

## **DETERMINANTS OF PROCUREMENT PERFORMANCE IN JUDICIARY DEPARTMENT AT THE NAKURU LAW COURTS, KENYA**

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### **Abstract**

*In many countries, 60% of quality systems in public procurement have not delivered expected benefits. This study assessed determinants of procurement performance in Judiciary Department at the Nakuru Law Courts. The study focused on procurement planning and staff competency. Agency, Transaction cost and Resource Based View theories were adopted. Descriptive research design was used with a target population of 160 employees (senior managers, head of departments, procurement officers and suppliers). Stratified random sampling was used to sample 62 participants who were administered with a structured questionnaire. Collected data was analyzed using descriptive and inferential statistics with aid of SPSS version 23. Findings showed procurement planning was adequately budgeted (mean=3.600), poor procurement planning was a major setback in cost estimation (mean=4.033), lack of professionalism caused non-compliance to procurement laws (mean=3.733), effective procurement activities depend on skills and experience of the*

employees (mean=3.567). A strong correlation exists between procurement planning ( $r=.761$ ), staff competency ( $r=.725$ ) and procurement performance. The study concluded that proper procurement planning determines the success of service delivery; employees were regularly trained on procurement procedure. The study recommended that adequate resources should be provided for procurement planning, professionalism should be enhanced for compliance to procurement laws.

*Keywords: Planning; Procurement; Employee; Competency; Training; Performance; Compliance; Budgeting*

## INTRODUCTION

According to Schiele (2007), procurement performance entails how well organizational procurement objectives have been attained. The extent to which procurement function is able to obtain best value for spent organizational money to purchase products and services is the best indicator of procurement performance. According to Corsten (2009), procurement commonly involves purchase planning, standards determination, specifications development, supplier research and selection, value analysis, financing, price negotiation, making the purchase, supply contract administration, inventory control and stores, and disposal and other related functions. Furthermore, Hall (2009) posited that public procurement is concerned with how public sector organizations spend taxpayers' money on goods and services. Public procurement is guided by principles of transparency, accountability, and achieving value for money for citizens and taxpayers. Across the world and in many developed nations, public sector expenditure is a substantial share of their GDP. According to OECD (2006), governments across the world tend to spend between 8% and 25% of GDP on goods and services. In the UK, public procurement expenditure is approximately £150 billion (DEFRA, 2007). Furthermore, Charles (2007) pointed out that government is often the single biggest customer within a country and governments can potentially use this purchasing power to influence the behavior of private sector organizations.

Correspondingly, the World Bank (2016) report shows that about 50% of developing countries government budget is spent on procuring goods and services; while high income countries spend an estimated 29% of total general government expenditure on public procurement. In the European Union for example, public authorities spend approximately 14% of GDP on the purchase of goods, works and services. Globally, public procurement accounts for approximately one-fifth of global GDP (European Commission, 2016). Globally, 60% of

quality systems in public procurement have not delivered the expected benefits (Soudry, 2007). Heeks (2010) reported that 35% of procurement system in public sector in developing countries are total failures, 50% are partial failures, while the remaining 15% are successes. Chang (2011) reported that in 2010, 40% of Korea's total public procurement (124 billion USD) was conducted through manual procurement system. According to Van Weele (2006) purchasing performance is considered to be the result of two elements: purchasing effectiveness and purchasing efficiency. Performance provides the basis for an organization to assess how well it is progressing towards its predetermined objectives, identifies areas of strengths and weaknesses and decides on future initiatives with the goal of how to initiate performance improvements. David (2007) argues that competency is a standardized requirement for an individual to properly perform a specific job. Shalle et al., (2014) deduced that procurement performance can be assessed by focusing on delivery, flexibility, quality, cost and technology.

In developing countries like Kenya, public procurement is increasingly being appreciated as essential in service delivery (Hunja, 2011) and it accounts for a high proportion of total spend of taxpayers' money. Orina (2013) in her study on E-procurement readiness factors in Kenya's Public sector found that resistance to change, lack of enthusiasm, staff skills, and to some extent procurement policies led to a failure of e-procurement adoption in public institutions to yield only 47% adoption rate. Competency also encompasses a combination of knowledge, skills and behavior used to improve performance. More generally, competency is the state or quality of being adequately or well-qualified, having the ability to perform a specific role. In Australia, Procurement management provides a basis for effective control and stewardship of resources and demonstrates the value of the procurement function. This was not available in 2005 (Thai, 2011). Citing a report on the review of Purchasing and Logistics in the Queensland Government, (Sme, 2012) reports that 44% of state organizations in Australia reported that they had no performance measures in place for assessing procurement efficiency and effectiveness. Of those that did have measures, many are qualitative statements rather than specific targets to achieve. A study by Talluri (2008) found that many government organizations in United India and Malaysia lack effective procurement policies for supporting effective implementation of procurement performance. Sobczak (2008) noted that many Japanese firms that employ just in time inventory management technique have succeeded in embracing efficient procurement performance. Further, According to Arrowsmith (2010), public procurement in developing countries is said to account for up to 25% of their GDP. In the Middle East and Africa in general, central government purchases range from 9% to 13% (Gul, 2010). Agaba and Shipman (2008) examined spending levels in Sub-Sahara Africa and found that they ranged between US\$ 30 and 43 billion towards the procurement market. A study by Emmanuel

(2007) showed that in Africa, training of procurement personnel could greatly support effective implementation of procurement performance in many public training institutions. A study by Simpson and Power (2007) found that in many African government institutions, many procurement managers are not trained on implementation of effective procurement performance and this contributes to wastage of procurement funds since most African training institutions have not embraced effective procurement performance in public procurement training institutions. Furthermore, Deva raj, Vaidya Nathan and Mishra (2012) concluded that the presence of poor contract management that is characterized by payments delays to suppliers obstructs greatly their ability to offer timely service delivery leading to delays that derails organizational procurement timelines and schedules.

The presence of a high frequency of procurement plans formulation and evaluation contributes to organizational procurement performance. Contracts are frequently complex, they may involve multiple actors, last a long time and may consume many resources. It is therefore vital that they are properly managed (SIGMA, 2011). According to Gichio (2014), weaknesses in public procurement, including vulnerability to corruption, are a global problem with approximately 400 billion USD (Ksh 34.9 trillion) reported as being lost to bribery and corruption in procurement globally. Proper regulations for public procurement are therefore important in ensuring that the process is competitive, transparent and fair. According to the Stenning and Associates Report (2003), as a significant proportion of the benefits to be gained from implementing e-Procurement initiatives are related to the changes made through process re-engineering. In addition, Birks et al. (2001) suggest that the process of reengineering should not only address process but also supplier relationships and all the internal groups affected by procurement (Soeters et al., 2014).

