

The theory assumes that the government holds public assets and funds in trust and its trustee status translates into a duty to make the most efficient use of these assets and funds which is why one of the objective of the public tender mechanism is to guarantee economically efficient contracting; and that in a perfect market with no externalities, the most efficient transaction will be the one made with the offeror who makes the best offer. According to the theory the public has higher expectations that the government's commercial activity which is essentially parallel to the free-market activity of any other market actor will be characterized by economic efficiency.

This theory has some limitations which among others include: efficiency is a complex concept and economic efficient contracting therefore may be defined in different ways; an absolutely perfect market is a construct of economic models and is far removed from reality; and government's commitment to equal opportunity in its contracting is purely instrumental and only justified if it promotes economic efficiency or prevent corruption.

Domberger, et al, (1995), proclaims that, the findings of many studies conducted to assess competitive procurement procedures indicate both positive and negative results. It is a fact that competition as a public procurement practice does improve efficiency and effectiveness.

According to Smith (1997) and Lemke (2003), competition, the tenet of free market economy, is popular in the public sector because it is the basis for cost effective purchasing, quality and timeliness of procured services, and improves flexibility of service delivery. It keeps providers on their toes.

Competitive bidding is an incentive especially for the providers for innovation, improvement in quality, and reduction in costs. It improves on proper allocation of resources, high quality and timely procurement, and budgetary savings. It forces contractors to improve on their efficiency; it may limit bribery and corruption when conducted in a transparent manner (OECD Development Centre, 2003). Transparency International and World Bank studies indicate that noncompetitive procedures may increase procurement costs by 30%.

However, competition may not produce the expected results in all situations, Smith (1997), says that in some instances competition is a threat to existence of some local enterprises especially in third world countries like South Sudan that depend entirely on government contracts. It may breed unethical behavior. Most providers are not willing to accept a defeat which may lead to the collapse of the enterprises.

Smith (1997), says in some incidences competition may breed unhealthy relationships among the contractors (purchasers) and among procuring units. The competitive advantage of one firm may act as an entry barrier to many small firms and thus reduce competition. Competition may also reduce the trust between a purchaser and a provider; it reduces the relationship between the two parties, reduces chances of joint innovation, and leads to reduction in shared development of good practices and shared values. The tighter the specification, the less the scope for innovation (Steane, 2004).

2.3 The Conceptual Framework

Procurement policies are rules and regulations that are put in place to govern the process of acquiring goods and services needed by an organization such as the Local Government to function efficiently.

Compliance is defined by Bulter group as adhering to the law, regulations and standards that apply in a given procurement setting. The focus of compliance is to

The conceptual framework above describes the relationship between the independent variable in this case is procurement policies which include competitive bidding, conformity to standards, efficiency, fairness, integrity and transparency and the dependent variable in this case is compliance of Local Government which include practice of open and competitive bidding, fairness, integrity, transparency, conformity to specification, quality, authorization process and level of communication, efficient use of funds, user department satisfaction, and achievement of procurement law objectives.

The framework shows that procurement policies regulate the conduct of public procurement processes and operations, and compliance to procurement policies lead to the practice of open and competitive bidding, fairness, integrity, transparency, conformity to specification and standards, quality, authorization process and level of communication resulting to efficient use of funds and user department satisfaction, thereby helping to achieve the objectives of procurement policies and improve the quality of procurement outcomes.

Nevertheless, effective procurement and achievement of the objects of procurement policies and quality of procurement outcomes is influenced by organizational factors and procurement personnel and competencies within the organization.

2.4 Review of Related Literature

It is important to review related literature on procurement policies and performance of Local Government to have in-depth understanding of this variables and how they interrelate. AS such related literature on procurement policies, public procurement and performance of Local Government will be reviewed and presented objective by objective.

2.4.1 Local Government compliance to procurement policies and service delivery

Compliance is defined by Bulter group as adhering to the law, regulations and standards that apply in a given procurement setting (Davis et al, 2005). The group term compliance as a plethora of red tape that affects organizations of complexions (Davis et al, 2005).

However, application of effective information systems may reduce the red tape and make compliance easier. The focus should be on enhancing value for money, achieving fairness, openness, and transparency without restricting public servants in a tangle of rules. A culture of ethics, innovation should be cultivated (Dye, 2005).

Compliance means acting in accordance with a request, rule or order (Houghton Mifflin Dictionary). It also refers to complete, accomplish, perform what is due; execute all formalities; to be compliant, accommodating or obsequious; to suit or conform oneself to a situation; conformity to one's actions Merriam Webster, 1986).

Compliance is a problem not only in the third world countries, but even countries in the European Union (Gelderman, 2006; Boer, 1998). According to Hunja (2001), the major reasons for noncompliance in developed countries is to avoid the red tape involved, and that in third world is connected with corruption. Steane et al, continues to say that procurement system implementing with sound management practices in places ensures successful service delivery to stakeholders. The sound practices demand that those responsible for implementing procurement should ensure that the objectives are clear and that quality services are sustained. There should be sound client and contract deliverer competencies in communication, team building relationships and sound planning for control (Walker and Sid well, 1996). He also says that performance quality

should not be measured on the basis of time and cost only but also service quality as well plus other relevant measures.

Standard is a widely known and accepted measure used as a basis for a system of measure. It is rule or model used to judge the quality, value or righteousness of or something; a prevailing level of quality, value or achievement that is demanded or aimed for and widely accepted as reliable or excellent (Houghton Mifflin Dictionary).

Simon and Schuster (1991), defined standard as something set up as a rule or model with which other things like it are to be compared; used or accepted as standard rule or model

Competitive bidding is a government procurement mechanism or method for carrying out acquisition or sales that is subject to binding, rigid and known rules. This includes contracting mechanism such as an invitation for bids, (IFB), request for proposal (RFP), request for quotation (RFQ), competitive negotiation and public auctions and excludes any noncompetitive contracting procedures such as open negotiation (Omer Dekel, 2008).

According to Omer Dekel (2008), competitive bidding as known as public tender is meant to ensure integrity in the awarding of contracts and to prevent contracting tainted with favoritism, conflict of interest, or corruption; to allow government to engage in economically efficient contracting; and to provide an equal opportunity to all members of society to compete for the economic advantage inherent in contracting with the government

Domberger, et al, (1995), proclaims that, the findings of many studies conducted to assess competitive procurement procedures indicate both positive and negative results. It is a fact that competition as a public procurement practice does improve efficiency and effectiveness.

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The competitive procedures breed red tape and associated costs and inconveniences stakeholders which may tempt some to seek short cuts through illegal means. The cost of procurement may outweigh benefits. Corruption may increase transaction cost by almost 50% (Wade et al, 1995). It retards economic growth, distorts resources allocation, it may lead to higher taxes and more deficit financing (Bardham 1997).

To eliminate or minimize corruption in competitive bidding, Bardham (1997), suggested the following anti-corruption measures: punishment that exceeds gain, banning corrupt firms from participating, create external monitoring systems, protect whistler-blowers identity, publish audits by independent auditors, free press, privatization and hard budget constraints, use of market prices, and incentives to bidders to complain if they suspect corruption.

Market-based system work best when constructive pressure exists through competition to change and improve pricing, quality, or performance of a product-to satisfy customers' needs. If a competitor's endeavor to minimize competition by relying on other illegal means to influence the system, both parties are diminished in the long run-despite the immediate benefits of the corrupt acts. Corruption undermines the fabric of economic and political life. Thus it is of importance to establish and sustain correct procurement practices. A corrupt purchaser will procure less satisfactory services at higher price than that set by market forces-at a disadvantage of a tax payer. The provider may not develop the initiative to improve on the quality of the service-knowing he will bribe his way out. Good governance is only possible when corrupt practices are minimized, and financial accountability is enhanced (Bardham 1997).

On the other hand provision of services by government is wasteful and bureaucratic and that contracting out especially when preceded by competitive bidding will invariably save costs. By involving citizens in the process, ensuring

quality and competition, governments will be more effective, efficient in service delivery and responsive to people's needs.

Procurement practices of fairness, integrity and transparency

Fairness is defined by Houghton Mifflin Dictionary as having consideration for everyone concerned. It is being just and honest; acting according to what is right (Simon and Schuster 1991).

Fairness is characterized by honesty and justice; free from fraud, injustice, prejudice or favoritism; conformity to an established commonly accepted code or rules of other competitive activities (Webster).

Fairness to the researcher means giving equal treatment to all and or having consideration on the basis of established and acceptable code or rules. Public procurement demand acting with fairness as per set criteria.

Integrity is defined by Houghton Mufflin Dictionary as strict personal honesty and independence; completeness. It is the quality of being honesty, trustworthy (Simon and Schuster, 1991); the condition of being whole not broken into parts (Simon and Schuster, 1992).

Webster Merriam (1986), defined integrity as the quality or state of being complete or undivided; material , spiritual or aesthetic wholeness; entireness; completeness, soundness and or acting originally.

Integrity here means observing or acting according to ethical code of conduct. Public procurement is expected to be handled with maximum integrity.

