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RESEARCH ARTICLE

IMPACTS OF THE PUBLIC PROCUREMENT ACT 2007 ON THE PROCUREMENT OF PUBLIC PROJECTS IN NIGERIAN TERTIARY INSTITUTIONS

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ABSTRACT

Tertiary institutions often require huge investments in capital projects for effective learning to be actualized. In Nigeria, public tertiary institutions are usually funded fully by the Federal Government through interventionist institutions like TETFund which are usually saddled with the responsibility of providing the fund required to achieve both human and infrastructure development required for effective knowledge impartation. The public procurement system in Nigeria has over the years been known for abuse which has led to a myriad of problems including inflation, delay, poor quality of work, and outright project abandonment. Before the enactment of the Nigerian public procurement act in 2007, there were no specific procedures laid down for the procurement of public goods and services in Nigeria. The implication of this was that every procurement entity in Nigeria such as Ministries, Parastatals, and Agencies of Government was at liberty to decide and adopt any procurement method and strategy of their choice to determine and award contracts to contractors of their choice. This situation was largely responsible for the observed lapses in the procurement of public goods and services. With the advent of the Public Procurement Act (PPA) in 2007, one expected these perceived lapses to abate. This study, therefore, assesses the impact of the PPA in the procurement of public projects in the Federal Polytechnic, Oko, and Nnamdi Azikiwe University Awka, both Nigerian public Tertiary Institutions in Anambra State, South-East Nigeria. Data for the study were collected using a structured questionnaire distributed to staff of the physical planning units of the two institutions, construction industry professionals in the Faculty of Environment Sciences both at the Nnamdi Azikiwe University, Awka, and Federal Polytechnic, Oko all in Anambra State as well as Quantity Surveyors in the state. In all, a total of one hundred and twenty-eight (128) structured research questionnaires were distributed; data collected were analyzed using descriptive statistics. Based on the outcome of the research, appropriate recommendations were made including a call for regular training and retraining of procurement officers to keep them abreast with global trends as well as provisions of the Nigerian procurement Act.

KEYWORDS

PPA, Procurement, Public Projects, Tertiary Institutions, Sustainable Development


1. BACKGROUND

The Public Procurement Act 2007 (PPA) is the law that seeks to regulate and control the process of acquisition of goods, works, or services by the Federal Government, its Ministries, Departments, Parastatals, and Agencies. Before the enactment of the Nigerian public procurement act in 2007, there was no specific laid down procedures for the procurement of public goods and services in Nigeria. The implication of this was that every procurement entity in Nigeria such as Ministries, Parastatals, and Agencies of Government was at liberty to decide and adopt any procurement method and strategy of their choice to determine and award contracts to contractors of their choice. This situation was largely responsible for observed lapses in the procurement of public goods and services which included:

- Corruption
- Procurement of substandard products
- Project abandonment
- Project failure
- High cost of procurement

These problems are largely attributable to the non-adherence to global best practice processes and procedures for procuring public goods and services.

According to the manual on public procurement reform program in Nigeria, a diagnostic study conducted in 2001 into the state of federal government procurement revealed that Nigeria may have lost several hundred billion nairas over the last two decades because of flagrant abuse of procedures for the award of public contracts, inflation of contract costs, lack of transparency, competence based competition and merit as the fundamental criteria for the award of public contracts. These perceived inconsistencies led to the establishment of the budget monitoring and price intelligence unit (BMPPIU) in the presidency. This unit, popularly known as the "Due process" unit was charged with the responsibility of reducing, to the barest minimum, the observed massive flagrant abuse of the procedure for procurement of public goods and services in Nigeria. The Budget Monitoring and Price Intelligence Unit of the presidency later metamorphosed into the National Council on public procurement and the Bureau of public procurement by the passage of the Public Procurement Act 2007.

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In the explanatory memorandum of the Public Procurement Act 2007, it states that the National Council on Public Procurement and Bureau of Public Procurement were established as the regulatory authorities responsible for the monitoring and oversight of public procurement, harmonizing the existing government policies and practices by regulating, setting standards and developing the legal framework and professional capacity for public procurement in Nigeria. With the advent of the PPA, one expects such observed lapses like corruption, procurement of substandard products, project abandonment, project failure, and high cost of procurement to abate especially as it concerns the procurement of real estate projects.