The overriding objective of a state's public procurement system is to deliver efficiency and "value for money" in the use of public funds, whilst adhering to national laws and policies. According to Rasheed (2004), performance measurement is about seeking to answer the fundamental question of whether the procurement system and operations ultimately deliver in accordance with the main objectives set. This indicates that public procurement plays a vital role in a country (Odhiambo & Kamau, 2003). A study by Arthur (2009) notes that many procurement managers in State Corporation in Kenya lack competitive knowledge and skills on how to effectively embrace effective procurement performance and this hampers minimization of procurement expenditure. George (2010) contends that the level of compliance with procurement regulations greatly influences the efficiency of the procurement procedures in public sector organizations. A study by Moses (2009) found that application of poor sourcing strategies is a key impediment to implementation of effective procurement performance in many

government institutions in Kenya. Use of ICT in procurement is also very critical in determining the performance of procurement in state corporations. Studies with respect to public procurement implications on performance include Chalton (2014) conducted a study on the challenges of implementing procurement policies in state corporations in Kenya, Nyaboke, et al. (2013), conducted a study on the effects of public procurement policies on organizational performance which was focus on the water sector while Obiero (2010) did a study on the challenges in the implementation of the Public Procurement and Disposal Act 2005 in the Ministry of Higher Education, Science and Technology in Kenya. All these studies have not tackled determinants of effective procurement performance in the Judiciary as a public institution.

### **Public Procurement in Kenya**

According to PPDA (2005), Public Procurement Act requires Procuring Entities to plan their procurements. A procurement plan helps Procurement Entities to achieve maximum value for expenditures and enables the entities to identify and address all relevant issues pertaining to a particular procurement before they can publicize their procurement notices to potential suppliers of goods, works and services. A procurement plan is influenced by a number of factors. These include; the value of the procurement, the type of procurement, for instance whether the procurement is sensitive, unique, high risk, or of strategic significance to the procuring Entity's success, and the nature of procurement – for example, whether it involves intrinsic risks and ethical and process issues. Before any procurement transaction is conducted, Procuring Entities must determine their procurement needs which must be consistent with their organization's objectives. In this regard, the Procuring Entity should assess whether or not, a particular procurement is necessary. The assessment should take account of; the need to ensure that the Procuring Entity uses its resources effectively and efficiently; how the proposed expenditure would contribute to the Entity's desired outputs; and the Procuring Entity's overall procurement philosophy in accordance with the provisions of the Public Procurement and Disposal Act (PPDA, 2015). Public procurement can either be for projects or for consumables. In project specific procurement, goods, works or services are sought for a particular initiative (e.g. a new road, a hospital, plant and equipment), whereas general consumable procurement relates to items that are required for a ministry or authority to perform its duties (George, 2008). Public entities are those that procure goods, services or works utilizing public funds. As such, public entities include the central and local governments, courts, commissions, state corporations, cooperatives, and educational institutions such as colleges, schools and universities (Duncan, 2009). The PPDA was established in order to; maximize economy and

efficiency, promote competition and ensure that competitors are treated fairly, promote the integrity and fairness of procurement procedures, increase transparency and accountability in those procedures, increase public confidence in those procedures, facilitate the promotion of local industry and economic development (Mathew, 2009). The role of procurement is to enhance as well as to promote both efficiency and transparency in the sourcing of firm needed goods and services (Mburu, 2011).

Modern day organizations therefore strive to attain more efficiency, cost effectiveness and accountability by undertaking to adopt vigorous and well-articulated procurement regimes (Shalle & Njagi, 2016). According to Achua (2011), employees on job competence have an effect on organizational procurement processes. Higher employee skills and capabilities leads to more diligent handling of assigned procurement tasks as they are able to exercise due care and skill. In addition, inherent skills have an influence on moral code of conduct that has an effect on the manner in which procurement tasks are to be carried out.

### **Statement of the Problem**

Public procurement accounts for a high proportion of the total government expenditure across the world. About 50% of developing countries' budget is spent on procuring goods and services. Globally, 60% of quality systems in public procurement have not adequately delivered the expected benefits. This a great challenge for government agencies given that 35% of procurement systems in developing countries are total failures, 50% are partial failures, while the remaining 15% are successes. Moreover, public procurement in developing countries accounts for up to 25% of their GDPs. In Kenya, government procurement has rapidly increased as well as the associated challenges on efficiency and transparency. Further, procurement planning continues to have a substantial impact on procurement performance. Also, one of the major setbacks in public procurement is insufficient procurement planning and management of the procurement process. Additionally, employee competencies have an effect on procurement performance. Many procurement managers in State Corporations lack competitive knowledge and skills on effective procurement performance. Correspondingly, there is inadequate training, acquaintance to the procurement Act and employment of unqualified procurement personnel. The introduction of IFMIS has been used to aid corrupt procurement scandals like the NYS instead of simplifying procurement processes for transparency and accountability. Weaknesses in public procurement and vulnerability to corruption have affected proper contract management leading to payment delays to suppliers. The judiciary department has reported challenges associated with inadequate procurement planning and insufficient resource allocation, employment of unqualified procurement personnel, partially implementation of online

procurement processes. The judiciary also solicits a list of suppliers from the treasury for consideration in awarding of contracts which may aid corruption. The judiciary also relies on the treasury for processing payments for the suppliers. This has slowed their ability to offer timely service delivery. Moreover, there is limited empirical literature on procurement performance especially in the Kenya Judiciary. This study therefore aimed at filling these gaps in procurement performance.

### **General Research Objective**

The study assessed the determinants of procurement performance in the Judiciary Department at the Nakuru Law Courts.

### **Specific Research Objectives**

- i. To establish the influence of procurement planning on procurement performance in the Judiciary Department at the Nakuru Law Courts.
- ii. To assess the influence of staff competency on procurement performance in the Judiciary Department at the Nakuru Law Courts.

### **Research Hypotheses**

- i.  $H_0$ : There is no significant relationship between procurement planning and procurement performance in the Judiciary Department at the Nakuru Law Courts.
- ii.  $H_0$ : There is no significant relationship between staff competency and procurement performance in the Judiciary Department at the Nakuru Law Courts.

### **Significance of the Study**

The findings of this study will be of value to public policy makers, the Judiciary, research institutions and Public Procurement Authority. This study is relevant to the government of Kenya and the state departments or public institutions. Kenya, like other developing economies requires prudent management of public resources in order to spur investments and growth. Public procurement is an important function that allocates resources in the economy. Its efficiency is therefore critical hence the need to understand the effect of procurement performance in public institutions. The findings of this study will be of value to law courts. The findings of this study will also be useful to procurement practitioners and procurement staff in both public and private institutions. The findings will also greatly contribute to the body of knowledge in procurement and also propose areas for further research. Researchers will also find this paper useful for references. The findings of this study will also create and stimulate

capacity building in public sector procurement departments to hence enhancing service delivery to the citizenry.

### **Scope of the Study**

This study assessed the determinants of procurement performance in the Judiciary Department at the Nakuru Law Courts. Further, the study specifically assessed the influence of procurement planning and staff competency. Moreover, the participants of the study were senior managers, head of departments, procurement officers and suppliers. The study was conducted for 3 months from August to October 2017 with a budget of Kshs.135000.