Transparency is defined by Robert C. Preble (1960), as the quality of being transparent; easy to see through your understanding; acting without guile and being frank. Transparency to the researcher means acting openly, frankly and not doing things in hiding. Transparency is the case where an out sider is able to

make meaningful analysis of a company's action. It's the measure of how good, management is making necessary information available in a candid, accurate and timely manner, not only audit data but also general reports and press releases (King Report 2002). Financial statements are transparent if they make apparent the underlying economies of the business and its transactions. Transparency therefore involves not only concepts related to reliability but also understandability. The financial statements should be presented in a manner that is easily understood by individuals "who have a reasonable understanding of business and economic activities and are willing to study the information with reasonable diligence" (FASB 1984).

According to (Ball, 2001) he argued that incorporation of published statements increase the effectiveness of corporate governance compensation systems and debt agreement in motivating and monitoring managers. Such as improved governance can be seen in a reduction of the private benefits that managers can extract from the company or a reduction of the legal auditing costs that share holders bears.

Higher transparency reduces the information asymmetry between a firm's management and financial stake holders, mitigating the agency problem in corporate governance (Sandeep *et al.*, 2002) Transparency is integral to corporate governance (equity and bondholders), mitigating the agency problem in corporate governance (Sandeep et al, 2002).

Efficiency is defined by Simon and Schuster (1991), as making the things that is wanted. Efficiency is producing results or bringing about the results wanted; making a strong impression on the mind (Simon and Schuster Inc, 1992). Efficiency is having or producing the intended or desired effect; serving the purpose and operative in effect (Houghton Mufflin Dictionary).

Syson (2000) defined efficiency as how well or productive resources are used to achieve the organizational goals. Julia (2005), states that efficiency measures the characteristics of the degree to which the process produce output at a minimum reserve cost in order to obtain value for money in the organization

Economic efficiency to the researcher therefore refers to producing wanted results that lead to satisfaction of user department, provision of right quality and quantity of goods and services at the right time.

According to Telgan (2007) and Eveneth (2004), procurement practices vary across nations and they are influenced by legal, political and social forces. Compliance to procurement practice is a tool through which governments in third world countries use to influence social and political outcomes. In some instances it acts as a basis for rewarding political supporters, recognizing and favouring well placed firms or those that can afford kickbacks, and those whose owners can intimidate the procuring officials. The practices vary across many dimensions like countries legal systems and cultures, organizations and management levels and strategies (Evenett, 2005).

According to Hunja (2001), procurement practices contribute to sound management of public expenditures, growth of small scale enterprises and thus the local economy (McCrudden, 2004). Good procurement practices attract donors, investors, and they may condition access to foreign markets. Poor practices that corrupt the process lead to extra expenditures for public budgets, reducing competition, and quality of services, discourages investment and innovation-disabling an economy.

In the case of South Sudan, the Local Government Act 2011 procurement requirements include the requirement for the open tenders to be published, stating the mode of procurement, the nature and quantity of what is to be

procured, date of delivery, economic and technical requirements, amounts, terms of payment and quality specification among others.

Any supplier can participate in an open tendering process, selective tendering is for the pre-qualified suppliers only, limited tendering is for special circumstances where few suppliers are requested to bid. This works in only three circumstances. In situation where no response have been received to open or selective tendering, in case of urgency, and in case of order for additional delivery by an original supplier.

Tenders are awarded to the most advantageous, low-cost according to the evaluation criteria stipulated in the notices. The GPA allows third world countries to negotiate exclusion clauses in preference of local firms. Local procurement reduces monitoring costs, boosts local economy and creates employment.

However, Hoekman notes that the favoring of local firms may breed corruption. Most developing countries for various reasons have chosen not to subject their procurement policies to international scrutiny. Outsourcing for Local Governments for example in road maintenance may achieve a number of goals, including: reducing costs, increasing efficiency, improving quality, speeding up project delivery, spurring innovation, enhancing risk management and overcoming a lack of expertise.

Some of these objectives may be contradictory. For instance, it may not be possible to realize significant cost savings and at the same time dramatically improving quality. However, many of these objectives are complementary. For example, gaining access to expertise, improving efficiency and spurring innovation are all somewhat related.

One benefit of outsourcing is that there is not a one-size-fits-all answer. In fact public/private partnerships afford policy makers an opportunity to make trade-offs

between different goals and customize the outsourcing package that meets their specific needs and goals. Improve overall system efficiency through competition and specialization (Segal et al, 2003).

Although there is little empirical evidence of practice in South Sudan as in other developing countries, the little that is available gives a variety of practices reflecting culture, political climate, legal systems and socio-economic factors. Tenders are one of the leading causes of corruption at the local councils, counties and states. According to the South Sudan Local Government Act 2011, state and county leaders including councilors and civil servants are not supposed to be awarded tenders; however, many of them establish companies which they use to get the tenders. On many occasions companies are not checked thoroughly before being awarded tenders as provided by the Local Government and Procurement Acts.

2.4. 2 Procurement policies and the quality of procurement outcomes

Thai (2001) confirms that government procurement is one of the four economic activities of government. The other economic activities of the government are income redistribution through taxation and spending; provision of public goods and services and lastly, providing the legal frame work for economic activities to flourish. Ordinarily government procurement includes "buying, purchasing, renting, leasing, or otherwise acquiring any supplies, services or construction" and "all functions that pertain to the obtaining of any supply, service or construction, including description of requirements, selection, and solicitation of sources, preparation and award of contract and all phases of contract administration" (American Bar Association, 2000).

Although government procurement is still young as an academic discipline, recent literature of public procurement suggests that public procurement practice has undergone major changes particularly in the area of legal reforms. For low developed countries, reforms in public procurement have been seen as one of the

ways to integrate them into the emerging world economy ((OECD Development Centre, 2003).

In order to develop uniform government procurement codes that contains formal procurement rules and regulations across a number of countries both developed and developing, for the poor developing countries, government procurement policies, regulations and procedures have been one of the reform areas (Thai, 2001; OECD Development Centre, 2003) since early 2000. By 2003, for example, all East African countries-Uganda, Kenya and Tanzania had enacted government procurement codes as Acts of Parliaments and have been implemented since (OECD Development Centre, 2003).

In general, public procurement operates as a system. As a result, it is best examined as such. A system can be looked at in two ways, first as an assembly or set of related elements (Van Gigch , 1974), that is to say as an institution, in this case which is relatively static, and secondly as a dynamic whole that is to say system in action defined by the emergent property of parts that interact together. In this latter case, a system is therefore seen as involving the conversion of inputs into outputs (Childs, et al, 1994). However, public procurement seems to combine both perspectives, that is as a set of interrelated elements but which also interact closely and continuously to generate outputs.

Basing on the above view, a number of elements can be identified to characterize the public procurement system. Thai (2001) identified five elements that include: policy making and management; procurement regulations or laws; procurement authorization and appropriation; public procurement function or operations; and lastly feedback.

According to Thai (2001), the procurement regulations or laws established by policy makers is the institution framework within which procurement professionals and program managers implement their authorized funded procurement programs

or projects or activities. Secondly, the policy makers and top government management executives are the custodians of the public procurement policies, laws and regulations and represent the government organs to which procurement professionals, program managers and the managers of all public procurement entities are ultimately accountable.

Similarly, the policy makers and top government management executives are the organs to which feedback that are generated by the procurement professionals/implementer during the course of implementing procurement operations has to be directed for possible adjustments or improvements in both the procurement policies, regulations and authorization and appropriations. However, feedback is important in procurement operations (Thai, 2001).

Thirdly, the procurement authorization and appropriation element represents the public organs and processes that determine the amount of resources that are available to procurement entities to undertake procurement activities. They are the ultimate assessors of the validity of the procurement needs of public entities through the budget approval processes. Fourthly, the procurement function or operations represents the units composed of procurement professionals that implement procurement operations within the procuring public organs (Thai, 2001).

Thai (2001) emphasized the role of feedback in the functioning of the public procurement system and proposed that, it represents a distinct element of the public procurement system. As already indicated, Thai argued that the quality of feedback that is generated by the procurement professionals and implementers during the course of implementing public operations is critical for any possible adjustment or improvement in both the procurement policies/regulations and authorization and appropriations. However, feedback is important also for the procurement professionals for adjustments and improvements in procurement operations.

According to Thai (2001), the above elements of the public procurement system interact closely to determine the efficiency and effectiveness of the procurement system as a whole in a particular country. By extension, however, these are the elements that are ultimately responsible for the efficiency and effectiveness of the procurement activities in any public procuring entity such as the Local Government.

However, Thai (2001), postulation makes three fundamental assumptions. The first assumption is that procurement policies and legal regulatory framework is already well established and that it has been understood by all players in the public procurement system and meticulously followed in the procurement processes at organizational level. The key question here then is, what happen to the public procurement systems of most third world countries like South Sudan who have only just recently enacted public procurement laws that are mostly less than five years in existence? Definitely such legal frame works will tend to have a lot of ambiguities and not enough clarity for all players and therefore not easily implemented. It also assumes that the legal framework is devoid of ambiguities; is clear enough to all players and therefore easily implementable. Unfortunately, it is not clear when public procurement law is still in its infancy. A key question is then, how easy is it to quickly adopt new laws to the functioning of organizations with old established systems of organizations and functioning and which are regarded as time tested?