Procurement can be described as a process specifically referring to the various activities or stages of work and associated costs involved in bringing about or erecting the goods or products of the construction industry (Ngwu, 2017). It is further described as a succession of logically related activities occurring or performed in a definite manner, and which culminate in the completion of a major deliverable or the attainment of a milestone. Construction procurement is the process of identification, selection, and commissioning of the contributions required for the delivery of alteration, refurbishment, maintenance, extension, or demolition of an existing building or structure and/or the creation of a new building together with all other required site works (Oso, 2017). It is of vital importance that the right method of procuring the construction works is selected; thus, procurement is the process used to obtain construction projects. It involves the selection of a contractual framework that clearly identifies the structure of responsibilities and authorities for participants within the building process. It is a key factor contributing to overall client satisfaction and project success. Not only is it important to choose the right contractor but it is vital that the contract documentation and form of contract are appropriate for the project. The procurement process is the entire procurement cycle commencing from the identification of need through to the completion of the contract. The procurement process involves a wide range of skills for which training and development are required (Sukulpat, 2007; and Haris and McCaffer, 2005). It refers to a series of operations or actions taken in order to achieve the intended aim of construction project procurement.

The construction industry, whose products this research work focuses on, is unique in so many ways especially when compared to other industries. The procedure of price determination of construction goods is one aspect of the industry that makes it radically different from the other industries or sectors of the economy. Typically, products are manufactured and prices fixed by the manufacturers before the products enter the market. This implies that production is concluded and the price fixed before reaching the customer. In the construction industry, the reverse is the case.

The prospects of the construction industry are intrinsically linked to those of the national economy (Ashworth, 2013). The construction industry is a major sector of the national economy of any nation; especially in less developed countries like Nigeria. The reason is that its products which are infrastructural goods are vital for the effective performance and increased output of other sectors of the economy and the provision of social capital amenities (Oforeh, 2008). It is generally believed that housing tends to reflect the general position of the industry (Seeley, 1984). The construction industry as a sub-sector of the economy is primarily constituted and functions around a quadrangular framework comprising the construction firms, the various professional bodies that operate within it, and under the influence of some relevant aspects of the legal system especially those relating to land and property law, the law of tort, law of contract, insurance, arbitration and the client or employer (Oforeh and Alufohai, 2006).

1.1 Tertiary Education Trust Fund (TETFund)

The Tertiary Education Trust Fund (TETFund) was originally established as Education Trust Fund (ETF) by Act No 7 of 1993 as amended by Act No 40 of 1998 (now repealed and replaced with the Tertiary Education Trust Fund Act 2011). It is an intervention agency set up to provide supplementary support to all levels of public tertiary institutions with the main objective of using funding alongside project management for the rehabilitation, restoration, and consolidation of Tertiary Education in Nigeria.

In an attempt to arrest the perceived decay and collapse of facilities and resources in all tiers of the education subsector and boost the morale of

teachers and lecturers, which was at its lowest ebb, and ultimately create an enabling environment for teaching and learning, the administration of then president Ibrahim Babangida took measures to arrest the decay when it constituted the Gray Longe Commission, being a Commission on the review of Higher Education in Nigeria to review the post-independence Nigerian Higher Education after Lord Ashby's Commission of 1959 (<https://tetfundserver.com/index.php/tetfund/>).

The Longe Commission recommended among others things, that higher education should be funded through earmarked tax to be borne by companies operating in Nigeria. Consequently, an implementation committee chaired by Professor Olu O. Akinkugbe was constituted to implement Grey Longe's Commission report recommendations. Furthermore, an Agreement was signed between the Federal Government and ASUU on the 3rd September 1992 on funding of universities. In January 1993, the Education Tax Act No7 of 1993 was promulgated alongside other education related Decrees. The Decree imposed a 2% tax on the assessable profits of all companies in Nigeria. This was a homegrown solution to address issues of funding to rehabilitate decaying infrastructure, restore the lost glory of education and confidence in the system as well as consolidate the gains thereto; build the capacity of teachers and lecturers; teacher development; development of prototype designs; etc.

The Education Tax Act No7 of 1993 mandated the Fund to operate as an Interventionist Fund to all levels of public education (Federal, State, and Local). This mandate was faithfully discharged between 1999 to May 2011 when the ET Act was repealed and replaced by the Tertiary Education Trust Fund Act, due to lapses and challenges in operating the Education Trust Fund. These lapses and challenges include:

- The ETF was overburdened and overstretched and could only render palliative support to all levels of public educational institutions in Nigeria;
- Duplication of functions and mandates of other Agencies set up after the ETF, such as Universal Basic Education (UBE) and Millennium Development Goal (MDG)
- The decay, rot, and dilapidation of facilities issues in tertiary education continued to be irritating as funds are only thinly spread.

