KWAME NKRUMAH UNIVERSITY OF SCIENCE AND

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INVESTIGATING THE OBSTACLES TO THE IMPROVEMENT OF THE PROCUREMENT SYSTEM IN PUBLIC TERTIARY INSTITUTIONS IN GHANA: A CASE STUDY OF THE SUNYANI POLYTECHNIC

By

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DECLARATION

I hereby declare that this submission is my own work towards the CEMBA and that, to the best of my knowledge, it contains no material previously published by another person nor material which has been accepted for the award of any other degree of the University except where due acknowledgment has been made in the text.

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DEDICATION

I dedicate this work, first and foremost, to the Almighty God who has given me the life, strength and wisdom to complete this project.

Finally to my entire family, Mrs. Janet Adu-Aning, my wife, for her tolerance and prayers, and to my children, Williams Adu-Aning, Kennedy Adu-Aning, Priscilla Adu-Aning and Angela Adu-Aning for their prayers. God bless you all for your emotional and spiritual support.

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ABSTRACT

The study aims at exploring the reasons why Sunyani Polytechnic, and the other public tertiary institutions, have not reached the level of "excellence" in their procurement performance. The study targeted groups in Sunyani Polytechnic who are the policy makers and/or implementers of policies with specific reference to procurement processes and issues. The study examined the caliber of staff who are directly or indirectly involved in the procurement function and how their attitude and performances affect the procurement system. They comprise the Top-Management or Principal Officer, Deans/Heads of Departments/Heads of Sections, Procurement Unit Staff and the Internal Audit Unit Staff. The questionnaire focused on four specific areas affecting procurement system, which are: how management systems in the school facilitate the procurement function; how the Deans, Heads of Department and Sectional Heads, contribute positively or otherwise towards the system; the activities of the procurement unit personnel; and the role of the internal audit unit in ensuring a well functioning procurement system. Generally, it was observed that even though the procurement system in Sunyani Polytechnic is quite efficient there is still much room for improvement, for instance, almost all the officers who are involved in the procurement system do not have the Procurement Act to work with, to enable the Polytechnic meet the performance standard as stipulated in the Act. The findings also indicated that there are both positive and negative concerns which eventually affect the procurement system. The study suggested, among others, that since the Public Procurement Act, 2003, is the principal statutory document governing public procurement activities in Ghana the Polytechnic's Top-Management must ensure availability of copies to all heads of department/unit/section and also enforce compliance with the provisions in the Act. If all stakeholders affecting the procurement system in Sunyani Polytechnic play their roles efficiently and effectively most of the obstacles may be eliminated and the system will see much improvement.

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INTRODUCTION

1.1   Background to the Study

Countries around the world are increasingly becoming focused on improving their public procurement regimes both in terms of their legal form and their practical operation. Not surprisingly, procurement's role in the economic and institutional growth of developing countries, like Ghana, is being increasingly recognized by the World Bank, as well as the Bank's member nations. Schooner, Gordon and Clark (2008). In Ghana, procurement had formed and will continue to form a substantial part of Government expenditure, for example, according to Adjei (2006), public procurement accounts for 50-70% of the national budget.

 The then Minister of Finance and Economic Planning, Kwadwo Baah-Wiredu stressed that public procurement accounts for 50-70% of Ghana's Gross Domestic Product and that "a considerable part of the country's resources are channeled through the country's procurement system, according to Alarti-Amoako & Schmelzer, (2007). Thus, any improvement in the public procurement system has a direct beneficial effect on the economy.

Several attempts have been made for the enactments of decrees and laws on public procurement in Ghana.   In 1960, the Ghana Supply Commission Act, was enacted and was reviewed later in 1990 by PNDC Law 245. In the same year, the Contracts Act, Act 25 of 1960 was also passed. In 1976, the National Procurement Agency Decree SMCD 55 was passed by the Supreme Military Council and in 1979, another law, the Financial Administration Decree SMCD 221 was also passed. None of the measures put in place

could address the challenges of the procurement system. In 1996 a comprehensive reform programme known as Public Financial Management Reform Programme (PUFMARP), was launched, the purposes of which included:

- The establishment of a national procurement system to guide the use of state funds for procurement of goods works and services, as well as, the disposal of stores and equipment.

- The elimination of the various shortcomings in the Ghanaian procurement process by providing a comprehensive procurement law and standard tender documents supported by relevant institutional and administrative structures and an oversight body.