The second assumption was that of a high degree of homogeneity within procuring entities within a country. Thai (2001), generalized by looking at the public procurement systems in a country as a whole and ignored sectorial differences that may exist in a particular country. For example, the mainstream government ministries tend to have different organizational set ups from those that are semi-autonomous such as public high institutions of learning.

A third assumption was that, the existence of competent procurement professionals in a country and that the ability of individual organizations to high the service of these professionals is fundamental to the functioning of the public procurement through effective compliance to the laws and regulations, employment of sound procurement methods and techniques, ensuring speed and efficiency in procurement operations and ensuring the generation of quality feedback for improving the procurement operations and the public procurement system as a whole. While this may be true in some of the established economies such as United States of America and Europe, this may not be true in the least developed countries such as South Sudan where the role of public procurement as an economic activity of government and as a tool for integration into global economy has only recently been recognized (OECD Report 2003).

Given the above assumption, it is imperative for the third world countries to further examine the interaction between established procurement policies and legal frameworks at national level and the procurement activities at organizational level and how the different procurement organizations in different sectors are adapting and implementing the procurement legal provisions in their procurement activities (Thai, 2001)..

More especially, it is important to examine the degree of compliance to the procurement policies, whether the objectives of the procurement laws are being achieved and whether the introduction of the new procurement policies has helped to improve the quality of procurement outcomes. Some fundamental questions to raise here then will include: how are the new procurement policies interacting with the established organizational structures in different sectors and how the organizations are adapting to ensure compliance with the policies and help to achieve the objects of the laws and improve the quality of procurement outcomes? How do personnel factors affect the implementation of the procurement operations and ultimately the achievement of the objects of the procurement legal frame works as well as the quality of procurement outcomes?

2.5 Conclusion

The review of the related literature indicates that, procurement policies impact on the performance of Local Government; regulated the conduct of business operations and personnel conduct and practices, promote compliance to procurement laws, regulations and standards, best value for money, competitive bidding, best procurement practices of integrity, fairness and transparency and thereby enhance effective performance and efficiency in service delivery.

Nevertheless, effective implementation and achievement of the objects of procurement policies is determine principally by two sets of factors: the organizational factors of the procuring entity and the quality of procurement personnel and competencies particularly the degree of professionalism, knowledge and skills and the degree of knowledge integration. The principle organizational factors include the organizational structure, the level of budget adequacy especially with regard to the procurement function, role clarity of different organizations regarding the procurement process and the authorization process and levels of communication; and lastly the type of goods and services procured.

It was therefore important for this study to find out the level of Local Government compliance to procurement policies, whether the procurement policies has helped to achieve the objectives of the procurement policies and improve the quality of procurement outcomes and the relationship between procurement policies and compliance of Local Government in Central Equatoria state, Juba, South Sudan.

CHAPTER THREE

METHODOLOGY

3.1 Introduction

Methodology is the plan for carrying out the study and provides a procedure on how data of the study was obtained and analyzed. This chapter presents the methodology the researcher used in carrying out the research and these included: research design, research population, sample size, sampling procedure, research instruments, Validity and reliability of the research instrument, data collection procedures, data analysis, ethical considerations and limitations of the study.

3.2 Research design.

The study used a descriptive correlation design because the researcher looked for relationship between two variables. In particular, the descriptive correlation examined relationship between procurement policies as the independent variable (IV) and compliance of Local Government as the dependent variable (DV). A cross-sectional survey design was also used to cover the Central Equatoria state Ministry of Local Government and the selected two counties of KajoKeji and Yei. Cross-sectional survey is defined as the procedure for gathering information from a large number of respondents by collecting information from a few of them. Primary data was collected with the help of two Research Assistants who helped in administering the questionnaires to collect the data from the respondents of the two counties: KajoKeji and Yei. Both qualitative and quantitative methods were used in data collection and analysis.

3.3 Research population

The target population was one hundred fifty (150) Central Equatoria State Local Government officials consisting of Local Government Board members, Procurement Committee, Bid opening committee, Bid evaluation committees, Tender review committee, Procurement personnel, State Minister of Local Government, Directors, user departments, finance officers, Honorable members of

parliament, opinion leaders and County Commissioners, Local Government Councilors and suppliers of KajoKeji and Yei counties. The Local Government officials were preferred because they believed to be involved in procurement of public goods and services.

3.4 Sample size

The sample size for the study was one hundred nine Local Government officials selected from the State Ministry of Local Government Headquarter and the two counties (KajoKeji and Yei) as indicted in table 3.1 below. The sample size was determined using the Slovene's formula: $n = \frac{N}{1 + N(e)^2}$; Where n = sample size, N = population size, e = level of significance ($e = 0.05$)² (Martin E. Amin, 2005).

Therefore applying the formula:

$$n = \frac{150}{1 + 150(0.05)^2}$$

$$n = \frac{150}{1 + 150 \times 0.0025}$$

$$n = \frac{150}{1 + 0.375}$$

$$n = \frac{150}{1.375}$$

$$n = 109.09$$

$$n = 109$$

Table 3.1: Shows the composition of the sample size

Category	Population	Sample size	Sample size distribution		
			SMoLG H/Q Juba	Kajo Keji	Yei
Local Government Board Members	4	3	3	0	0
procurement committee members	16	12	4	4	4
Tender Review Board members	16	11	3	4	4
Bid opening committee members	16	12	4	4	4
Bid Evaluation committee members	16	11	3	4	4
Procurement staff	14	10	4	3	3
Minister of Local Government/ Commissioners	4	3	1	1	1
State members of parliament/ County Local Councilors	12	9	3	3	3
Directors	8	5	2	2	1
Finance officers	8	6	2	2	2
Suppliers	12	9	3	3	3
User departments (beneficiaries)	16	12	4	4	4
Opinion leaders	8	6	2	2	2
Total.	150	109	38	36	35

Source: Primary data

The sample size was drawn basing on the homogeneity and proportion of a stratum to the population. The selection of the subjects was based on the level of responsibility/authority (position held), stake in procurement transactions, knowledge and experience in Local Government procurement and willingness of the participants to participate.

3.5 Sampling procedure

Purposive sampling was used to select the subjects from the specific category of respondents based on their designated roles, responsibility and stake in Central Equatoria State Local Government. This helped to ensure equal representation of the respective Local Government departments and stakeholders.

The researcher also used simple random sampling method to obtain the sample from the population in the way that the sample of the same size or category was given equal chance of being selected and thereby ensuring a high degree of representativeness. This method is advantageous because it is free of clarification error and also it requires minimum advance knowledge of the population other than frame.

3.6 Research Instruments

Questionnaires and interview guide was designed and used to collect data from the selected sample population of the Central Equatoria State Local Government officials.

Self-administered questionnaires were used to collect data from the County Local Government officials, suppliers and user departments/ beneficiaries. Some open ended questions were included in order to gain deeper understanding of the subject matter. This instrument is used because it speeds up data collection within limited time frame and caters for sensitivity of the matter and the need for honesty and confidentiality. 5-point Likert scale (1=Strongly Disagree, 2=Disagree, 3=Not sure, 4=Agree and 5=Strongly Agree), where 5=Very High, 4=High, 3=Moderate, 2=Low, 1=Very low was used to analyze the results and the key to the rating is: Very low (1.00-1.80), Low (1.81-2.60), Moderate (2.61-3.40), High (3.41-4.20), Very High (4.21-5.00).

Face to face interviews using interview guide were also conducted for key Local Government officials like the minister, commissioners, Honorable members of

parliament, Local Councilors, and Chairpersons of relevant procurement Committees, accounting officers and opinion leaders. Interviews was used because it help to facilitate interactions and sharing of more information on the subject matter and for putting emphasis on key points generated through desk records and questionnaires, for generating detailed information through probes on important issues, and for substantiating certain issues.

Secondary data was further collected through review of text books, journals, publications, internet websites and previous research reports. This helped to give substantial information on the subject matter

3.7 Validity and reliability of Research Instruments

As describe by Amin (2005), validity is the degree to which a test measures what it is supposed to measure. To ensure construct validity, the study used multiple sources of data (triangulation) to establish a chain of evidence. Multiple sources of data ensured there is agreement on the various parameters measured. Also the researcher-made questionnaire and interview guide were first checked and approved by the supervisor in order to remove any error before using them to collect the data. Furthermore, pilot testing of the copies of the questionnaires was carried out in KajoKeji County Local Government Council, to assess the language clarity, suitability and acceptability in terms of length and ethical considerations for respondents.

3.8 Data Gathering Procedures.

The researcher obtained an introduction letter from the college of Higher Degrees and Research for the researcher to present to the authorities in the field in order to be permitted to conduct the study in the field

Then the researcher requested permission from the respective Heads of Local Government Authorities of Central Equatoria State and seek consent of the

selected respondents before distributing the self-administered questionnaires in order to create good relationship and get unbiased data.

After obtaining the permission and consent of the selected respondents, the researcher used two research assistants: Loduma Alex and Dume Michael Dunno to give out the questionnaires to the selected respondents and request for the return of the completed questionnaires within five days.