### **Limitations of the Study**

This study only covered two objectives: procurement planning, staff competency and their influence on procurement performance in the judiciary department at Nakuru Law Courts. Further some of the participants did not complete filling the questionnaires. These limitations were mitigated through constant follow up of the participants. Some respondents were reluctant to give specific information due to organizational confidentiality policy.

## **LITERATURE REVIEW**

### **Theoretical Literature**

A theory is a supposition or system of ideas intended to explain something. Theories attempt to explain facts that bring out rational explanation of cause and effect relationship among group of observable phenomenon (Mugenda & Mugenda, 2003). This study adopted Agency theory and Resource based view theory.

### ***Agency Theory***

Agency theory is concerned with agency relationships. The two parties have an agency relationship when they cooperate and engage in an association wherein one party (the principal) delegates decisions and/or work to another (an agent) to act on its behalf (Eisenhardt 2009; Rungtusanatham, Rabinovich, Ashenbaum & Wallin, 2007). The important assumptions underlying agency theory is that; potential goal conflicts exist between principals and agents; each party acts in its own self-interest; information asymmetry frequently exists between principals and agents; agents are more risk averse than the principal; and efficiency is the effectiveness criterion. Two potential problems stemming from these assumptions may arise in agency relationships: an agency problem and a risk sharing problem (Xingxing, 2012). An agency problem appears when agents' goals differ from the principals' and it is difficult or



expensive to verify whether agents have appropriately performed the delegated work (i.e. moral hazard). This problem also arises when it is difficult or expensive to verify that agents have the expertise to perform the delegated work (i.e. adverse selection) that they claim to have.

A risk-sharing problem arises when principals and agents have different attitudes towards risk that cause disagreements about actions to be taken (Xingxing, 2012). The assumptions and prescriptions of agency theory fit naturally with the issues inherent in effective benchmarking on procurement performance. In the process of managing procurement performance and quality, buyers in agency relations are faced with potential problems. By their nature, buyers expect suppliers to provide good quality and to improve the quality of supplied products and/or services, but suppliers may be reluctant to invest substantially in quality, especially if they perceive that buyers are reaping all the benefits. The difference between buyers and suppliers will result in the two parties concerning themselves only with their self-interests (Xingxing, 2012). Agency theory determines how procurement managers execute procurement performance on behalf of public institutions. Existence of poor principle agent relationship leads to low level of top management commitment and this also affects the relationship between institutions and the suppliers.

The criticism of the theory has shown that there is another explanation as to why people behave the way they do using social power and that the theory is less powerful than the explanation. The Agency theory is more of a description and it does not really explain in much more detail than the definition. As a result, procurement performance is greatly reduced leading to poor service delivery by suppliers and no value for money invested. Existence of conflict of interest amongst the agents leads to execution of procurement performance against the procurement policies and this leads to increased procurement budget and loss of procurement funds. This essentially leads to corruption and conflict of interest. This study will use this theory to assess procurement planning, staff competency and how they influence procurement performance.

### ***Resource Based View Theory***

Resource-Based View (RBV) is a key theoretical foundation for understanding how sustainable competitive advantage can be attained in organizations. RBV is an economic theory that suggests that firm performance is a function of the types of resources and capabilities controlled by firms (Barney, 2008). A resource is a relatively observable, tradable asset that contributes to a firm's market position by improving customer value or lowering cost (or both); and a capability denotes the ability of a firm to accomplish tasks that are linked to higher economic performance by increasing value, decreasing cost, or both (Walker, 2009). Barney (2008) also describes

resources as tangible and intangible assets a firm uses to conceive of and implement its strategies; and capabilities as a subset of resources that enable a firm to take advantage of its other resources.

According to Priem and Butler (2001), the resource-based view misses managerial implications or operational validity. The resource-based view explains that managers have to develop and obtain strategic resources that meet the criteria valuable, rareness, non-imitable and non-substitution and how an appropriate organization can be developed. However, the resource-based view does not explain how managers can do this (Connor, 2002). According to Priem and Butler (2001) and Collins (1994), the resource-based view entails infinite regress. Firms which have a capability which they can put in practice best, can be overtaken by a firm that can develop that capability better than firm who is best in practice. According to Eisenhardt and Martin (2010), availability of substitute resources tends to depress returns of the holders of a given resource and this justifies the reason why they should be shielded from competitors. By conducting an effective value chain analysis, an organization is able to identify these scarce resources that give it competitive advantage and apply appropriate mechanisms to protect the resources from competitors. This theory will help further explain the influence of staff competency, procurement plans, contract management and adoption of ICT and their influences on procurement performance.

## **Empirical Review**

This section reviewed the relevant literature on the variables under study to establish the research gaps and therefore provide a guideline along which this study was conducted.

### ***Influence of Procurement Planning on Procurement Performance***

According to Shiundu and Rotich (2014), evaluation or measurement of procurement performance has always been a vexing problem for procurement professionals. They explain two types of goals in the procurement system: non procurement goals and procurement goals. Procurement goals are primarily associated with quality, reduction of financial and technical risks, and protection over competition and integrity in the system. Non procurement goals usually involve the economic, social, and political goals within the system. Achieving efficiency in public procurement is an ambitious task, as procurement faces numerous challenges, especially due to the market structure, the legal framework and the political environment that procurers face. Procurement performance should be based on total cost, quality, and enhancement of competitiveness of suppliers using best procurement practice. Kiage (2013) explored the determinants affecting procurement performance with a case of Ministry of Energy.

The study posits that public procurement has increasingly become prominent, thus the public entities need to plan on how to handle the entire process. The findings show that procurement planning has a substantial impact on procurement performance. Planning, resource allocation, staff competency and contract management impact on the variations in procurement performance.

Procurement planning is one of the primary functions of procurement with a potential to contribute to the success of public institution's operations and improved service delivery. Similarly, Mamiro (2010) in his findings underscores these facts and concludes that one of the major setbacks in public procurement is poor procurement planning and management of the procurement process which include needs that are not well identified and estimated, unrealistic budgets and inadequacy of skills of procurement staff responsible for procurement. Likewise, procurement performance is not usually measured in most public entities as compared with the human resource and finance functions. Failure to establish performance of the procurement function can lead to irregular and biased decisions that have costly consequences to any public procuring entity. A procurement plan describes and documents all of the purchases from outside suppliers that will be needed to support the needs of a particular department (Kiage, 2013).

Wile (2010) describes it as the process used by companies or institutions to plan purchasing activity for a specific period of time which is usually completed during the budgeting process; each department is required to request a budget for staff, expenses and purchases. According to Edler and Georgia (2007), procurement plans serve as a road map and the goal should be to enable efficient use of available resources. Procuring entities in Kenya are required by the existing legal framework to first consolidate departmental procurement plans before providing the entities corporate procurement plan which then gets the accounting officers approval before being implemented. According to Kiage (2013), a procurement plan is used to implement the budget; it should be prepared by user departments so as to minimize excess votes in an entities budget and to ensure there are funds to make payments before procurement is done. Resource confirmation and resource allocation helps make procurement effective when carried out appropriately (Kiage, 2013).