The Ministry of Finance and Economic Planning in 1999 established a steering committee known as the Public Procurement Oversight Group (PPOG) to assist in the design of a comprehensive public procurement reform programme. The group completed one of its major objectives by drafting a Public Procurement Bill in September 2002. The bill was passed into law on 31 December, 2003 as the Public Procurement Act, 2003, Act 663. The Bill revoked the District Tender Board Regulations, 1995 (L.I.1606) and repealed the Ghana National Procurement Agency Decree 1976 (SMCD 55) and the Ghana Supply Commission Law, 1990, PNDCL 245. Public Procurement Board (2007).

With the enactment of the Public Procurement Act in 2003, public tertiary institutions were required to establish procurement units to take charge of all procurement functions in the schools. (Public Procurement Act, 2003 (Act 663).

The Act also required the establishment of the Public Procurement Board as the oversight body for all procurement issues. The mandate was to see to the judicious, economic and efficient use of public funds for procurement in a fair, transparent and non-discriminatory manner while promoting a competitive local industry. The Public Procurement Authority is charged with the oversight responsibility for an effective implementation of the Act, and not to be involved in frontline procurement.

1.2   Statement of the Problem

Post-independence Ghana has experienced some problems in her procurement system and according to the Public Procurement Board (2007), some of the problems were that:

- There was no comprehensive public procurement policy, which meant that various government institutions and accounting officers were conducting their procurement activities without any regard to public procurement policies and procedures to guide them.

- The roles, responsibilities and authority of procurement entities were not clearly defined and also there was no comprehensive legal regime to safeguard the public procurement system.

- The conduct of independent procurement auditing was not part of Ghana's public procurement system so officers involved in procurement could do whatever they wanted resulting in unnecessary purchases, perceived corruption, and waste of resources as well as lack of transparency.

- Finally there was no independent appeals process to address complaints from tenderers.

Narrowing it down to Sunyani Polytechnic, it has been observed that there have been consistent complaints by the internal stakeholders; namely, the heads of department, sectional/unit heads, administrators and the teaching staff, that the procurement system is very slow, communication between the procurement unit and the user departments is not encouraging, the principal officers' role of putting in place the needed structures, resources and leadership to manage the procurement processes does not seem to be enough. Very often, suppliers also complain of the time-lapse between supply or contract delivery and time of payment.

Again, readings from the Public Procurement Assessment reports of public sector entities in Ghana have revealed that though Ghana is not performing poorly in her procurement function, much improvement is still needed. In the case of public tertiary institutions and specifically, Sunyani Polytechnic, on a performance assessment grading scale from "poor" through "satisfactory", "good", "very good" to "excellent" the Public Procurement Authority had, in three consecutive years: 2006, 2007, and 2008, classified the procurement performance of the Sunyani Polytechnic as "good", as contained in their Public Procurement Assessment Reports, (2006, 2007, 2008) indicating that the system has remained static for all those years and therefore needs to be improved substantially to move it from its current stage to the level of "excellence". These issues raised above are pointers to some form of deficiencies in the procurement system of Sunyani Polytechnic and, most likely, the other public tertiary institutions in Ghana, hence this study.

1.3 Objectives of the Study

The main objective of the study is to investigate the obstacles to the improvement of the procurement system in public tertiary institutions in Ghana.

The specific objectives are to:

- Investigate whether the management in Sunyani Polytechnic is helping the system to achieve the highest level of procurement performance.

- Examine if Sunyani Polytechnic has appropriate structures in place to ensure compliance with the public procurement system.

- Investigate how Sunyani Polytechnic manages its contracts or projects to achieve the best results.

- Make policy recommendations.

1.4 Research Questions

The study addresses the following research questions:

- How effectively and efficiently is the management of Sunyani Polytechnic playing their respective roles in the procurement system?

- What are the structures in place to ensure compliance to the procurement activities and processes in the Polytechnic?

- How does the Sunyani Polytechnic manage its contracts to achieve best value for money?

- What can be done to make the procurement system in Sunyani Polytechnic more responsive to best practices?

1.5   Relevance of the Study

The findings of the study will inform management and all other stakeholders involved in the procurement processes and activities in the public sector tertiary institutions to properly execute their duties to improve their procurement system.

This study will suggest structures that will be helpful to public sector tertiary institutions that continuously aspire for best practices in public procurement to ensure that their institutions make savings in terms of cost and time in their procurement system. The weaknesses in the procurement system in the Sunyani Polytechnic would be unearthed and suggestions recommended to improving the procurement system in public tertiary institutions in Ghana.

Last, but not the least, this study will also be relevant to academia because it may serve as a reference document for future research in the subject area.

