

Causes of Non-Compliance With Public Procurement Act, 2007 Among Some Selected State Own Public Tertiary Education Institutions in Southwest, Nigeria

Authors : Ibitoye Olabode Clement

Abstract : The huge amount of grants for infrastructures development in Tertiary Institutions in Nigeria calls for transparency and accountability in the procurement process. However, questions have been raised concerning the judicious and appropriate use of the funds, and it was doubtful if the institutions complied with due process. This paper examined the causes of non-compliance with the Public Procurement Act (2007) in the procurement of Goods, Works, and Services through either direct or indirect processes of procurement, mostly in Tertiary Institutions of State government subvention institutions in Nigeria. Nigeria has over 120 public universities, polytechnics, and colleges of Education. This paper will take samples of some selected Institutions in southwest Nigeria. The institutions comprise 5 Universities, 5 Polytechnics, and 5 Colleges of Education / Health and Technology. The opinions of the institutions' Procurement Officers on the tremendous investment through grants and interventions for infrastructure development in Tertiary Education Institutions (TEI) in Nigeria call for transparency and accountability in the procurement process. However, there are a lot of questions have been raised as to the judicious use of the funds, and it was doubtful if the institutions complied with due process. This study examined the causes of non-compliance with the Public Procurement Act (2007) in the procurement of Goods, Works, and Services in most State Government Public Institutions in Southwest Nigeria. Over, 120 public institutions comprising 5 Universities, 5 Polytechnics, and 5 Colleges of Education / Health and Technology were used for the study. The opinions of the institutions' Procurement Officers on the causes of non-compliance with the Act in their procurement process were sought using a structured questionnaire. The results revealed that non-independent of Procurement Officers, non-compliance with the Act by some at the managerial level, claiming inadequate knowledge of the Act, non-employment of qualified and experienced Procurement officers, insufficient publicity of the Act, and non-existence of corporate governance led to poor management of procurement record and non-provision of incentive, Inability to separate the duties of Internal Auditors and Procurement Officers, Inability to translate procurement entity at large which makes nearly all at departmental level believe they procurement officers. Conclusively, on taking the Procurement Officers through interviewing having it that: the right educational and professional qualifications, understanding of the Act, sufficient cognate working experience, recruiting most professionals needed if not all, and occupying management position will enhance compliance. Hence, in addition, adopting an external empowered department from the Bureau should raise for monitoring the compliance mostly in State Government Tertiary Education Institution. Also, an organizational culture with a corporate governance structure that supports the engagement of the right and qualified personnel to handle procurement, encourages them to perform at their best and rewards excellent service by giving incentives, and operates within an administrative environment devoid of corruption.

Keywords : non compliance of procurement act, tertiary education institution, university, polytechnic and college of education/ health science and technology, Nigeria

Conference Title : ICCMP 2022 : International Conference on Contract Management and Purchasing

Conference Location : Vancouver, Canada

Conference Dates : August 08-09, 2022