The ultimate goal of any public procurement is to satisfy the public interest as entrusted in the public procurement Act (Ouma & Kilonzo, 2014). In their study, Ouma and Kilonzi (2014) find that resource planning is significant and contributes to public entity procurement and it is an important aspect in determining how effective the procurement process will be. Therefore public entities should balance resource allocation and even allocate more funds to procurement departments. According to Arrowsmith (2010), conflicts may sometimes arise between the objective of preventing corruption and ensuring efficiency in the administration of the

procurement process. Measures to prevent corruption may add to the cost of procurement, therefore she asserts that it is up to governments to decide whether the prevention of corruption is so important that financial resources should be spent to prevent it.

### ***Influence of Staff Competency on Procurement Performance***

According to Banda (2009), many procuring organizations have staffs that do not have the right competence needed for good procurement management Barsemoi et al. (2014) found that most of the personnel carrying out procurement functions in the local authorities in Kenya have not been sensitized on procurement regulations. The Public Procurement law requires that each procuring entity establishes a procurement unit with procurement professionals. The lack of professionalism has been explained as a cause of non-compliance to procurement laws (De Boer & Telgen, 2006). Professionalism in public procurement relates to the levels of education and qualifications of the workforce as well as the professional approach to the conduct of business (Raymond, 2008).

When the procurement workforce is not adequately educated in procurement there are serious consequences such as breaches of codes of conduct. Raymond (2008) links the level of professionalism with corruption, which has been shown to impede compliance to public procurement regulations. Further, De Boer and Telgen (2006) also attribute non-compliance in public procurement to lack of purchasing professionalism in the public sector. Another cause of non-compliance is the lack of staff training. The PPOA Audit Report (2008 as cited in (Ndumbi & Okello, 2015) shows that inadequate training is high amongst public procurement officers in Kenya, although this may be attributed to the profession still being relatively young in Kenya. In October 2007, the Government of Kenya (GoK) passed the Suppliers Practitioners Management Act (SPMA) 2007 that came into effect in October 2008. The SPMA 2007 is expected to enhance professionalism and ethical behavior by requiring procurement staff to undergo a qualifying exam and be registered with the Kenya Institute of Supplies Management (KISM) as the professional association.

Boyan (2003) argues that there are clear benefits in ensuring procurement staff are professionals, this is because their competence can ensure that the benefits of new products and services are brought to the attention of the right person in an organization. According to Sultana (2012), technological developments and organizational change have led employers to the realization that their success relies on the skills and abilities of their employees, which means that they have to continuously invest in training and development. Employees begin to realize that learning and continuous training is as big as job itself (Christianne, 2008). Training one another, or “train the trainer”, is another important aspect of continuous learning. It allows

employees to develop new applications and techniques and share them with their peers or supervisors. Moreover, Smith (2009) contends that lack of professional training on procurement functions and lack of continuous training on implementation of best procurement performance hinders the procurement staff in public sector organizations to effectively execute procurement procedures. According to Hall (2009), efficiency and the effectiveness of procurement procedures are hindered by absence of effective continuous employees training programmes that help in equipping the employees with competitive procurement management skills.

Armstrong (2008) affirms that a continuous employee training contributes towards improvement of the level of their competency in the execution of respective job task functions. Ebrahim (2010) contends that from management viewpoint, training is associated with higher organizational productivity, it can improve the adaptability and flexibility of their employees and their responsiveness to innovation, it can be regarded as a means of engaging the commitment of employees to the organization and training programmes specific to the organization are of paramount importance not least because they bind the employee and cannot be used by rival organizations.

### ***Procurement Performance***

According to Schiele (2007), procurement performance entails how well organizational procurement objectives have been attained. The extent to which procurement function is able to obtain best value for spent organizational money to purchase products and services is the best indicator of procurement performance. Shalle et al (2014) deduced that procurement performance can be assessed by focusing on delivery, flexibility, quality, cost and technology. Optimal performance attainment is dependent on how current suppliers` relationships are managed so as to ensure constant availability of needed quality supplies at the organization. Procurement encompasses the whole process of acquiring property and/or services.

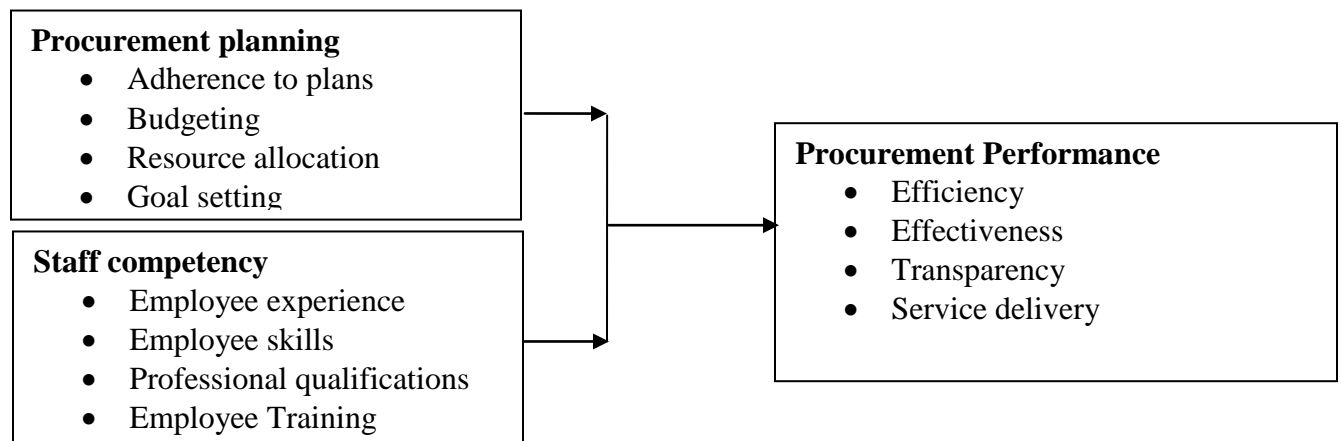
It begins when an agency has identified a need and decided on its procurement requirement. Procurement continues through the processes of risk assessment, seeking and evaluating alternative solutions, contract award, delivery of and payment for the property and/or services and, where relevant, the ongoing management of a contract and consideration of options related to the contract. Procurement also extends to the ultimate disposal of property at the end of its useful life (Waters, 2004). Sound public procurement policies and practices are among the essential elements of good governance (KIPPRA, 2006). Otieno (2004) notes the irregular procurement activities in public institutions provide the biggest loophole through which public resources are misappropriated.

According to Thai (2001), the basic principles of good procurement performance include accountability, where effective mechanisms must be in place in order to enable procuring entities spend the limited resources carefully, knowing clearly that they are accountable to members of the public; competitive supply, which requires the procurement be carried out by competition unless there are convincing reasons for single sourcing; and consistency, which emphasizes the equal treatment of all bidders irrespective of race, nationality or political affiliation. Puschmann and Alt (2005) recognize that in the successful practices the redesigning of the procurement process is focused on: reduction or elimination of authorization stages; regulation of exceptions to a limited degree in the beginning; elimination of paper; integration of suppliers in the entire process chain; and consideration of the complete process from searching for goods through to invoicing.