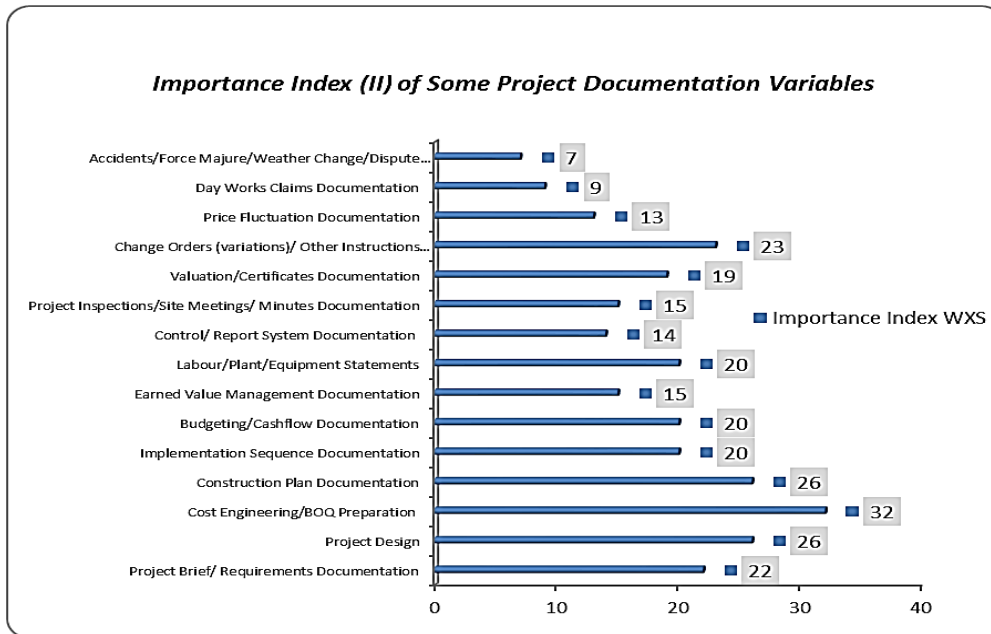
The main source of income available to the Fund is the two percent education tax paid from the assessable profit of companies registered in Nigeria. The Federal Inland Revenue Services (FIRS)

assesses and collects the tax on behalf of the Fund. The funds are disbursed for the general improvement of education in federal and state tertiary educations specifically for the provision or maintenance of:

- Essential physical infrastructure for teaching and learning
- Institutional material and equipment
- Research and publications
- Academic staff training and development and
- Any other need which, in the opinion of the Board of Trustees, is critical and essential for the improvement and maintenance of standards in the higher educational institutions

One of the most important variables in project documentation according to a survey by Ajator (2017) is Cost Engineering/Bills of Quantities Preparation. This highlights the importance of cost experts like cost engineers/quantity surveyors in the procurement of real products in the construction industry.

The Quantity Surveyor is a built environment professional with core competency in cost management of construction projects. Such roles include cost planning, resource scheduling, and cash flow forecasting to enhance budgeting, procurement methodology planning, contract documentation, cost control, and contract auditing to ensure value for money, transparency, compliance with quality, functionality, cost prudence, and timely delivery. These key competencies and skills of the Quantity Surveyor tally with the main objectives of the Public Procurement Act which are transparency, competitiveness, financial prudence, and accountability.



Source: Ajator ,2017

2. METHODOLOGY

This research is qualitative in nature since it tends to determine the opinion of people about the subject matter of the research (Kothari, 2004). The population of this research comprises academic and professional staff members of the various procurement units (Tetfund desk officers, physical planning, procurement and works units) as well as construction industry professionals in the Faculty of Environment Sciences of the Federal Polytechnic, Oko, and Nnamdi Azikiwe University, Awka both Nigerian public tertiary institutions in Anambra State, South-East Nigeria. Data for the study were collected using a structured questionnaire. In all, the population of the study amounted to a total of 120 respondents. Since the population under survey is small, the researcher decided to adopt the entire population as his sample. Structured research questionnaires were deployed as instruments for data collection. The instrument consists of two sections viz part 1 and part 2. Part 1 seeks information on the demographic data of the respondents while part 2 on the other hand contains 37 items scheduled in four (4) clusters each corresponding to a research question. Cluster 'A' collected data on the most prevalent lapses still observable after the introduction of the PPA; cluster 'B' is concerned with finding out the impacts of PPA; cluster 'C' collected data on the level of adherence to the provisions of the PPA in tertiary institution rate; cluster 'D' is concerned with determining the nature of the relationship between various procurement units. A 5-point rating scale comprising Strongly Agree (SA), Agree (A), Undecided (U), Disagree (D), and Strongly Disagree (SD) weighted 5 points, 4 points, 3 points, 2 points, and 1 point respectively, was adopted on the one hand while another 5 point scale denoted as "1 = Most Unlikely, 2 = Unlikely, 3 = Undecided, 4 = Likely, 5 = Most Likely" was used for the purpose of ranking. The collected data will be analyzed using mean scores and standard deviations.