When the questionnaires were return, they were cross-checked for any errors, inconsistency and incompleteness before compiling and entry into the computer.

Face to face interviews using interview guide was also conducted for key Local Government officials like the State minister of Local Government, commissioners of KajoKeji and Yei Counties, and Honorable members of parliament, Local councilors, and chairpersons of relevant procurement committees, accounting officers and opinion leaders in Central Equatoria State.

Review of text books, journals, publications, policy documents, internet websites and previous research reports were also conducted to obtain information for chapter two-literature review.

3.9 Data analysis

The raw data obtained using questionnaires and interview guide was sorted and entered into a computer, categorized, coded and analyze qualitatively and quantitatively using frequencies tables, percentages and descriptive Statistical Package For Social Scientists (SPSS) version 16.

Means were used to determine the level of Government compliance to procurement policies in Central Equatoria. This was done in relation to Likert's rating scale.

Pearson's Linear Correlation Coefficient (PLCC) was also used to determine if there is a significant relationship between procurement policies and the level of compliance of Local Government and to test the hypothesis.

The data was captured and processed in line with the principle of public procurement enshrined in the procurement policies, which include compliance with procurement laws, regulations and standards, effective completion (competitive bidding), and procurement practices of fairness, integrity and transparency. Care was taken to assess compliance with the principles, procedures and guidelines of the laws and the degree to which intended objectives were achieved. For the perception data from the suppliers and user departments (beneficiaries), quantitative methods of analysis and presentation was used.

3.10 Measurement of variables

The dependent variable which was procurement policies was measured in terms of competitive bidding, conformity to rules and regulations, fairness, integrity, transparency, economic efficiency and achieving objectives of procurement policies and the dependent variable which was Compliance of Local Government was measured in terms of practice of open and competitive bidding, conformity to set procurement specifications and standards, fair and equal treatment of bidders, practice of integrity and ethical code of conduct, transparent procurement process, procurement of right quality and quantity of goods and services at the right time, and quality of procurement outcomes.

3.11 Ethical considerations

The researcher obtained approval of the proposal and introduction letter from the College of Higher Degrees Questionnaires. Permission was obtained from the respective heads of Local Government before involving the selected officials in data collection. All the authors whose work was referred to were acknowledged in citations and referencing. To protect the respondents their names were not

recorded during the study. The questionnaires were also not asking the name of the respondent.

3.12 Limitations of the study

- i) Unwillingness of some respondents to cooperate to release maximum information especially with the sensitive data. Some officials deliberately failed to cooperate for fear of exposing themselves or their superiors. This was however overcome by explaining to them that their identity will not be reveal. Even the questionnaires will not provide for the name of the respondent.
- ii) The Local Government Act and The Public Procurement and Asset Disposal Act 2011 are new and most counties have limited copies and structures. Besides, many procurement officials have limited knowledge on the provisions of these legal frameworks.
- iii) The researcher also encountered the problem of some respondents not being readily available and so causing the researcher to make several visits hence double costs and delay.
- iv) As the researcher is working personnel, time was limited for the researcher to collect and analyze the data. The researcher had to hire two Research Assistants to help in data collection, thereby increasing the transport, feeding and production cost.

CHAPTER FOUR

PRESENTATION, ANALYSIS AND INTERPRETATION OF DATA

4.0 Introduction

This chapter presents the findings of the research as well as their analysis and interpretation. Where necessary, aids such as tables and figures are used to illuminate the meaning of the data presented. The findings presented in the tables and figures are further explained to equip the reader with clear picture and understanding of the phenomenon under analysis.

4.1 Variance in the targeted and actual respondents

Table 4.1: Variance in the targeted and actual respondents

Category of the respondents	Targeted respondents	Actual respondents
Local Government Board Members	3	3
Procurement committee members	12	10
Tender Review Board members	11	10
Bid opening committee members	12	11
Bid Evaluation committee members	11	10
Procurement staff	10	10
Minister of Local Government/ Commissioners	3	2
State members of parliament/ County Local Councilors	9	7
Directors	5	5
Finance officers	6	6
Suppliers	9	9
User departments (beneficiaries)	12	10
Opinion leaders	6	5
Total	109	100

Source: Primary data

The researcher targeted a total of 109 respondents, selecting 3 local government board members, 12 procurement committee members, 11 tender review board members, 12 bid opening committee members and 11 bid evaluation committee members. Others were: 10 procurement staff, 3 ministers of local government/commissioners, 9 state members of parliament/county local councils, 5 directors, and 5 finance officers. There were also 6 suppliers, 12 User departments (beneficiaries), and 6 opinion leaders. Nonetheless, not all the targeted sample responded; the actual sample responses were 100 out of the targeted 109, hence, a response rate of 92% as indicated in Table 4.1.

4.2 Demographic Profile of Respondents

Demographics can be defined as the physical characteristics of a population such as age, sex, marital status, education, geographical location and occupation. The socio-demographic characteristics measured in this research are Gender, age, level of education, and experience.

Table 4.2: Demographic information of the respondents

Background information	Category	Frequency	Percentage
Sex	Male	84	84%
	Female	16	16%
	Total	100	100%
Age	Below 24	00	00%
	25-35	50	50%
	36-45	33	33%
	Above 45	17	17%
	Total	100	100%
Experience	Less than a year	15	15%
	1-2	17	17%
	3-4	38	38%
	5 years and above	30	30%
	Total	100	100%
Education level	Certificate	37	37%
	Diploma	41	41%
	Degree	13	13%
	Masters	9	9%
	Total	100	100%

Source: Field data, 2014

The field data in Table 4.2 shows that out of 100 respondents chosen for the study, majority (84) were males (representing 84%), and 16 (representing 16%) of the respondents were females. This shows unequal representation of the sexes in the in Central Equatoria State Ministry of Local Government. This implied that most of the staffs in Central Equatoria State Ministry of Local Government are males (84%) and women (16%) which are less than the expected 25% women representation provided by South Sudan Constitution (2011). Nevertheless there was representation of both male and female in study.

Table 4.2 also indicates that the ages of the respondents were divided into four categories; (below 24, 25-35, 36-45, and above 45 years of age. The findings show that the majority (50) respondents were between the age of 25-35 years (representing 50%) of the respondents, 33 respondents (representing 33%) of the respondents were between 36-45 years of age, 17 respondents (representing 17%) of the respondents were above 45 years and there was no respondents (00%) below 24 years. This means that all the different age groups were included in the study and majority of the workers (50%) in Central Equatoria State Ministry of Local Government were found to be between the age of 25-35 years, followed by those within the ages of 36-45 years (33%) and those workers above 45 years were the minority (17%). This supports the fact that in the government most of the senior positions were mostly occupied by those above 45 years of age

Furthermore, the study considered the education level of the respondents. It was however found that: 37 of the respondents (representing 37%) had certificates, 41 (representing 41%) of the respondents had diploma, 13 respondents (representing 13%) had bachelor degree and 9 respondents (representing 9%) of the respondents had masters degree. This therefore means that the different education levels were included in the study, hence a reflection that the respondents were knowledgeable about the subject of investigation. This also implied that most of the workers in Central Equatoria State Ministry of Local Government were diploma holders (41%), followed by certificate holders (37%)

Table 4.3: Results of procurement policies and the level of Local government compliance during procurement of public goods and services in Central Equatoria State

Category	Mean	Interpretation
Competitive bidding		
Bidding is always done competitively	2.00	Low
There is open tendering	2.17	Low
Conformity to set rules, regulations and standards		
Bid submission is always done according to given criteria	2.33	Low
Standard bid documents are provided for bidders	2.70	Moderate
Bid evaluation always done by evaluation committee	2.34	Low
Bids are always authorized and contracts signed by designated authority	3.17	Moderate
Fairness		
Bidders are always accorded equal treatment and bidding information	2.83	Moderate
Bid evaluation is based on criteria indicated on bid documents	2.50	Low
Contracts are always awarded to the best or lowest evaluated bidder	2.51	Low
Tenders and bidding information are always pass using customary (familiar) means of communication	2.68	Moderate
Integrity		
Procurement officials always observe maximum code of conduct	3.18	Moderate
Selection and award of bids are done according to the specification indicated on bid documents	3.70	High
Transparency		
Bids are always open publicly	2.86	Moderate
Tenders are always advertise widely	3.18	Moderate
Selected bidders are always notified in writing	3.84	Moderate
Economic efficiency		
Users department is always satisfied with goods and services procured	2.87	Moderate
Right quality and quantity of goods and services are always procured	2.84	Moderate
There is timely delivery of required goods and service	2.84	Moderate
Suppliers are paid timely for goods and serviced delivered	3.00	Moderate
Average Mean	2.81	Moderate

Source: Primary data

The results in Table 4.3 show an average mean of 2.81 indicating a moderate level of Local Government compliance to procurement policies in Central Equatoria State, Juba, South Sudan. The findings show that out of the 19 items introduced to the respondents, 12 items has the mean range of 2.61-3.40 implying a moderate level of Local Government compliance to procurement policies in Central Equatoria State. Among the items that had means range of 2.61-3.40 and confirmed the moderate level of Local Government compliance to procurement policies included; standard bid documents are provided for bidders (2.70), bids are always authorized and contracts signed by designated authority (3.17), bidders are always accorded equal treatment and bidding information (2.83), tenders and bidding information are always pass using customary (familiar) means of communication (2.68), procurement officials always observe maximum code of conduct (3.18), bids are always open publically (2.86), tenders are always advertise widely (3.18), selected bidders are always notified in writing (3.84), user department is always satisfied with goods and services procured (2.87), right quality and quantity of goods and services are always procured (2.84), there is timely delivery of required goods and services (2.84), and suppliers are paid timely for goods and services delivered (3.00). This therefore means that the level of Local Government compliance to procurement policies in Central Equatoria State, Juba, South Sudan is fifty-fifty.