### Conceptual Framework

From the conceptual framework, procurement performance was the dependent variable and procurement planning practices and staff competency were the independent variables.

Figure 1: Conceptual framework



## RESEARCH METHODOLOGY

### Research Design

This study adopted a descriptive research design in which data was collected for the objectives of the study. The choice of this research design was motivated by its suitability for the instrument to collect a large amount of data. The design also provided a practical framework for collecting a large sample of groups and strong data reliability (Oso & Onen, 2005). The study further adopted a quantitative approach by using a structured questionnaire to collect primary

data from the respondents. Quantitative research approach was preferred because it allowed the researcher to measure and analyze data in detail to establish the relationship between the independent and dependent variables. Quantitative research was used to test the research hypotheses because of its ability to measure data using statistics. This was advantageous because it allowed for objective analysis of the study findings.

### Target Population

Population according to Kothari, (2013) is the universe of interest. It is the total number of subjects or the total environment of interest to the researcher. This study targeted 160 participants from Nakuru Law Courts who comprised of senior managers, Head of Departments, Procurement officers and Suppliers.

### Sampling Frame

According to Silverman (2005), the sampling frame should be large to allow the researcher to make inferences of the entire population. The sample frame for this study was comprised of 160 participants.

Table 1. Target Population Distribution Table

Participant	Target population	Percentage
Senior Managers	15	9.4
Head of Departments	24	15.0
Procurement Officers	11	6.9
Suppliers	110	68.7
<b>Total</b>	<b>160</b>	<b>100</b>

### Sample Size

The sample was calculated using the mathematical approach developed by Miller and Brewer (2003). Given a population of 160 and precision level of 0.1 the sample size was calculated as;

$$n = \frac{N}{1 + N(e)^2}$$

Where; n is the sample size; N is the population size and e is the level of precision (0.1)

$$n = \frac{160}{1 + 160 (0.1)^2}$$

$$n = 62$$

The sampling frame of the study constituted of 160 participants while the sample size comprised of 62 participants.

Table 2. Sample Size Distribution

<b>Participant</b>	<b>Target population</b>	<b>Sample Size</b>
Senior Managers	15	6
Head of Departments	24	9
Procurement Officers	11	4
Suppliers	110	43
<b>Total</b>	<b>160</b>	<b>62</b>

### **Sampling Technique**

The choice of a sample size is vital so as to avoid wastage by not being too large and to give confidence to the results of the study by not being too small (Kothari, 2004). Stratified random sampling was used to select 62 respondents from the Nakuru Law Courts. According to Bryman and Bell (2007), stratified sampling ensures that the resulting sample is distributed in the same way as the population in terms of the stratifying criterion. In addition, stratified sampling is a good approach and method when there is a good statistical database available. It gives flexibility to the researcher to make a decision on identification and allocation of the units for the strata. It also gives possibilities to use and make more than just one stratifying criterion. Simple random sampling was also used to select the sample size of participants from each stratum.

### **Data Collection Instrument**

The study employed a structured questionnaire to collect data from the participants. Questionnaires are research instruments used to collect information geared towards addressing specific objectives (Kombo & Tromp, 2006). The questionnaire items were scaled on a five point likert scale. The close-ended Likert rating scaled the items on (5, 4, 3, 2 and 1) where 5-strongly agree, 4-agree, 3-undecided/neutral 2-disagrees and 1-strongly disagree.

### **Pilot Testing**

Prior to conducting the main research, a pilot study was conducted to test reliability and validity of the research instrument by pre-testing the questionnaire. A pilot test was carried out in Kisii Law Courts among a population with similar homogeneous characteristics. A content validity test was conducted to ensure all indicators to be measured are adequately represented. Reliability test on the other hand looks at the ability of research instruments to give consistent results over and over again (Kombo & Tromp, 2006). Mugenda & Mugenda, (2003) recommends a 10% of the sampled participants to be considered as a sample size in a pilot study. The pilot study results were incorporated into the final data analysis.



***Instrument Reliability***

Reliability is a measure of the degree to which a research instrument yields consistent results after several trials (Mugenda & Mugenda, 2003). According to Kombo and Tromp (2006), reliability is the extent to which results are consistent overtime. Reliability of the research instrument will be calculated using Cronbach's Alpha coefficient for either even or uneven items based on the order of the number of arrangement of the questionnaire items. Test re-test method was used to pilot the questionnaires. A Cronbach correlation coefficient greater or equal to 0.7 is acceptable (George & Mallery, 2003).

***Instrument Validity***

Validity is the degree to which an instrument measures what is supposed to measure (Kothari, 2004). Validity is also the accuracy and meaningfulness of inferences, which are based on the research results (Mugenda & Mugenda 2003). Content and face validity were used to assess the questionnaire. Comments and suggestions made by participants were incorporated in order to address some insufficiencies in the questionnaire.

**Data Collection Procedure**

Data collection as defined by Kombo and Tromp (2006) is the process of gathering specific information aimed at proving or refuting some facts. The primary data was collected through a self-administered structured questionnaire on a drop and pick later basis to allow participants enough time to fill the questionnaires. The importance of data collection is to promote decision making and response allocation that is based on solid evidence rather than on isolated occurrences, assumption and emotions.

**Data Analysis and Presentation**

The data collected was coded and analyzed using the Statistical Package for Social Sciences (SPSS version 23) tool. Both descriptive and inferential analyses were generated. Descriptive statistics was used as a measure of central tendencies and measures of dispersion (mean and standard deviation). Regression analysis was conducted to test whether the strength of the relationship between the independent variables and the dependent variable are statistically significant. A t-test was conducted to test the significance of the results at the 5% level of significance. The regression analysis was guided by the following model:

$$Y = \alpha + \beta_1 X_1 + \beta_2 X_2 + \varepsilon \dots\dots\dots \text{Equation (3.2)}$$

Where, Y Represents Procurement Performance

X<sub>1</sub> Represents Procurement planning

$X_2$  Represents Staff competency

$\varepsilon$  Represents error term

$\alpha$  Represents Y intercept,  $\beta_1$ ,  $\beta_2$ , and  $\beta_3$  are the net changes in Y

Assumptions of the model:

- i. There is a linear relationship between performance of procurement function and the four variables ( $X_1, X_2, X_3,$  and  $X_4$ )
- ii. There is a statistically significant relationship between performance of procurement function and the four variables ( $X_1, X_2, X_3,$  and  $X_4$ )
- iii. Taking all factors into account constant, procurement performance will be =  $\alpha$
- iv. Existence of multi-collinearity; that is, the independent variables are not related among themselves.
- v. Multivariate normality; that is, the variables are normally distributed

## FINDINGS AND DISCUSSION

### Reliability Test Results

A pilot study was carried at Kisii Law Courts to test the reliability of the research instrument (questionnaire). A Sample size of 6 participants (10% of sample) as recommended by Mugenda and Mugenda (2003) was selected and administered with questionnaires. The 6 participants comprised of 1 senior manager, 1 head of department, 2 procurement officers and 2 suppliers. All the issued questionnaires were filled and returned giving a response rate of 100%. The Cronbach's Alpha Test was conducted on all the study variables and gave Cronbach's Alpha values greater than 0.7 as shown in Table 3. A Cronbach correlation coefficient greater or equal to 0.7 is acceptable (George & Mallery, 2003). The results of the pilot test were not included in the final data analysis.