1.6   Scope

This study was conducted in Sunyani Polytechnic, located within the Sunyani municipality in the Brong-Ahafo Region of Ghana. The respondents were those who, in the opinion of the researcher, are direct or indirect stakeholders of the procurement system in Sunyani Polytechnic. Not all members of the polytechnic community are familiar or conversant with the procurement operations in the school. From an informal discussion with both the teaching and non teaching staff, it became obvious that many of them could not make any meaningful contribution in this area because they were either not concerned about the procurement operations in the school or were simply not involved in it, even though the system affects them in one way or the other.   Therefore, the researcher considered the

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following groups (top management, heads of department/sections, procurement unit staff and internal audit unit staff) as those who are capable of helping this research to achieve its objectives since they are directly involved in the procurement system at one point or the other.

The study covered areas such as: management systems, information and communication, the procurement processes and contract management. The questionnaires were meant to test possible areas of weaknesses or the obstacles which might have prevented the Polytechnic from moving from its current level of performance to the desired level.

1.7   Limitations of the Study

Financial constraints did not allow for extensive travelling to the other public tertiary institutions in the country to collect data and gather information or observe the procurement system of those institutions for the benefit of this work.

The research methods which were used included questionnaire and oral interview. Structured interview guide was not prepared because the visits to the departments became necessary only when there was the need to do so and for that matter such visits were informal, hence, the informal oral interview approach. Materials were extracted from books, journals, official accounting and procurement documents from Sunyani Polytechnic and the internet. All these sources have their limitations which could also affect the conclusions that have been drawn from this work.

Lastly, the study was carried out at Sunyani Polytechnic so the conclusions drawn and any recommendations made may not necessarily be applicable to all public sector tertiary institutions since they may have their own peculiar circumstances.

1.8   Plan of Work

This study is organized into five chapters. Chapter one is the introductory part which is divided into the following subsections: The background of study, statement of the problem, objectives of the study, research questions, relevance of the study, scope, and limitations of the study and the plan of work. In chapter two literature on the topical area of the study were reviewed. Chapter three was devoted to the methodology which covered the research design, the population, sample and the sampling techniques. Data collection procedure was also explained.

Chapter four covered data analysis and finally, chapter five dealt with discussions about the major findings. Appropriate recommendations and suggestions were made for the benefit of Sunyani Polytechnic in particular and all tertiary institutions in Ghana in general.

CHAPTER TWO

LITERATURE REVIEW

2.0   Introduction

Many scholars, both academicians and professionals, as well as procurement practitioners have written many books, articles and other materials on procurement. These are available in print and electronic form. The purpose of this chapter is to examine the work of some authorities in this area in as much as they are relevant to this project. The subsequent sections looked at the nature and scope, systems approach to public procurement, and examined some issues relating to public procurement practice in Ghana.

2.1   Nature and Scope of Public Procurement

Outlining the nature and scope of public procurement, Leenders et.al (2006), explained that public procurement covers the supply in public institutions and agencies as well as publicly owned entities and is characterised by taxes which represent a major source of funds. The objectives of sound supply management in the public sector are basically effective contribution to organisational goals and assurance of value for money spent. They explained further that the unique environment in which public sector procurement operates presents special challenges in every country where the public buyer is subjected to special laws, rules, and regulations and is ever mindful of the politically dictated targets while open to continuous public scrutiny.

The Ministry of Finance of Jamaica (2010) corroborates the assertion above as it explains that public sector procurement is the acquisition of goods, services and works,

by any of the prescribed methods for example, international competitive bidding, national competitive bidding, selective tendering, among others, using public funds, and executed by a procuring entity or on its behalf. In this definition, "procuring entity" means any ministry, department, local government authority, statutory body, executive agency, public company or any other agency, in which the government owns controlling interest, that is, at least 51%, and/or in which the government is in a position to direct the policy of the entity. The procurement process embraces not only the acquisition of goods, services and works, but also the complete process from planning to contract management.

2.2   Importance of Public Procurement Reforms in Developing Countries

Developed and developing countries have the need for a well-functioning public procurement system. This is particularly true for developing countries, where procurement usually accounts for a high proportion of total expenditure. According to Development Assistance Committee Report (2005), 40% of total exports in Malawi is attributed to public procurement, 70% in Uganda and global average is between12-20%. The Organisation for Economic Cooperation and Development (2002) estimated the value of the government procurement market to be US$2,000 billion in 1998, which was equivalent to 7% of world gross domestic product (GDP) and 30% of world merchandise trade. It has been estimated that between US$30 to US$43 billion could be available in the procurement marketplace in Sub-Saharan Africa, observed by Wittig (1999). Most industrialized countries spend at least 10% of their GDP on public procurement, according to Trionfetti (2003).