The above findings from the questionnaires were supported by the results of the interviews with the key officials of the Local Government. Most of the key informants (65%) indicated that there is moderate level of Local Government compliance to procurement policies in Central Equatoria State, Juba, South Sudan. When they were interviewed on Local Government compliance to procurement policies, 65% of the informants indicated that during procurement of public goods and services, the Local Government provide standard bid documents for bidder, bids are authorized and contracts signed by designated authority, tenders are advertised widely using familiar means of communication and the bid opening is done publicly. One of the key informants had this to say during an interview:

"When the Kajo-Keji-Juba roads was to be constructed, the Ministry of Local Government provided standard bid documents for bidders to fill, advertised the tender widely on the newspapers, radios and notice boards and opened the collected bids publicly"

This thereby confirmed moderate level of Local Government compliance to procurement policies in Central Equatoria State, Juba, South Sudan

Nevertheless, some items indicated that, there is low level of Local Government compliance to procurement policies in Central Equatoria State, Juba, South Sudan. These included: bidding is always done competitively (2.00), there is open tendering (2.17), bid submission is always done according to given criteria (2.33), bid evaluation always done by evaluation committee (2.34), bid evaluation is based on criteria indicated on bid documents (2.50), and contracts are always awarded to the best or lowest evaluated bidder (2.51). This means that the Local Government sometimes do not comply to the provisions of competitive bidding, open tendering, bid submission according to given criteria, bid evaluation by evaluation committee, bid evaluation based on criteria indicated on bid documents, and contracts to be awarded to the best or lowest bidder. This was supported by some few informants during their interview. When interviewed, some informants (35%) said the Local Government in Central Equatoria State sometimes do not comply to the required practice of open and competitive bidding during procurement of public goods and service. One of the informants had this to say during an interview on the same:

"The Local Government sometimes does not advertise some of the tenders but rather consider awarding the contracts for the procurement of certain goods and services to the companies in there record"

This therefore confirm the low level of Local Government compliance to the policy of open and competitive bidding during procurement of public goods and services

4.4: Whether the procurement policies has helped to improve the quality of procurement outcomes of Local Government

This sub section targets objective 2 of the study. To understand whether the procurement policies has helped to improve the quality of procurement outcomes of Local Government in Central Equatoria State, Juba, South Sudan, the respondents were introduced eight (8) different items to have their say. Their responses were computed by making an aggregate responses given by respondents to the 8 items and 5-point Likert scale (1=Strongly Disagree, 2=Disagree, 3=Not sure, 4=Agree and 5=Strongly Agree), which sought to measure whether the procurement policies has helped to improve the quality of procurement outcomes were categorized according to their means. The responses were scaled ranging from 1-5; where 5=Very High, 4=High, 3=Moderate, 2=Low, 1=Very low and the key to the rating is: Very low (1.00-1.80), Low (1.81-2.60), Moderate (2.61-3.40), High (3.41-4.20), Very High (4.21-5.00). The responses were analyzed using the mean computed through the SPSS program, and are shown in Table 4.4 below.

Table 4.4: Results of whether the procurement policies has helped to improve the quality of procurement outcomes of Local Government

Category	Mean	Interpretation
Procurement outcome		
Goods and services provided are of the right quality and quantity	2.99	Moderate
User department is always satisfied with the goods and services delivered	2.99	Moderate
Goods and services are procured and delivered timely	2.99	Moderate
Suppliers are paid timely for their goods and services delivered	2.99	Moderate
There is always compliance to specifications	2.83	Moderate
There is satisfaction of user department with the procurement processes delivered	2.83	Moderate
There is efficient use of funds (value for money) and maximum saving	2.99	Moderate
The objectives of procurement policies are always achieved	2.99	Moderate
Average Mean	2.95	Moderate

Source: Primary data

The results of Table 4.4 above revealed an average mean of 2.95 which implied that procurement policies moderately helped to improve the quality of procurement outcomes of Local Government in Central Equatoria State, Juba, South Sudan. The finding shows that the respondents somehow agreed with the responses since the responses were mostly moderate. For example, it was found that goods and services provided are of the right quality and quantity (mean 2.99). This means that respondents somehow agreed that goods and services provided are of the right quality and quantity. The same respondents also somehow agreed that user department is always satisfied with the goods and services delivered (mean 2.99). It was further found that goods and services are

procured and delivered timely (mean 2.99), and that sometimes suppliers are paid timely for their goods and services delivered (mean 2.99).

The study further found that there is moderate compliance to specifications (mean 2.83). This means that at times, there always compliance to specifications while sometimes there is no compliance to prescribed specifications and standards. The respondents also somewhat agreed that there is moderate satisfaction of user department with the procurement processes delivered (mean 2.83). The result further reveals that there is moderate level of efficient use of funds (value for money) and maximum saving (mean 2.99), and that the objectives of procurement policies are always moderately achieved (mean 2.99).

The above findings from the questionnaires were supported by the results of the interviews with the key officials of the Local Government. Most of the key informants (70%) indicated that procurement policies moderately helped to improve the quality of procurement outcomes of Local Government in Central Equatoria State. During the interview, most of the key informants (70%) said that the user department is somehow satisfied with the procurement processes and goods and services delivered by Local Government although the goods and services are sometimes not procured and delivered timely in Central Equatoria State, thereby confirming the results of the questionnaires finding that the policies moderately helped to improve the quality of procurement outcomes. During the interview one of the informants has this to say:

"Although the procurement policies has helped to improve the quality of procurement outcomes in Central Equatoria State, there is still need for the Local Government to widely disseminate copies of the procurement policy documents, promote prudent use of the procurement policies and enforce maximum compliance to procurement policies to enrich the quality of procurement outcomes of the Local Government in Central Equatoria State, Juba, South Sudan"

This affirms the essence of procurement policies in regulating procurement processes and conduct of procurement staff and how procurement policies helped to improve the quality of procurement outcomes of Local Government in Central Equatoria State, Juba, South Sudan.

4.5 Pearson’s Linear Correlation Coefficient for relationship between procurement policies and compliance of Local Government in Central Equatoria State, South Sudan

Research objective 3 sought to establish if there is a significant relationship between procurement policies and compliance of local government in Central Equatoria State, South Sudan. It was hypothesized that the two variables are not significantly correlated. To test the hypothesis, Pearson’s Linear Correlation Coefficient was used. Summary of r-value of those variables are presented in table 4.5.

Table 4.5: Pearson’s Linear Correlation for relationship between procurement policies and the level of compliance of Local Government in Central Equatoria State, South Sudan

Variables correlated	r-value	Sig	Interpretation	Decision on Ho
Procurement Policies Vs Compliance of Local Government	.010	.925	No significant effect	Accepted

Source: Primary data 2014

Table 4.5 above shows the Pearson’s Linear Correlation Coefficient for the level procurement policies and the level of compliance of the Local Government in Central Equatoria State, South Sudan and it was revealed that; there is a no significant relationship between procurement policies and the level of compliance of Local Government in Central Equatoria State, South Sudan. For example, procurement policies is not significantly correlated with the level of compliance of local government ($r=0.010$, $sig=0.925$). Basing on these results, since the sig.

value (0.925) was more than 0.05 which is the minimum required level of significance in social sciences, the hypothesis that there is no significant relationship between the level of procurement policies and the extent of compliance of local government in Central Equatoria State, South Sudan is accepted.

Table 4.6: regression analysis of the level of procurement policies and the extent of compliance of Local Government in Central Equatoria State, South Sudan

Variables regressed	R² Value	F. Value	Sig	Interpretation	Decision on Ho
Procurement Policies Vs Compliance of Local Government	.000	.009	925	No significant effect	Accepted
Coefficients	Beta	t. value	Sig	No significant effect	Ho
	.010	.094	.925		Accepted

Source: Primary data

Table 4.6 shows the regression analysis of the level of procurement policies and the level of compliance of Local Government in Central Equatoria State, South Sudan. The regression analysis show that there is no significant relationship between procurement policies and the level of compliance of Local Government in Central Equatoria State, South Sudan (R². value=-.000, F. value=0.009, and sig value=925). The coefficients equally shows no significant relationship between the variables regressed (beta=.010, t. value=0.94, sig=0.925). To confirm the correlation test, the regression test also shows that the two variables (procurement policies and compliance of local government) are not significantly related and they are negatively correlated. The hypothesis that the two variables are not significant related is therefore accepted. This leads to a conclusion that procurement policies do not affect local government compliance in Central Equatoria State, South Sudan.