Table 3. Reliability Test Results

Variable	Number of Items	Cronbach's Alpha
Procurement Planning	6	.819
Staff Competency	6	.767
Procurement Performance	6	.741

### Response Rate

The study targeted a sample size of 62 participants out of which 54 questionnaires were completely filled and returned for analysis giving a response rate of 87.1%. The higher response rate was occasioned by the frequent follow up and clarification of the questions by the

researcher. According to Mugenda and Mugenda (2003), Rogelberg and Stanton (2007) and Saunders et al., (2007), a response rate of 50% is adequate, a rate of 60% is good, and a response rate of 70% and over is very good. Based on this awareness, the response rate in this study was considered to be very good for the study.

## Demographic Characteristics of the Participants

### *Gender Distribution of the Participants*

The study sought to establish the gender distribution of the participants in the Nakuru law Courts Judiciary department. From the findings illustrated in Table 4, the females were the majority 30 (55.6%) followed by the males 24 (44.4%).

Table 4. Gender Distribution of the Participants

Gender	Frequency	Percent (%)
Male	24	44.4
Female	30	55.6
<b>Total</b>	<b>54</b>	<b>100.0</b>

### *Age of the Participants*

In addition, the study sought to investigate the age categories of the participants in the Nakuru Law courts judiciary department. From the findings shown in Table 5, majority of the participants were aged between 26-30 years 16 (29.6%) and 31-35 years 16 (29.6%) respectively. Those aged between 20-25 years were 7 (12.9%) while those aged 35 years and above were 15 (27.9%). The findings imply that majority of the participants were young in age because they were aged below 35 years. This age range was consistent with what is often used in national policies in Sub-Saharan Africa countries (Blum, 2007).

Table 5. Age of the Participants

Age Categories	Frequency	Percent (%)
20-25 years	7	12.9
26-30 years	16	29.6
31-35 years	16	29.6
35 years and Above	15	27.9
<b>Total</b>	<b>54</b>	<b>100.0</b>

### ***Positions Held by Participants***

The study further sought to establish the positions held by the participants in the Nakuru Law courts judiciary department. The results illustrated in Table 6 shows that majority of the participants were suppliers 32 (59.3%). Further, 4 (7.4%) were senior managers, 7 (12.9%) were head of departments while 11 (20.4%) were procurement officers respectively.

Table 6. Positions Held by Participants

<b>Position</b>	<b>Frequency</b>	<b>Percent (%)</b>
Senior managers	4	7.4
Head of departments	7	12.9
Procurement officers	11	20.4
Suppliers	32	59.3
<b>Total</b>	<b>54</b>	<b>100.0</b>

### ***Participants Highest Level of Education***

Additionally, the study sought to find out the highest education levels of the participants. The findings in Table 7 indicates that majority of the participants 21 (38.9%) had attained secondary school level of education followed by those who had degree level of education 14 (25.9%). Moreover, 13 (24.1%) of the participants attained diploma level of education while 6 (11.4%) attained masters and above level of education.

Table 7. Participants Highest Level of Education

<b>Level of Education</b>	<b>Frequency</b>	<b>Percent (%)</b>
Secondary	21	38.9
Diploma	13	24.1
Degree	14	25.9
Masters and Above	6	11.4
<b>Total</b>	<b>54</b>	<b>100.0</b>

### ***Working Experience of the Participants***

The study also sought to find out the working experience of the participants in the Nakuru law courts judiciary procurement department. The findings illustrated in Table 8 shows that majority of the participants 20 (37%) had worked for between 1-5 years in the judiciary procurement department followed by those who had worked for between 6-10 years 16 (29.6%). As well, 11 (20.4%) of the participants had worked for less than one year while 7 (13%) had worked for 10 years and above the judiciary procurement department. The findings imply that the participants

had adequate experience with the judiciary procurement department and therefore were able to provide the required information sought by the study.

Table 8. Working Experience of the Participants

Experience in years	Frequency	Percent (%)
Less than one year	11	20.4
1-5 years	20	37.0
6-10 years	16	29.6
10 years and Above	7	13.0
<b>Total</b>	<b>54</b>	<b>100.0</b>

### Descriptive Statistics

Descriptive analysis focuses on describing the basic feature of the data in a given study (Cooper & Schindler, 2013).

### *Influence of Procurement Planning on Procurement Performance*

In order to determine the influence of procurement planning on procurement performance at the Nakuru Law courts judiciary procurement department, the participants were asked to respond to a set of statements on a five point scale. The first statement asked the participants whether there is often adequate budgeting for procurement planning at Judiciary department. From the results shown in Table 9, the mean score for responses was 3.600 indicating that a majority of the participants (59.3%) were in agreement with this statement. The standard deviation indicates that a majority of responses did not vary from the mean by more than 0.969. The second statement sought to determine whether proper procurement planning contributes to the success of service delivery. A mean of 4.260 imply that a majority of the participants (66.7%) were agreement with the statement. The standard deviation indicates that the responses did not vary from the mean score by more than 0.814. This finding is congruent to that of Kiage (2013) who indicated that procurement planning has a substantial impact on procurement performance. The third statement asked respondents whether poor procurement planning is a major setback in cost estimation for services and works. A mean score of 4.033 implies that majority of the participants were in agreement (29.6%). The standard deviation was less than 1 at 0.995 implying that the participants were cohesive in their responses to the statement. This finding supports those of Ouma and Kilonzi (2014) who posited that resource planning is significant and contributes to public entity procurement and it is an important aspect in determining effectiveness of the procurement process. The fourth statement sought to establish whether

failure to adhere to procurement plans leads to irregular and biased decisions. Majority of the participants were neutral (46.3%) with a mean score of 3.400 and standard deviation of 1.248 implying that the participants had divergent opinions in their responses to the statement. The fifth statement sought to determine whether procurement plans at the judiciary enables efficient use of available resources. The majority of the participants were neutral (40.7%) with a mean score of 3.333 and standard deviation of 1.184. The study further sought to establish whether procurement plans at the Judiciary offers satisfactory service delivery to suppliers. The mean score of 3.533 and standard deviation of 1.008 imply that majority of the participants were in agreement with the statement.