In a speech entitled "Message from the Chief Executive", Adjei (2006), the then Executive Director of Public Procurement Authority, emphasised that public procurement had formed and will continue to form a substantial part of Government expenditure, for example, public procurement accounted for 50-70% of the national budget, and this was the highest expenditure after personal emoluments. This constituted 14% of the Gross Domestic Product (GDP) and 24% of total imports. Emeafa Hardcastle, Embassy of Switzerland, Ghana, (2006) also corroborated these facts and figures in an article entitled "Procurement Regime-Ghana".

It is clear from this that public procurement involves the acquisition of goods, services and works/contracts by organisations using public funds. It also involves huge government expenditure, especially, in developing countries, which Ghana is not an exception, and it is governed by laws, rules, regulations and policies which must guide the public buyer. The next section considers public procurement using the systems theory.

2.3   The Systems Theory of Public Procurement

Nash and Roberts (1994) explained a "system" as an assemblage of interacting components forming a complex whole and united to some degree in pursuit of common goals. According to them, a system exists in an environment but may or may not interact with the environment. A closed system does not interact with its environment while an open system affects and is affected by its environment. This study views the procurement system as an open system which interacts with its environment because it affects and is affected by its environment. The environment affects a procurement

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system through laws, regulations, policies, the actions and inactions of the stakeholders involved. In the same way the procurement system affects its environment through its outputs which helps the organisation to achieve its objectives.

In his view, Gigch (1974) explains a system as an assembly or set of related elements or institution. But systems, particularly the procurement system, are so dynamic that they cannot be understood just in terms of their elements or parts that make up the system. In this regard, Checkland and Scholes (1990), likened public procurement to a bicycle which is a system in action. According to this system view, a system in action can be explained as representing the conversion of inputs into outputs, as has been explained earlier by Nash and Roberts (1994).

Childs, et al (1994) as well as Knock and Murphy (2001) also explain public procurement system as the conversion of inputs into outputs. Thai and Grimm (2000) used the systems view to examine public procurement and concluded that public procurement is more complicated than many scholars and practitioners have thought. In this view, public procurement is treated as a dynamic process which consists of five core elements as follows: policy making and management; procurement regulations; procurement authorization and appropriations; public procurement function in operation and feedback. The "procurement regulations" element, established by policy makers and management executives, becomes the institutional framework within which public professionals (be it contract officers, buyers, or procurement officers), and programme managers implement their authorised and funded programmes or projects, and also are accountable to policy makers and management executives. Finally, feedback is given to

policy makers, procurement professionals and managers for adjustments or improvements in procurement operations. Each element is briefly discussed below:

2.3.1 Policy Making and Management

In a democratic government system, although there is a distinctive division of powers between the legislative, executive and judiciary branches, procurement authorities and responsibilities vary among countries. In many countries public procurements are regulated by formal rules and regulations. In the United States, according to Thai (2001), the legislative branch primarily influences public procurement systems through laws and authorization and appropriations of programmes leading to procurements. Ghana's public procurement system, like the U.S, is influenced, for example, by the Public Procurement Act of 2003, Act 663. There had been previous decrees and laws, as already pointed out in chapter one, enacted in Ghana by military and civilian government regimes to regulate public procurement in Ghana. In principle, the President is responsible for implementing procurement statutes and procurement authorization and appropriations. The President establishes government-wide procurement policies and procedures through executive orders, makes political and management decisions relative to procurement programmes and appoints agency heads and other officials who have direct or indirect management control over procurement programmes and procurement organizations.

2.3.2 Procurement Regulations:

Public procurement is an important function of government for several reasons, such as the sheer magnitude of procurement outlays that has a great impact on the economy and

needs to be well managed. According to Calendar & Mathews, (2000), in all countries in the world, estimates of the financial activities of government procurement managers are believed to be in the order of 10%-30% of GNP.

Smith, (1998) also emphasised that public procurement has been utilized as an important tool for achieving economic, social and other objectives; and in its report to Congress, the Commission on Government Procurement in the United States indicated that the magnitude of Government's outlays for procurement and grants creates opportunities for implementing selected national policies Federal Acquisition Institute, (1999).

The "procurement regulations" element is established by policy makers and management executives and becomes the institutional framework within which public procurement professionals (be it contract officers, buyers, or procurement officers), and programme managers implement their authorised and funded programmes or projects, and also are accountable to policy makers and management executives. In Ghana, public procurement is regulated by the Public Procurement Act 2003, Act 663. Other statutory documents apart from the Act are: the Public Procurement Regulations, Procurement Guidelines, Standard Tender Documents and the Procurement Manual, all of which are briefly explained in section 2.7.