CHAPTER FIVE

DISCUSSIONS, CONCLUSIONS, RECOMMENDATIONS

5.1 Introduction

This chapter presents the findings, conclusions derived from the findings and the recommendations that will help in improving the compliance of Local Government to procurement policies in Central Equatoria State, Juba, South Sudan. Areas for further study are also suggested.

5.2 Discussion

This study was set to find out the relationship between procurement policies and compliance of Local Government in Central Equatoria State, Juba, South Sudan. The study was guided by three specific objectives and these were: i) to determine the level of Local Government compliance to procurement policies in Central Equatoria State, Juba, South Sudan; ii) to examine whether the procurement policies has helped to improved the quality of procurement outcomes of Local Government in Central Equatoria State, Juba, South Sudan; and iii) to find out if there is relationship between procurement policies and compliance of Local Government in Central Equatoria State, Juba, South Sudan.

5.2.1 Demographic Profile of Respondents

The findings of the demographic characteristics of the respondents indicated that out of 100 respondents chosen for the study, majority 84% were male and 16% were females. This shows unequal representation of the sexes in Central Equatoria State Ministry of Local Government; implying that most of the staffs in Central Equatoria State Ministry of Local Government are males (84%) and women (16%) which are less than the expected 25% women representation provided by South Sudan Constitution (2011), thus the need for the Local Government give priority to female candidates during recruitment to increase the number of female staff in Central Equatoria State Local Government

About the respondents' age, the study found that the majority (50%) of the respondents were between the age of 25-34 years, implying that majority of the workers (50%) in Central Equatoria State Ministry of Local Government were between the age of 25-35 years, followed by those within the ages of 36-45 years (33%) and the workers above 45 years were the minority (17%). This supports the fact that in the Central Equatoria state Local Government most of the senior positions were mostly given to those above 45 years of age (17%) who are considered to have more working experience.

In terms of education level, the study found out that most of the respondents (41%) were diploma holders, 37% were certificate holders, 13% were bachelor degree holders and 9% were holding Master's degree, thereby the need for more staff capacity development through trainings

In terms of working experience, most of the workers (68%) have worked for over three years in Local Government and therefore have fairly good experience in Local Government and procurement of public goods and services.

5.2.2 The level of Local Government compliance to procurement policies in Central Equatoria State

The findings show that the respondents did not agree with the statements provided, meaning that there is moderate responses from the respondents as indicated by the total average mean of 2.81 thereby implying a moderate level of Local Government compliance to procurement policies in Central Equatoria State, Juba, South Sudan.

This moderate level Local Government compliance is not in conformity to Omer Dekel (2008) Legal theory of competitive Bidding for Government Contracts. According to the theory, Public procurement is meant to serve three objectives: to ensure integrity in the awarding of contracts and to prevent contracting tainted with favoritism, conflict of interest, or corruption; to allow government to engage

in economically efficient contracting; and to provide an equal opportunity to all members of society to compete for the economic advantage inherent in contracting with the government

For example it was found that there is low level of compliance to competitive bidding (2.00) which is on disagreement with Smith (1997) and Lemke (2003), who recommended competition, the tenet of free market economy, which is popular in the public sector because it is the basis for cost effective purchasing, quality and timeliness of procured services, and improves flexibility of service delivery. It keeps providers on their toes.

5.2.3 Whether the procurement policies has helped to improve the quality of procurement outcomes of Local Government

On whether the procurement policies has helped to improve the quality of procurement outcomes of Local Government in Central Equatoria State, Juba, South Sudan, the findings revealed an average mean of 2.95 which implied that procurement policies moderately helped to improve the quality of procurement outcomes of Local Government in Central Equatoria State, Juba, South Sudan. The finding shows that the respondents somehow agreed with the responses since the responses were mostly moderate. For example, it was found that goods and services provided are of the right quality and quantity (mean 2.99). This means that respondents somehow agreed that goods and services provided are of the right quality and quantity. The same respondents also somehow agreed that user department is always satisfied with the goods and services delivered (mean 2.99). It was further found that goods and services are procured and delivered timely (mean 2.99), and that sometimes suppliers are paid timely for their goods and services delivered (mean 2.99). This is fairly in line with the principle aim of procurement as indicated by Lyson (2000) and Telgen (2007). The principle aim of procurement is to obtain goods and services of the right quality, in the right quantity, from the right source, delivered to right place at the right time at the least cost and price (Lyson, 2000 and Telgen, 2007).

According to Dye (2005), the focus of compliance should be on enhancing value for money, achieving fairness, openness, and transparency without restricting public servants in a tangle of rules, and a culture of ethics, innovation should be cultivated in public procurement, hence the need for Central Equatorial State Local Government to widely disseminate the procurement policies to the counties and enforce maximum compliance to the procurement policies to help improved the quality of procurement outcomes including timely procurement and delivery of right quality and quantity of goods and services.

Furthermore, the study found that there is always compliance to specifications. This means that at times, there are compliance to specifications. The respondents also somehow agreed that there is satisfaction of user department with the procurement processes and goods and services delivered (mean 2.83), there is efficient use of funds (value for money) and maximum saving, and that the objectives of procurement policies are always achieved.

This is in relation to Thai (2001), postulation's which makes three fundamental assumptions. The first assumption is that procurement policies and legal regulatory framework is already well established and that it has been understood by all players in the public procurement system and meticulously followed in the procurement processes at organizational level.

5.2.4 Relationship between procurement policies and the level of Local Government compliance in Central Equatoria State, South Sudan

Pearson's Linear Correlation Coefficient for the procurement policies and the level of compliance of Local Government in Central Equatoria State, South Sudan revealed that; there is no significant relationship between procurement policies and the level of compliance of Local Government in Central Equatoria State, South Sudan. For example, procurement policies is not significantly correlated with the level of compliance of local government ($r=0.010$, $sig=0.925$). Basing on these results, since the sig. value (0.925) was more than 0.05 which is the minimum

required level of significance in social sciences, the hypothesis that there is no significant relationship between procurement policies and the level of compliance of local government in Central Equatoria State, South Sudan is accepted.

This shows that the two variables (procurement policies and compliance of local government) are not significantly related and they are negatively correlated. The hypothesis that the two variables are not significantly related is therefore accepted. This leads to a conclusion that procurement policies do not affect local government compliance in Central Equatoria State, South Sudan.

5.3 Conclusions

Based on the study findings presented, the following conclusions were drawn;

5.3.1 Demographic characteristics of respondents

The findings of the demographic characteristics of the respondents indicated that in terms of gender, most of the staffs in Central Equatoria State Ministry of Local Government are males (84%) and women are the minority (16%) which are less than the expected 25% women representation provided by South Sudan Constitution (2011), thus the need for the Local Government give priority to female candidates during recruitment to increase the number of female staff in Central Equatoria State Local Government

About the respondents' age, the study found that the majority (50%) of the respondents were between the age of 25-34 years, implying that majority of the workers (50%) in Central Equatoria State Ministry of Local Government were between the age of 25-35 years, followed by those within the ages of 36-45 years (33%) and the workers above 45 years were the minority (17%). This supports the fact that in the Central Equatoria state Local Government most of the senior positions were mostly given to those above 45 years of age (17%) who are considered to have more working experience.

In terms of education level, the study found out that most of the respondents (41%) were diploma holders, 37% were certificate holders, 13% were bachelor degree holders and 9% were holding Master's degree, thereby the need for more staff capacity development through trainings

In terms of working experience, most of the workers (68%) have worked for over three years in Local Government, implying that most of the workers in Central Equatoria State Local Government have fairly good experience in Local Government and procurement of public goods and services.

5.3.2 Procurement policies and the level of Local Government compliance during procurement of public goods and services in Central Equatoria State, Juba, South Sudan

The study concluded that there is generally a moderate (2.81) level of Local Government compliance to procurement policies in Central Equatoria State, Juba, South Sudan. For example, although there is practice of open and competitive bidding in public procurement. the study found out that procurement officials violate, the Local Government Act 2011 and the public procurement and Disposal Act 2011 procurement requirements including the requirement for the open tenders to be published, stating the mode of procurement, the nature and quantity of what is to be procured, date of delivery, economic and technical requirements, amounts, terms of payment and quality specification among others.

5.3.3 How procurement policies has helped to improve the quality of procurement outcomes of Local Government in Central Equatoria State, Juba, South Sudan

On whether the procurement policies has helped to improve the quality of procurement outcomes of Local Government in Central Equatoria State, Juba, South Sudan, the findings which revealed an average mean of 2.95 implies that procurement policies moderately helped to improve the quality of procurement outcomes of Local Government in Central Equatoria State, Juba, South Sudan.

The finding shows that the respondents somehow agreed with the responses since the responses were mostly moderate. For example, it was found that goods and services provided are of the right quality and quantity (mean 2.99). This means that respondents somehow agreed that goods and services provided are of the right quality and quantity. The same respondents also somehow agreed that user department is always satisfied with the goods and services delivered (mean 2.99). It was further found that goods and services are procured and delivered timely (mean 2.99), and that sometimes suppliers are paid timely for their goods and services delivered (mean 2.99).