Table 9. Influence of Procurement Planning on Procurement Performance

Procurement Planning	N	SA	A	N	D	SD	Mean	S.D
1. There is often adequate budgeting for procurement planning at Judiciary department	54	9.3%	59.3%	13.0%	13.0%	5.4%	3.600	0.969
2. Proper procurement planning contributes to the success of service delivery	54	16.7%	66.7%	7.4%	7.4%	1.8%	4.620	0.814
3. Poor procurement planning is a major setback in cost estimation for services and works	54	25.9%	29.6%	13.0%	29.6%	1.9%	4.033	0.995
4. Failure to adhere to procurement plans leads to irregular and biased decisions	54	16.7%	3.7%	46.3%	25.9%	7.4%	3.400	1.248
5. Procurement plans at the judiciary enables efficient use of available resources	54	16.7%	3.7%	40.7%	33.3%	5.6%	3.333	1.184
6. The procurement plans at the Judiciary offers satisfactory service delivery to suppliers	54	7.4%	66.7%	3.7%	20.4%	1.8%	3.533	1.008

### ***Influence of Staff Competency on Procurement Performance***

The study further sought to find out the influence of staff competency on procurement performance. The first statement asked the participants whether lack of professionalism is a major cause of non-compliance to procurement laws. From the results in Table 10, the mean score was 3.733 implying that the participants were in agreement (33.3%) with the statement.

The standard deviation of 1.048 implies the participants had divergent opinions on the responses to the statement. Further, the study sought to find out whether there was regular staff training programmes on procurement procedures. The mean score of 3.533 imply that the participants were in agreement (33.3%) with the statement. The standard deviation of 1.279 indicates that the participants were not cohesive in their responses to the statement. The third statement sought to establish whether effective procurement activities were dependent on skills and experience of the employees. The majority of the participants (62.9%) were in agreement with a mean score of 3.567 and standard deviation of 1.040.

Table 10. Influence of Staff Competency on Procurement Performance

Statements on Staff Competency	N	SA	A	N	D	SD	Mean	S.D
1. Lack of professionalism is a major cause of non-compliance to procurement laws	54	16.7%	33.3%	16.7%	3.7%	29.6%	3.733	1.048
2. There are regular staff training programmes on procurement procedures	54	9.3%	33.3%	24.1%	29.6%	3.7%	3.533	1.279
3. Effective procurement activities is dependent on skills and experience of the employees	54	9.3%	62.9%	3.7%	20.4%	3.7%	3.567	1.040
4. The Judiciary department employees competent and qualified procurement staff	54	16.7%	33.3%	7.4%	37%	5.6%	3.300	1.178
5. Lack of continuous professional training on procurement function hinders procurement performance	54	24.1%	33.3%	24.1%	16.7%	1.8%	3.802	1.095
6. Training employees enhances the level of competency in the procurement function	54	33.3%	33.3%	16.7%	9.3%	7.4%	4.001	1.017

Moreover, the study asked the participants whether the Judiciary department had competent and qualified procurement staff. The findings indicate that majority of the participants were neutral (37%) with a mean of 3.300 and standard deviation of 1.178 implying indifference in responses to the statement. These findings are congruent to those of Barsemoi et al., (2014) who posited that most of the personnel carrying out procurement functions in the local

authorities in Kenya have not been sensitized on procurement regulations. The fifth statement asked participants whether lack of continuous professional training on procurement function hinders procurement performance. The mean score of 3.802 and standard deviation of 1.095 imply that majority of the participants (33.3%) were in agreement with the statement though with divergent views as indicated by the standard deviation. This finding supports that of Christianne (2008) that employees must begin to realize that learning and continuous training is as big as job itself. Furthermore, the study asked the participants whether training employees enhances the level of competency in the procurement function. A mean score of 4.001 and standard deviation of 1.017 indicates that majority of the participants were in agreement with the statement.

### ***Procurement Performance***

The study procurement performance and the participants were asked whether procurement planning activities directly determine procurement performance. The findings are as illustrated in Table 11. The responses mean score 3.301 and standard deviation of 1.087 imply that majority of the participants (59.3%) were neutral in their responses to the statement. These findings are congruent to those of Shalle et al., (2014) who posited that procurement performance can be assessed by focusing on delivery, flexibility, quality, cost and technology. Furthermore, the study sought to find out whether there were accountability measures to track performance of procurement function. The mean score of 3.402 indicate that the majority of the participants (29.6%) were impartial with the statement. The standard deviation of 1.379 implies that the participants were divergent in their responses to the statement. This finding contradicts that of Thai (2001) who posited that the basic principles of good procurement performance must include accountability. The participants were also asked whether the use of ICT cuts down costs of operations and improves procurement efficiency. A mean of 3.233 and standard deviation of 1.165 indicates that majority of the participants were neutral (33.3%). The fourth statement asked participants whether contractual management practices are directly linked to procurement performance. The mean response score of 3.033 indicates that majority of the participants were impartial (20.4%) with the statement. The standard deviation of 1.159 indicates that majority of the participants had divergent opinions in their responses. The study further asked the participants whether staff competency determines the performance of procurement function. A mean score of 3.718 and standard deviation of 1.074 imply that majority of the participants (53.7%) were in agreement with the statement. The study also asked the participants whether irregular procurement practices affects transparency and performance of procurement. A mean



of 3.691 and standard deviation of 1.119 indicate that majority of the participants (33.3%) were in agreement with the statement.

Table 11. Procurement Performance

Procurement Performance	N	SA	A	N	D	SD	Mean	S.D
1. Procurement planning activities directly determine procurement performance	54	3.7%	24.1%	7.4%	59.3%	5.5%	3.301	1.088
2. There are accountability measures to track performance of procurement function	54	25.9%	29.6%	9.3%	24.1%	11.1%	3.402	1.379
3. Use of ICT cuts down costs of operations and improves procurement efficiency	54	13%	40.7%	3.7%	33.3%	9.3%	3.233	1.159
4. Contractual management practices are directly linked to procurement performance	54	9.3%	20.4%	29.6%	33.3%	7.4%	3.023	1.087
5. Staff competency determines the performance of procurement function	54	20.4%	53.7%	7.4%	16.7%	1.8%	3.718	1.119
6. Irregular procurement practices affects transparency and performance of procurement	54	24.1%	33.3%	25.9%	9.3%	7.4%	3.691	1.165

## Inferential Statistics

### *Correlation Analysis*

Inferential analysis focuses on the strength and direction of relationship between variables and inferring the findings from the sample to the population (Bryman & Bell, 2015). The researcher undertook a Pearson's correlation to explain the relationship between the independent variables, procurement planning, staff competency, contractual planning, information communication and the dependent variable, procurement performance.

### *Relationship between Procurement Planning and Procurement Performance*

From Table 12, the researcher established a strong positive significant relationship ( $r = 0.761$ ,  $P=0.000$ ) between procurement planning and procurement performance. This implies that enhancing procurement planning has the potential to enhance procurement performance.