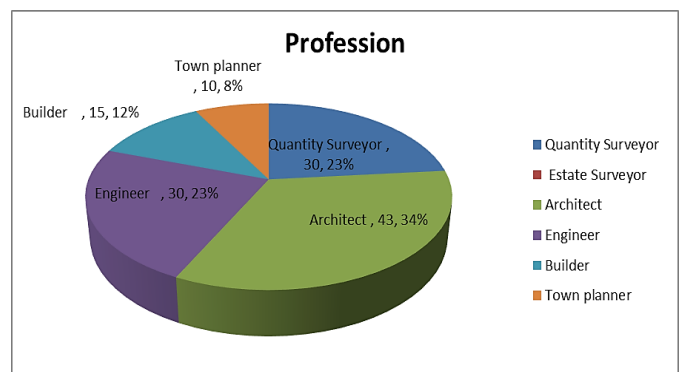
The aim of this research work is to assess the impact of the Nigerian Public Procurement Act 2007 on the procurement of public projects in Nigeria and the implications for sustainable development. Pursuant to this aim, the following research questions if answered objectively are expected to translate to the realization of the objectives of this research:

- What are the most prevalent lapses still observable after the introduction of the PPA?
- What are the impacts of the PPA on the procurement of real estate projects in tertiary institutions?
- What is the level of adherence to the provisions of the PPA in tertiary institutions?
- What is the nature of the relationship between entities/units involved in the project procurement in our tertiary institutions?

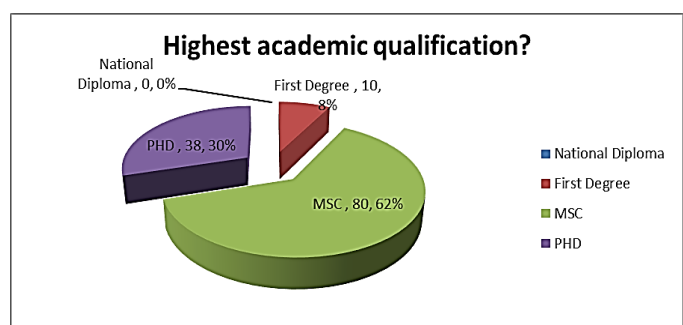
3. DISCUSSION

A total of 154 research questionnaires were distributed to respondents. Out of this 128 representing 83% of the questionnaires were duly completed and returned.

The pie chart above shows the distribution of respondents in terms of professional affiliation. Out of the 128 respondents 43 representing 34% are Architects; 30 representing 23% were Engineers while another 30 (23%) were Quantity Surveyors. 15 respondents representing 12% are Builders and the remaining 10(8%) are Town Planners.



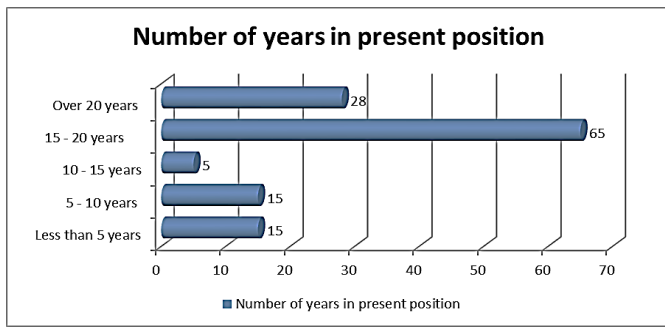
Source: Field Survey, 2021



Source: Field Survey, 2021

The pie chart above represents the educational qualifications of the respondents. From the chart, 80 of the respondents representing 62% have an MSC; 38 respondents representing 30% have PHDs while the remaining 10 respondents representing 8% have first degrees only. This shows that the respondents have adequate educational backgrounds

The bar chart above represents the number of years respondents have been a position where they acquired experience on matters relating to procurement of infrastructure projects. 15 of the respondents representing 12% have been in position for Less than 5 years. Another 15 (12%) have been there for 5-10 years while 5 respondents i.e. 4% have been there for 10-15 years. 65 (51%) respondents have been in position for 15-20 years while the remaining 28 respondents representing 22% have been in position for over 20 years.



Source: Field Survey, 2021

On the questions of familiarity with the provisions of the public procurement Act 2007 and whether respondents were knowledgeable in the procurement procedure for capital projects, all the 128 respondents representing 100% all responded in the affirmative. The respondents

were thus considered to be knowledgeable about the subject matter.

CLUSTER A: Which of the following are the most prevalent lapses still observable after the introduction of the PPA 2007?

KEY: 1 = Most Unlikely, 2 = Unlikely, 3 = Undecided, 4 = Likely, 5 = Most Likely.