On the relationship between procurement policies and the level of Local Government compliance to procurement policies in Central Equatoria State, South Sudan, the study concludes that; there is no significant relationship between procurement policies and the level of compliance of Local Government in Central Equatoria State, South Sudan. For example, procurement policies are not significantly correlated with the level of compliance of local government. The hypothesis that there is no significant relationship between procurement policies and the level of compliance of local government in Central Equatoria State, South Sudan is therefore accepted.

5.3.4 Relationship between procurement policies and the level of compliance of Local Government in Central Equatoria State, South Sudan

Based on the Pearson's Linear Correlation Coefficient for the procurement policies and the level of compliance of Local Government in Central Equatoria State, South Sudan, the study concluded that; there is no significant relationship between procurement policies and the level of compliance of Local Government in Central Equatoria State, South Sudan. For example, procurement policies is not significantly correlated with the level of compliance of local government ($r=0.010$, $\text{sig}=0.925$). Basing on these results, since the sig. value (0.925) was more than 0.05 which is the minimum required level of significance in social sciences,

the hypothesis that there is no significant relationship between procurement policies and the level of compliance of local government in Central Equatoria State, South Sudan is accepted.

The regression results also shows that the two variables (procurement policies and compliance of local government) are not significantly related and they are negatively correlated. The hypothesis that the two variables are not significantly related is therefore accepted. This leads to a conclusion that procurement policies do not affect local government compliance in Central Equatoria State, South Sudan.

5.4 Recommendations

In view of the finding, the researcher recommends the following:

Recruitment of more females and building capacity of Local Government officials; The Central Equatoria Local Government should give more consideration for female candidates during recruitment to increase the number of female staff and also build the capacity of their staff on public procurement through on job training, orientation workshops and sending those with lower qualification for further professional training courses in order to enrich their knowledge, experience and skills in public procurement and promote compliance to procurement policies and thereby contributing to achievement of procurement policy objectives and quality of procurement outcomes

Wide dissemination and enforcement of the Local Government Act and the Public Procurement and Asset Disposal Act by the Local Government to ensure that noncompliant public entities are compelled to adhere to the set policies. Strong laws need to be in place and they have to spell out the penalties for those noncompliant bodies because it has been found out that the rate of noncompliance is as a result of limited dissemination and enforcement by the Local government in Central Equatoria State.

Government to embark on anti-corruption measure to regulate the conduct of procurement officials and promote the level of local Government compliance to procurement policies and eliminate or minimize corruption in competitive bidding, the government should embark on regular monitoring, reporting, prosecution and punishment that exceeds gain, banning corrupt firms from participating, create external monitoring systems, protect whistler-blowers identity, publish audits by independent auditors, free press, privatization and hard budget constraints, use of market prices, and incentives to bidders to complain if they suspect corruption. This will promote conformity to specifications and standards and enrich adherence to procurement policies thereby helping to improve the quality of procurement outcomes of the Local Government in Central Equatoria State, Juba, South Sudan.

Involvement of beneficiaries in procurement planning and monitoring; by involving citizens in the process, ensuring quality and competition, governments will be more effective, efficient in service delivery and responsive to people's needs.

Cooperation between Local Government and other law enforcing bodies: To ensure significant relationship between procurement policies and compliance of Local Government in Central Equatoria State, there is need for maximum cooperation between local government and other law enforcing institutions like the police, Auditor General (AG) and other bodies so as to ensure that non complaint procurement officials and other public entities are dealt with legally. The researcher suggests this because it has been found that the level of Local Government compliance to procurement policies is moderate and thereby resulting to no significant relationship between procurement policies and compliance of Local Government in Central Equatoria state, Juba, South Sudan.

5.5 Areas for further research

Further research needs to be done on the following areas:

1. Procurement procedures and performance of public entities in Central Equatoria State, South Sudan
2. Procurement policies and performance of public institutions in other states of South Sudan
3. Procurement procedures and performance of non-governmental organizations in Central Equatoria State, Juba, South Sudan
4. Roads and prices of commodities in South Sudan

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APPENDICES

APPENDIX A. TRANSMITTAL LETTER FROM CHDR



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P.O. Box 20000, Kampala, Uganda.
Tel: +256-414-266813, +256-41-267634
Fax: +256-414-501974, Cel:+256-706-251084
E-mail: admin@kiu.ac.ug,
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OFFICE OF THE HEAD OF DEPARTMENT, ECONOMICS, BUSINESS AND
MANAGEMENT SCIENCES

COLLEGE OF HIGHER DEGREES AND RESEARCH

February, 13, 2014.

**INTRODUCTION LETTER FOR TIPA JACKSON LOKABANGACIA REG.NO.
MBA/18764/121/DF TO CONDUCT RESEARCH IN YOUR ORRRGANISATION**

The above mentioned candidate is a bonafide student of Kampala international University pursuing a Masters' of Business Administration.

He is currently conducting a field research for his dissertation entitled "**Procurement Policies and Compliance of Local Government in Central Equatorial State, Juba, South Sudan**".

Your organization has been identified as valuable source of information pertaining to his research project. The purpose of this letter then is to request you to avail him with pertinent information he may need.

Any information shared with him will be used for academic purposes only and shall be kept with utmost confidentiality.

Any assistance rendered to him will be highly appreciated.

Yours truly,

Dr. Edris S. Kasenene
Deputy Principal, CHDR.

"Exploring Heights"

APPENDIX B: TRANSMITTAL LETTER TO THE RESPONDENTS

Dear Sir/Madam,

I am a student of Kampala International University, Kampala, Uganda pursuing Masters in Business Administration (Supplies and Procurement) and currently conducting Thesis entitle "Procurement Policies and Compliance of Local Government in Central Equatoria State, Juba, South Sudan".

I am requesting you to be part of this study by answering the questionnaires. Be assured that, the information you would provide shall be kept with utmost confidentiality and will be used for academic purpose only. As you answer the questionnaire, be reminded to respond to only items in the questionnaire; do not leave any item unanswered.

As I planned to retrieve the filled questionnaire after five days from the date of distribution, I am requesting you to complete them as soon as possible.

Thank you very much in advance.

Yours faithfully,

Tipa Jackson Lokabangcia

APPENDIX C: INFORMANT CONSENT

I am hereby giving my consent to be part of the research study of Mr. Tipa Jackson Lokabangcia that will focus on Procurement Policies and compliance of Local Government in Central Equatoria State, Juba, South Sudan.

I shall be assured of privacy, anonymity and confidentiality and that I will be given the option to refuse participation and right to withdraw my participation any time.

I have been informed that, the research is voluntary and that the results will be given to me if I ask for it.

Initials _____

Date: _____

APPENDIX D: RESEARCH INSTRUMENT

A: Questionnaire for County Local Government Officials

Dear respondent, I am a student of Kampala International University, carrying out a survey on procurement policies and compliance of Local Government in Central Equatoria State, Juba, South Sudan. As you have been considered to be one of the respondents, please assist me by answering the questionnaire, by providing the most appropriate answer in your opinion by ticking (✓) and or writing in the given spaces as the case may be. Your response will be treated with utmost confidentiality and shall be used for academic purpose only. I will appreciate your cooperation.

Regards,

Tipa Jackson Lokabangcia

Questions

1. Profile of the respondent: Please tick (✓) your appropriate option

- a. Your gender: Male Female
- b. Your age: Below 24 years 25-35 years
36-45 years Above 45 years
- c. Work experience with Local Government
Less than 1 year 1-2 years
3-4 years 5 years and above
- d. Education level attained
Certificate Diploma Degree Masters
Others specify _____

Question 2: Likert scale as provided by Martin E. Amin (2005) will be used in determining the response from the respondents where: 1 = Strongly agree (SA), 2 = Agree (A), 3 = Neutral (N), 4 = Disagree (D) and 5 = Strongly disagree (SD)

Please tick (✓) the appropriate rating according to your own opinion

Objective i: Level of Local Government compliance to procurement policies during procurement of goods and services in Central Equatoria State					
Parameters & Rating	SA (1)	A (2)	N (3)	D (4)	SD (5)
Competitive bidding					
Bidding is always done competitively					
There is open tendering					
Conformity to set rules, regulations and standards					
Bid submission is always done according to given criteria					
Standard bid documents are provided for bidders					
Bid evaluation always done by evaluation committee					
Bids are always authorized and contracts signed by designated authority					
Fairness					
Bidders are always accorded equal treatment and bidding information					
Bid evaluation is based on criteria indicated on bid documents					
Contracts are always awarded to the best or lowest evaluated bidder					
Tenders and bidding information are always pass using customary (familiar) means of communication					

Integrity					
Procurement officials always observe maximum code of conduct					
Selection and award of bids are done according to the specification indicated on bid documents					
Transparency					
Bids are always open publicly					
Tenders are always advertise widely					
Selected bidders are always notified in writing					
Economic efficiency					
Users department is always satisfied with goods and services procured					
Right quality and quantity of goods and services are always procured					
There is timely delivery of required goods and service					
Suppliers are paid timely for goods and serviced delivered					
Objective ii: How procurement policies has help to achieve objectives of the procurement policies and improve the quality of procurement outcomes of Local Government in Central Equatoria State					
Achievement of procurement policy objectives					
Goods and services provided are of the right quality and quantity					
User department is always satisfied with the goods and services delivered					
Goods and services are procured and delivered timely					
Suppliers are paid timely for their goods and services delivered					