Basing on the rule for significance level, the study rejects the null hypothesis and concludes that there is a significant relation between procurement planning and procurement performance. This findings support those of Mamiro (2010) who concluded that one of the major setbacks in public procurement is poor procurement planning and management of the procurement process which include needs that are not well identified and estimated, unrealistic budgets and inadequacy of skills of procurement staff responsible for procurement.

Table 4.10: Relationship between Procurement Planning and Procurement Performance

		Procurement Planning
Procurement Performance	Pearson Correlation	.761**
	Sig. (2-tailed)	.000
	N	54

\*\* . Correlation is significant at the 0.01 level (2-tailed).

#### *Relationship between Staff Competency and Procurement Performance*

The coefficient of Correlation in Table 13 shows a strong positive significant relationship between staff competency and procurement performance ( $r = 0.725$ ,  $P=0.042$ ). These results therefore imply that improving staff competency enhances procurement performance. Thus, the study rejects the null hypothesis and concludes that there is significant relation between staff competency and procurement performance. According to Hall (2009), efficiency and the effectiveness of procurement procedures are hindered by absence of effective continuous employee training programmes that help in equipping the employees with competitive procurement management skills.

Table 13. Relationship between Staff Competency and Procurement Performance

		Staff Competency
Procurement Performance	Pearson Correlation	.725*
	Sig. (2-tailed)	.042
	N	54

\*. Correlation is significant at the 0.01 level (2-tailed).

#### **Regression Analysis**

The R value shown in the model was 0.868 while the value of R square was 0.377 as shown in Table 14. The R square statistic indicates that the model as fitted explains 37.7% of the total variability in procurement performance. This means that 37.7% of the total variability in

procurement performance could be explained by procurement planning and staff competency. However, the model did not explain 62.7% of the variations in procurement performance.

Table 14. Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.434 <sup>a</sup>	.377	.371	0.524

a. Predictors: (Constant), Procurement planning and Staff competency

#### *Analysis of Variance of the Model*

The ANOVA test result shows F calculated F value was 2.891,  $p=0.014$  as shown in Table 15. The P-value is less than the conventional 0.05 implying that the model had a good fit. The finding further implies statistically significant relationship between the independent and dependent variables. This implies that procurement planning and staff competency have a significant statistical influence on the procurement performance in the judiciary procurement department at Nakuru Law courts.

Table 15. Analysis of Variance of the Model

Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	2.654	1	2.654	2.891	.0140a
	Residual	47.759	52	0.918		
	Total	50.413	53			

a. Predictors: (Constant), Procurement planning and Staff competency

b. Dependent Variable: Procurement performance

#### *Model Regression Coefficients*

The coefficients of the regression model relating procurement planning, staff competency, contractual management, information communication technology and procurement performance are presented in Table 16. The model shows that the predictors have a significant  $p$ -value = 0.028, which means that they were significant in predicting changes in procurement performance of the judiciary department at Nakuru law courts.

$$Y = \beta_0 + \beta_1 X_1 + \beta_2 X_2$$

$$Y = 2.713 + 0.671X_1 + 0.650X_2$$

From the regression equation above, taking all the predictor variables constant (zero), the dependent variable will be 2.713. Further, the regression equation above shows that the coefficient ( $\beta_1$ ) of procurement planning was 0.671. This meant a unit increase in procurement planning would result in a 67.1% increase in procurement performance. Thus, procurement planning has a strong positive influence on procurement performance. Similarly, a unit increase in staff competency would result in 65% increase in procurement performance.

Table 16. Model Regression Coefficients

Model		Unstandardized		Standardized		
		Coefficients		Coefficients		
		B	Std. Error	Beta	t	Sig.
1	(Constant)	2.713	1.278		.558	.028
	Procurement Planning	.671	.202	.552	.848	.040
	Staff Competency	.650	.240	.520	.782	.036

a. Dependent Variable: Procurement performance

## SUMMARY OF FINDINGS

### Influence of Procurement Planning on Procurement Performance

The first objective sought to establish the influence of procurement planning on procurement performance of Judiciary department at the Nakuru Law Courts. The findings revealed that there was adequate budgeting for procurement planning at Judiciary department. Further, the study established that proper procurement planning contributes to the success of service delivery. Similarly, the study found that poor procurement planning was a major setback in cost estimation for services and works. Therefore, resource planning is significant and contributes to public entity procurement performance. On the contrary, the study established that majority of the participants were impartial that failure to adhere to procurement plans leads to irregular and biased decisions. The study also established that procurement plans at the judiciary did not adequately enable efficient use of available resources. However, the study found out that procurement plans at the Judiciary offered satisfactory service delivery to suppliers.

### Influence of Staff Competency on Procurement Performance

The second objective study sought to find out the influence of staff competency on procurement performance. The findings revealed that lack of professionalism is a major cause of non-compliance to procurement laws. There was regular staff training programmes on procurement

procedures for employees. Similarly, the study established that effective procurement activities were dependent on skills and experience of the employees. Majority of participants were impartial that the Judiciary procurement department had competent and qualified procurement staff. The study further established that lack of continuous professional training on procurement hinders procurement performance. Similarly, training employees enhances the level of competency in the procurement.

## **CONCLUSIONS**

The study concludes that the Judiciary department at Nakuru Law Courts provides adequate budgeting for procurement planning. Further, the study concludes that proper procurement planning determines the success of service delivery. However, the study concludes that poor procurement planning is a major setback in cost estimation for services and works. Further, the study concludes that failure to adhere to procurement plans enhances making of irregular and biased decisions. The study also concludes that the judiciary has not efficiently enabled use of available resources. Additionally, procurement plans at the Judiciary offered satisfactory service delivery to suppliers. The study also concludes that lack of professionalism is a major cause of non-compliance to procurement laws. Moreover, the study concludes that employees were regularly trained on procurement procedures. Moreover, effective procurement activities are dependent on skills and the experience of the employees. The Judiciary procurement department has challenges on competency and qualifications of the procurement staff. Besides, lack of continuous professional training on procurement hinders procurement performance. Similarly, training employees enhances their competency in the procurement.

## **RECOMMENDATIONS**

The study recommends that adequate resources should be provided for procurement planning in the Judiciary department at Nakuru Law Courts. Additionally, proper procurement planning should always be prioritized to assure quality service delivery. Procurement planning should be carefully done to foster accurate cost estimation for services and works. The Judiciary procurement department should develop procedures to enhance adherence to procurement plans and decision making. Available resources in the judiciary procurement department should be efficiently utilized for satisfactory service delivery to suppliers. The judiciary procurement department should focus on enhancing professionalism to ensure compliance to procurement laws. The judiciary department should continue training and empowering employees on procurement procedures. Building of employee skills and experience should be nurtured to

enhance effective procurement activities. Further, the Judiciary procurement department should consider evaluating the competency and qualifications of their procurement staff.

### SCOPE FOR FURTHER STUDIES

- i. Further study should be conducted to determine the factors which affect adherence to procurement plans in public institutions.
- ii. Moreover, further study should assess the effect of resource allocation on procurement performance.
- iii. Further study should be done to evaluate the influence of building employee skills on procurement performance

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