Table 1 relates to a research question where respondents were asked to rank some identified lapses which are still observable after the introduction of the PPA 2007 in the construction industry. From the table, the most prevalent lapses that are still observable even after the introduction of the PPA 2007 is corruption with a mean of 4.26, followed by high cost of procurement with a mean of 4.22. Next in the ranking is absence of sustainable development with a mean of 3.75 followed by project abandonment with a mean of 3.73, non-participation of professionals with a mean of 3.71, delays with a mean of 3.65, disputes and litigation with a mean of 3.61, procurement of substandard products with a mean of 3.45, project failure with a mean of 3.45 and building in unauthorized locations with a mean of 3.14 in that order.

	1	2	3	4	5	MEAN±SD
	N (%)	N (%)	N (%)	N (%)	N (%)	
Corruption;	0(0)	10(7.81)	5(3.91)	55(42.97)	58(45.31)	4.26±0.8625
High cost of procurement;	5(3.91)	5(3.91)	15(11.72)	35(27.34)	68(53.13)	4.22±1.0569
Absence of sustainable development	5(3.91)	15(11.72)	25(19.53)	45(35.16)	38(29.69)	3.75±1.1224
Project abandonment;	0(0)	15(11.72)	15(11.72)	88(68.75)	10(7.81)	3.73±0.7707
Non participation of professionals;	10(7.81)	15(11.72)	0(0)	80(62.50)	23(17.97)	3.71±1.1304
Delays;	5(3.91)	10(7.81)	20(15.63)	83(64.84)	10(7.81)	3.65±0.8837
Disputes and Litigation.	0(0)	20(16.00)	35(27.34)	48(37.50)	25(19.53)	3.61±0.9739
Procurement of substandard products;	10(7.81)	20(16.00)	0(0)	98(77.00)	0(0)	3.45±1.0184
Project Failure;	10(7.81)	10(7.81)	30(23.44)	68(53.13)	10(7.81)	3.45±1.0184
Building in unauthorized locations;	0(0)	45(35.16)	30(23.44)	43(33.59)	10(7.81)	3.14±0.9940

CLUSTER B: Rank the following impacts of the PPA 2007?

KEY: 1 = Most Unlikely, 2 = Unlikely, 3 = Undecided, 4 = Likely, 5 = Most Likely.

	1	2	3	4	5	MEAN±SD
	N (%)	N (%)	N (%)	N (%)	N (%)	
Reduction of Project Failure;	0(0)	45(35.16)	15(11.72)	30(23.44)	38(29.69)	3.48±1.2484
Procurement of standard products;	0(0)	25(19.53)	40(31.25)	43(33.59)	20(15.63)	3.45±0.9789
Full participation of relevant professionals in the procurement process;	0(0)	35(27.34)	30(23.44)	43(33.59)	20(15.63)	3.38±1.0499
Enhancing sustainable development	0(0)	60(46.88)	0(0)	48(37.50)	20(15.63)	3.22±1.1967
Marked positive difference between pre and post PPA 2007 eras in terms of project economy and delivery?	0(0)	38(29.69)	40(31.25)	35(27.34)	15(11.72)	3.21±1.0011
Reduction of Delays in the procurement of goods;	0(0)	33(25.78)	40(31.25)	55(42.97)	0(0)	3.17±0.8143
Reduced incidence of Project abandonment;	0(0)	40(31.25)	35(27.34)	48(37.50)	5(3.91)	3.14±0.9112
Reduction of Disputes and Litigation.	0(0)	43(33.59)	30(23.44)	50(39.06)	5(3.91)	3.13±0.9338
Reduction of high cost of procurement;	10(7.81)	38(29.69)	30(23.44)	35(27.34)	15(11.72)	3.05±1.1658
Ensuring proper adherence to building regulations and control;	10(7.81)	43(33.59)	30(23.44)	25(19.53)	20(15.63)	3.02±1.2166
Reduced incidence of procurement malpractice;	15(11.72)	45(35.16)	20(15.63)	48(37.50)	0(0)	2.79±1.0770

Table 2 above relates to an assessment of the impacts of the PPA 2007. In all 11 impacts were surveyed out of which reduction of project failure ranked 1st with the highest mean of 3.48. The second most important impact from the survey was procurement of standard products which has a high mean of 3.45. Full participation of relevant professionals in the procurement process ranked 3rd with a mean of 3.38 followed closely by enhancing sustainable development with a mean of 3.22 in 4th place. The 5th most important impact is marked positive difference between pre and post PPA 2007 eras in terms of project economy and delivery with a mean of 3.21. Reduction of Delays in the procurement of goods; Reduced

incidence of Project abandonment; Reduction of Disputes and Litigation; Reduction of high cost of procurement; Ensuring proper adherence to building regulations and control; Reduced incidence of procurement malpractice with respective means of 3.17, 3.14, 3.13, 3.05, 3.02 and 2.79 are ranked 6th, 7th, 8th, 9th, 10th, and 11th. Of all the impacts, only the 11th one has a negative mean which implies that the respondents did not consider this as a positive impact since 15 respondents representing 11.72% said most unlikely, 45 respondents representing 35.16% said unlikely, 20 respondents (15.63) were undecided, 48 respondents (37.50) said likely while none of the respondents chose the most likely option.