Procurement outcome					
There is always compliance to specifications					
There is satisfaction of user department with the procurement processes and goods and services delivered					
There is efficient use of funds (value for money) and maximum saving					
The objectives of procurement policies are always achieved					
Objective iii: How procurement policies relate with compliance of Local Government in Central Equatoria State.					
There is maximum practice of open and competitive bidding in public procurement					
There is always fair and equal treatment for bidders					
Procurement officials act with maximum integrity and observe ethical code of conduct					
There is transparency in procurement process					
There is conformity to specifications and set procurement standards during operation					
Users get right quality and quantity of goods and services and at the right time					
Bid and contract authorization process and contracts signed within time frame by designated authority					
There is regular appraisal of contract and reporting of progress					
Contracts are executed and completed within given time frame					
There is widely advertisement of tenders using customized means of communication					
There is efficient use of funds and maximum saving					

as contracts are always awarded to the best or lowest evaluated bidder					
There is user department satisfaction as right quality and quantity of goods and services are procured					
There is achievement of the objectives of procurement policies					

3. In your own opinion, what factors affect compliance of Local Government to procurement policies in Central Equatoria State?

.....
.....
.....

4. Suggest what should be done to improve compliance of Local Government to procurement policies in Central Equatoria State

.....
.....
.....

The end and thanks for your response

B: Interview Guide for Key Local Government Officials

1. Briefly mention your age bracket, education level and work experience with Local Government

.....
.....

2. Does the Local Government in Central Equatoria State apply procurement policies when procuring goods and services?

.....

3. If yes, mention the procurement policies often applied by Local Government officials during procurement

.....
.....

4. How has the implementation of procurement policies by Local Government helped to achieve the objectives of procurement policies and improve the quality of procurement outcome in Central Equatoria?

.....
.....

5. In your own opinion, is there any relationship between procurement policies and compliance of Local Government? If yes, mention the relationship

.....
.....

6. In your own view, what factors affect compliance of Local Government to procurement policies in Central Equatoria State?

.....
.....

7. In your own opinion, what should be done to increase compliance of Local Government to procurement policies in Central Equatoria State

.....
.....

The End and thanks for your response

A: Questionnaire for County Local Government Officials

5. In your own opinion, what factors affect compliance of Local Government to procurement policies in Central Equatoria State?

- Limited knowledge and skills in procurement of public goods and services
- Limited information about the existing Public Procurement and Asset Disposal Act
- Limited copies of Local Government and Public Procurement and Asset Disposal Acts at the County level
- Corruption and non-prosecution and punishing of corrupt public officials
- Lack of close monitoring, evaluation and reporting public procurement
- Practice of bribery, favoritism, nepotism and tribalism

6. Suggest what should be done to improve compliance of Local Government to procurement policies in Central Equatoria State

- Reporting, prosecution and punishing of corrupt government officials
- Regular monitoring, evaluation and reporting of procurement of public goods and services
- Active involvement of citizens (beneficiaries) in procurement planning, monitoring and reporting of public goods and services
- Wide dissemination of procurement policy documents and Local Government Act
- Orientation and training of procurement staff on public procurement and the Local Government Act and Procurement policy documents

B: Interview Guide for Key Local Government Officials

8. Briefly mention your age bracket, education level and work experience with Local Government

- Age bracket: 25-35 years, 36-45 years and Above 45 years

- Education level: Certificate, diploma, degree and masters
- Work experience with Local Government: less than 1 year, 1-2 years, 3-4 years and 5 years and above

9. Does the Local Government in Central Equatoria State apply procurement policies when procuring goods and services?

Yes

10. If yes, mention the procurement policies often applied by Local Government officials during procurement

- Open bidding for procurement of public goods and services
- Provision of standard bid documents
- Conformity to specifications and standards
- Best value for money
- Fair and equal treatment of bidders
- Public opening of bids
- Widely advertisement of tenders on newspapers and radios
- Best value for money

11. How has the implementation of procurement policies by Local Government helped to achieve the objectives of procurement policies and improve the quality of procurement outcome in Central Equatoria?

- Conformity to specifications during procurement of goods and services
- Satisfaction of users
- Efficient use of funds , best value for money
- Procurement of right quality and quantity of goods and services
- Delivery of goods and services at the required time

12. In your own opinion, is there any relationship between procurement policies and compliance of Local Government? If yes, mention the relationship

- Yes
- Procurement policies contribute to the practice of competitive bidding during procurement of public goods and services
- Procurement policies and compliance to policies results to procurement of right quality and quantity of goods at the right time
- Procurement policies and maximum compliance to the policies lead to user department satisfaction
- Procurement policies and compliance to the policies regulate the conduct and actions of those involve in procurement of public goods and services
- Procurement policies and staff compliances lead to efficient use of funds; the practice of “best value for money”
- Procurement policies and compliance to the policies contribute to fair and equal treatment of bidders during procurement of public goods and services
- Procurement policies and compliance results to widely advertisement of tenders through the newspaper, radios and notice boards

13. In your own view, what factors affect compliance of Local Government to procurement policies in Central Equatoria State?

- Limited knowledge and skills in procurement of public goods and services
- Limited information about the existing Public Procurement and Asset Disposal Act
- Limited copies of Local Government and Public Procurement and Asset Disposal Acts at the County level
- Corruption and non-prosecution and punishing of corrupt public officials
- Lack of close monitoring, evaluation and reporting public procurement
- Practice of bribery, favoritism, nepotism and tribalism

14. In your own opinion, what should be done to increase compliance of Local Government to procurement policies in Central Equatoria State

- Reporting, prosecution and punishing of corrupt government officials
- Regular monitoring, evaluation and reporting of procurement of public goods and services
- Active involvement of citizens (beneficiaries) in procurement planning, monitoring and reporting of public goods and services
- Wide dissemination of procurement policy documents and Local Government Act
- Orientation and training of procurement staff on public procurement and the Local Government Act and Procurement policy documents

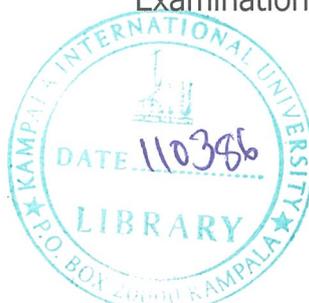
APPENDIX E: RESEARCHER'S CURRICULUM VITAE

Personal profile

Name : Tipa Jackson Lokabangcia
Gender: Male
Date of Birth: 20/2/1977
Nationality: South Sudanese
Marital Status: Married
Contact address: KajoKeji County, Central Equatorial State
E- mail: tipaloka@yahoo.com
Mobile: +211955213165/
+211924722933/+256782829525
Languages: Bari, English, Madi, Juba Arabic and Kakwa

Educational Background

20012-2014	Kampala International University, Kampala, Uganda	Masters of Business Administration
2007-2009	Kampala International University, Childhood Kampala, Uganda	Bachelors of Early and Primary Education
2005-2006	Mwana-Mwende Teachers College, Childhood Nairobi, Kenya Education	Diploma in Early Development
2000-2002	National Teachers College Muni, Arua, Uganda	Diploma in Education Secondary
1998-1999	Alere Secondary School, Adjumani, Uganda	Uganda Advance Certificate of Education
1994-1997	Oliji/Alere Secondary School, Adjumani, Uganda	Uganda Certificate of Education
1987-1993	Oliji Upper primary school, Uganda	Primary Leaving Adjumani, Examinations



Work Experience

November 2013-December 2013: Access to Justice Acting Deputy Program Manager

Pact South Sudan Country Office-Juba

February 2013-October 2013: Jonglei Peace Project Manager, Pact South Sudan Country

Office-Juba

September 2011-February 2013: National Field Finance Associate, United Nations Development Programme, Lakes state-Rumbek, South Sudan

October 2010-August 2011: National Field Associate, United Nations Development Programme, Lakes State-Rumbek, South Sudan

September, 2009- September 2010: Project Coordinator, Rural Water and Sanitation Support Agency, Lakes State-Rumbek, South Sudan

Apr-Aug 2009: Senior Inspector for Preschools, Directorate of Education KajoKeji County, State Ministry of Education, Central Equatoria State, South Sudan

Nov.2007 – Mar 2009: Sector Head- Early Childhood Development Sector, Needs Service Education Agency (NSEA), Maridi, South Sudan

Apr. 2005-Oct. 2007: Early Childhood Development Liaison Officer/ Tutor, Needs Service Education Agency (NSEA), KajoKeji County, South Sudan

Feb.2000-Mar. 2005: Teacher Mungula Secondary School, Adjumani, Uganda

Other Relevant data

REFEREES:

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DECLARATION: I Tipa Jackson Lokabangcia, do hereby declare that the above information is a true reflection of my educational and professional work experience.

Signature:  -----

Date: **8TH November 2014**