CLUSTER C: What is the level of adherence to the provisions of the PPA 2007 in tertiary institutions?

* Means greater than 3 = positive response, means less than 3 = negative response

Table 3 above, shows that 35 respondents representing 27.34% of the respondents agreed that provisions of the PPA 2007 are strictly adhered to in the procurement process. 73(57.03%) of the respondents disagreed while 20(15.63%) strongly disagreed with a low mean of 2.39, it is clear that the provisions of the PPA 2007 are not strictly adhered to in the procurement process. On the question of Professionals in the industry not being too familiar with the provisions of the PPA 2007, 100 respondents representing 78.13% agreed, 18(14.06%) were undecided while 10(7.81%) disagreed. A strong positive mean of 3.71 shows agreement with the question meaning that Professionals in the industry are not too familiar with the provisions of the PPA 2007. On the question "Do you agree that strict adherence with the provisions of the Act will enhance project delivery in the construction industry"75 of the respondents representing 58.59% strongly agreed, 38 respondents representing

29.69% agreed while 10 respondents representing 7.81% are undecided.

The remaining 5 respondents (3.91%) disagreed that strict compliance with the provisions of the act will enhance project delivery in the construction industry. A high positive mean of 4.43 implies a positive response to this variable. On the question "Projects are completed as and when due by the procurement unit in my institution", 20(15.63%) agreed, 10(7.81%) are undecided while the remaining 98(76.56%) disagreed. A low mean of 2.39 suggests a negative response which can be interpreted to mean that projects are not always completed as and when due. For the question "Provisions of the PPA 2007 are hardly adhered to" 5(3.91%) strongly agreed, 35(27.34%) agreed, 30(23.44%) were undecided while 58(45.31%) disagreed a low mean of 2.90 shows disagreement with the question which implies that the provisions of the PPA 2007 are adhered to. On the question "The PPA 2007 has issues which make its interpretation and application difficult", 5(3.91%) strongly agreed, 68(53.13%) agreed while none of the respondents were undecided while 55(42.97%) disagreed. A mean of 3.18 suggests a positive relationship which implies that the PPA 2007 actually has issues that make its interpretation and application difficult.

Table 3: Level of adherence to PPA 2007, Source: Field Survey, 2021

	STRONGLY AGREE	AGREE	UNDECIDED	DISAGREED	STRONGLY DISAGREED	MEAN±SD
	N (%)	N (%)	N (%)	N (%)	N (%)	
1: Do you agree that the provisions of the PPA 2007 are strictly adhered to in the procurement process	0(0)	35(27.34)	0(0)	73(57.03)	20(15.63)	2.39±1.0517
2: Professionals in the industry are not too familiar with the provisions of the PPA 2007	0(0)	100(78.13)	18(14.06)	10(7.81)	0(0)	3.70±0.6065
3: Do you agree that strict adherence with the provisions of the Act will enhance project delivery in the construction industry	75(58.59)	38(29.69)	10(7.81)	5(3.91)	0(0)	4.43±0.8004
4: Projects are completed as and when due by the procurement unit in my institution	0(0)	20(15.63)	10(7.81)	98(76.56)	0(0)	2.39±0.7448
5: Provisions of the PPA 2007 are hardly adhered to	5(3.91)	35(27.34)	30(23.44)	58(45.31)	0(0)	2.90±0.9377
6: The PPA 2007 has issues which makes its interpretation and application difficult	5(3.91)	68(53.13)	0(0)	55(42.97)	0(0)	3.18±1.0457

CLUSTER D: What is the nature of relationship in your institutions procurement units?

* Means greater than 3 = positive response, means less than 3 = negative response

Table 4: Nature of the Relationship between Institutional Procurement Units, Source: Field Survey, 2021.

	STRONGLY AGREE	AGREE	UNDECIDED	DISAGREED	STRONGLY DISAGREED	MEAN
	N (%)	N (%)	N (%)	N (%)	N (%)	
1: Do you have a Tetfund desk office in your institution	50(39.06)	68(53.13)	0(0)	10(7.81)	0(0)	4.23±0.8083
2: Do you have a procurement unit	50(39.06)	78(60.94)	0(0)	0(0)	0(0)	4.39±0.4898
3: do you have a physical planning unit	68(53.13)	60(46.88)	0(0)	0(0)	0(0)	4.53±0.5010
4: The relationship between the various units involved with procurement is cordial and cooperative	5(3.91)	28(21.88)	40(31.25)	30(23.44)	25(19.53)	2.67±1.1371
5: Cordial relationship among the units listed in 1,2 & 3 above will translate to better project procurement	60(46.88)	58(45.31)	0(0)	10(7.81)	0(0)	4.31±0.8300
6: Tetfund projects are sometimes abandoned without completion	30(23.44)	68(53.13)	30(23.44)	0(0)	0(0)	4.00±0.6873
7: Tetfund officials sometimes interfere unduly in the procurement process	10(7.81)	30(23.44)	45(35.16)	43(33.59)	0(0)	3.05±0.9380
8: Failure of a Tetfund project has been witnessed in our institution	30(23.44)	55(42.97)	10(7.81)	15(11.72)	18(14.06)	3.50±1.3457
9: Non-professionals are sometimes patronised in the procurement of Tetfund projects	40(31.25)	53(41.41)	15(11.72)	15(11.72)	5(3.91)	3.84±1.1114
10: Tetfund projects have been known to be awarded to incompetent contractors	40(31.25)	38(29.69)	15(11.72)	30(23.44)	5(3.91)	3.61±1.2564

Table 4 above, connotes the research question "What is the nature of the relationship in your institution's procurement units"? From the result above, there is a clear testament to the existence of some units that are used for procurement purposes. These units include physical planning units, procurement units and Tetfund units which have high positive means of 4.53, 4.39 and 4.23 respectively. On the question of determining if the relationship between the various units involved with procurement is cordial and cooperative, 5 respondents representing 3.91% of the respondents strongly agreed while 28(21.88%) agreed; 40(31.25%) of the respondents were undecided while 30(23.44%) disagreed. The remaining 25 representing 19.05% of the respondents strongly disagreed. With a low mean of 2.67, it is clear that the relationship between the various units involved in procurement is not cordial and cooperative. On the question of whether a cordial relationship between identified procurement units will translate to better project procurement, 60 respondents representing 46.88% of the respondents strongly agreed, 58 respondents i.e. 45.31% agreed while only 10 respondents representing 7.81% disagreed; with a very high mean of 4.31, it is clear that cordial relationship among units involved in procurement will translate to better project procurement. On whether Tetfund projects are sometimes abandoned without completion 30 respondents representing 23.44% of the respondents strongly agreed, 68 (53.13%) agreed while 30 (23.44%) were undecided, a high mean of 4.00 showing a strong positive relationship implies that Tetfund projects are actually sometimes abandoned without completion irrespective of the PPA 2007. On whether Tetfund officials sometimes interfere unduly in the procurement process, 10(7.81%) of the respondents strongly agreed, 30 (23.44%) disagreed while 45(34.16%) are undecided. 43 (33.59%) of the respondents disagreed. A positive mean of 3.05 shows a positive relationship as such, it can be concluded that Tetfund officials sometimes interfere unduly in the procurement process. On the question of whether the failure of a Tetfund project has been witnessed in the institutions surveyed, 30 (23.44%) of the respondents strongly agreed, 55 (42.97%) agreed while 10 (7.81%) are undecided. 15 (11.72%) disagreed while another 18 respondents representing 14.06% strongly disagreed. With a positive mean of 3.50, it is clear that the failure of a Tetfund project has been witnessed in the institutions surveyed. Respondents were asked if non-professionals are sometimes patronized in the procurement of Tetfund projects and from their responses, 40 (31.25%) strongly agreed while 53 (41.41%) disagreed. 15 (11.72%) of the respondents are undecided while 15 (11.72%) and 5 (3.91%) of the respondents disagreed and strongly disagreed respectively. A positive mean of 3.84 connotes a strong positive response which implies that non-professionals are sometimes patronized in the procurement of Tetfund projects. On whether Tetfund projects have been known to be awarded to incompetent contractors, 40 (31.25%) of the respondents strongly agreed, 38 (29.69%) agreed while 15 (11.72%) are undecided. 30 (23.44%) disagreed while 5 (5.91%) strongly disagreed. A high mean of 3.61 reflects a positive response implying that projects have been known to be awarded to incompetent contractors

4. CONCLUSION AND RECOMMENDATIONS

The Nigerian Public Procurement Act 2007 was born out of the need to regulate and control the process of acquisition of goods, works, or services by the Federal Government, its Ministries, Departments, Parastatals, and Agencies which was hitherto without any specific procedure laid down for the procurement of public goods and services in Nigeria. This lack of regulation and control meant that vices like corruption, procurement of substandard products, project abandonment, project failure, and high cost of procurement were thriving in the system. One expected these vices to abate with the introduction of the PPA but this did not seem to be the case. Some of the lapses which led to the introduction of the PPA in the first place were tested to see if they were still prevalent after the introduction of the Act and the results showed that they still were. The most prevalent lapses still observable even after the introduction of the PPA are corruption, followed by the high cost of procurement, absence of sustainable development, project abandonment, non-participation of professionals, delays, disputes, and litigation, procurement of substandard products, project failure and building in unauthorized locations respectively in that order.

The impact of PPA on the procurement of real estate projects in tertiary institutions cannot be over emphasized. The operation of the Act has helped to encourage the full participation of relevant construction industry professionals in the procurement process the use of these professionals is expected to translate to the procurement of standard products, project economy, and delivery within budget and time giving rise to sustainable development. Construction industry professionals are supposed to provide leadership in ensuring that the provisions of the Act are properly interpreted and followed to the letter. Unfortunately, they are

not too familiar with the provisions of the PPA. Accordingly, the provisions of the PPA are not strictly adhered to in the procurement process even though it was generally agreed that strict adherence to the provisions of the Act was expected to translate to sustainable project delivery in the construction industry. It is clear that there are procurement units in the institutions surveyed. These units include physical planning units, procurement units, and TETfund units. It is clear that the relationship between the various units involved in procurement is not cordial and cooperative. However, it is clear that cordial relationship among units involved in procurement will translate to better project procurement. Furthermore, it was clear that TETfund officials sometimes interfere unduly in the procurement process and this should not be so; TETfund should focus on its fundamental function of providing funding rather than interfering with the process and determining which contractor gets the job. This can lead to awarding the contract to an unqualified and incompetent contractor giving rise to shoddy jobs which could fail and not stand the test of time. Following the foregoing, the following recommendations are hereby made:

- The lapses that led to the introduction of the PPA are still very much prevalent, as such; efforts must be made to ensure that only qualified professionals and contractors are used to ensure sustainable development.
- TETfund must ensure adequate training of their personnel including their desk officers who are on ground in the tertiary institutions. Furthermore, it is important that desk officers should have complements of relevant professionals who should help them in packaging and ensuring the selection of suitable and qualified contractors.
- In order to ensure effectiveness of the PPA 2007, adequate sanctions must be meted out to anyone found going contrary to the provisions of the Act. It is only by doing so that the would-be offenders would be deterred.
- For the sake of sustainable development, there must be synergy among the procuring units found in our tertiary institutions.
- Any TETfund official found interfering unduly in the procurement process should be sanctioned accordingly if not for anything to deter others from doing same.

REFERENCES

- Ajator, U. O., 2017. The Imperatives of Effective Documentation in Contract Administration and Management in Nigeria. Proceedings of Nigerian Institute of Quantity Surveyors Workshop held on 30-31st August 2017 at King Davids Hotel Awka, Anambra State
- Ashworth A., Hogg K., and Higgs C., 2013. Willis's Practice and Procedure for Quantity Surveyors 13th Edition. Wiley-Blackwell: United Kingdom
- Budget Monitoring and Price Intelligent Unit (2005): A Manual on Public Procurement Reform Program in Nigeria. State House, Abuja, Nigeria
- Federal Republic of Nigeria, 1991. Higher Education in the Nineties and beyond, Report of the Commission on the Review of Higher Education in Nigeria. The Gray Longe Commission. Lagos: Government Printing office
- Haris, F., and McCaffer, R., 2005. Modern Construction Management, (5th edition). USA: Blackwell Publishing
- <https://tetfundserver.com/index.php/tetfund/> Assessed on 14/07/2021
- Kothari, C. R., 2004. Research methodology methods and techniques, New Age International Publishers Limited
- Ngwu C., 2017. An Overview of Emerging Procurement Systems in Nigeria. Proceedings of Nigerian Institute of Quantity Surveyors Workshop held on 30-31st August 2017 at King Davids Hotel Awka, Anambra State
- Oforeh, E. C. and Alufohai, A. J., 2006. Management Estimating and Budgeting for Electrical installation, Second Edition. Lagos: Cosines Nig. Ltd.
- Oforeh, E. C., 2008. The role of Quantity Surveyors in the Procurement Process. Proceedings of 11th Annual conference of Heads of

Quantity Surveying Departments/Divisions in the Federal and State Ministries and Parastatals in Nigeria 29-30th July 2008, Anambra state, Nigeria.

Oso, B. S., 2017. An Assessment of Risk Factors in Procurement Process of construction Projects in Edo State. Proceedings of the 3rd NIQS Research Conference – RECON 3 held 25th – 27th September 2017, Pp. 512-522.

Seeley, I. H., 1984. Quantity Surveying Practice. London: Macmillan Press Ltd

Sukulpat, K., 2007. Risks in Construction Project Procurement Process and Mitigation Methods. Journal of Architectural/Planning Research and Studies 5(2), Pp. 133-145

Tertiary Education Trust Fund (Establishment, Etc.) Act, 2011. Nigeria FGP100/82011/1,200(OL62). Lagos: Government Printing office