2.3.3 Authorisation and Appropriations

In practice, according to Thai and Grimm (2001), procurement authorization and appropriations are integral parts of a public procurement system and determines procurement success. It is on record that in many countries, construction projects are

lately completed or abandoned due to delays in authorisation and appropriations. For example, the Associated Press reported in 2001 about the incidence of delays in Vietnam, Hanoi's new airport where construction began in 1995 but was officially opened for business in October, 2001 after more than four years delay. Secondly, according to the same Associated Press, (2001), the sleek three-story, red-roofed terminal was supposed to be completed by late 1977, in time for a Francophone Summit, however, its opening was delayed by funding shortages and delays in authorisation and appropriation of funds.

According to the Public Procurement Act, 2003, (Act 663), all public sector entities must prepare and submit their budgets and procurement plans for the succeeding year to the Ministry of Finance, at least, within the last quarter of the current year to enable the Government to plan ahead and make funds available for projects and programmes, including procurement activities of public sector entities.

It is obvious from this discussion that the budget support for the procurement function is very critical for its success and not only that but also the timing and quantum of funding are also another critical factors which determine what the procurement system can achieve

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2.3.4 Procurement Functions in Operation

In their study "Public Procurement Re-Examined", Thai and Grimm, (2001) explained that the element of "Public Procurement Function in Operation" has been the main focus of procurement practice and research and in fact, is the most important and most complicated element of the procurement system. It represents managers and

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procurement personnel, organizational structure, procurement process, techniques and methods which are explained below:

2.3.4.1 Managers and Procurement Personnel

Managers ensure that goods and services and capital assets are procured within the legal framework by procurement personnel and are accountable to actors in policy making and management. Procurement professionals make sure that operational agencies comply with procurement regulations and they are directly involved in procuring goods, services and capital assets as authorised and funded.

According to Leenders et al (2003), the procurement department is in an extremely strategic position, due to its intimate relations with other functional departments on the one hand, and its close and on-going contact with large and diverse groups of outside organizations on the other. As a result of the access to information that the procurement department has regarding price trends, new and improved products and services, market conditions, and business outlooks, which is of particular importance for the purchasing department to develop, it can also make significant and valuable strategic contributions to the other departments that it serves. These contributions, according to Leenders et al (2003), provide another basis upon which to evaluate procurement department's performance.

2.3.4.2 Organizational Structure

According to Ivancevich et al (1994), an organisational structure is a framework of jobs and departments that directs the behavior of individuals and groups towards achieving

organization's objectives. Organisational structure's contribution to the organization's performance is demonstrated each time a customer is satisfied. The organisational structure of Sunyani Polytechnic indicates that the Procurement Officer is under the authority of the Finance Officer and for that matter cannot influence any strategic decisions on procurement in the Polytechnic. Organisational structure specifies who will accomplish what and how it would be accomplished. The structure may vary depending on the size of the organisation and its functions as well as its philosophy and its age in technology – it may be simple or very complicated. Ivancevich et al (1994), again explains that an organizational structure is the framework of goods and departments that direct the behaviour of individuals and groups towards achieving the organizational objectives. The contributions of the Procurement Office staff definitely depends on whether or not Top-Management is prepared to work with the suggestions of the Procurement Unit or not.

In the view of the researcher public procurement system also thrives on organisational structure. As a sub-system within a larger organisation the procurement unit ensures that the organisation's need for goods, works and services are made available in the right quantity and quality, at the right time and at the right place. The procurement unit itself must have the required structure and resources in order to be efficient and effective. In effect, this section points out that every good procurement system can achieve its objectives when there is a good organizational structure in place.

2.3.4.3 Procurement Techniques and Methods, and Process

These have been the core knowledge and skills that public procurement professionals need to have. Examples of procurement methods include negotiation skills, price

analysis and cost analysis and procurement cycles. The National Institute of Governmental Purchasing (1999) observed that procurement function vary with the types of procurement, from a very complicated cycle (such as procuring a new defense weapon to a very simple standard cycle such as procuring goods and services.

The researcher is of the opinion that the success or otherwise of a good procurement system depends to a large extent on the managers and procurement personnel; good organisational structure and the procurement techniques and methods and process.

2.3.5 Feedback

According to Lucey (1988), control is exercised in organisational systems by feedback loops which gather information on past performance from the output side of a system, department or process, which is used to govern future performance by adjusting the input side of the system. Feedback control focuses on the use of information about results to correct deviations from the acceptable standard after they arise.

Similar to other systems, according to The Office of Federal Procurement Policy (1982), observed that feedback is very important for a sound procurement system. By continuously evaluating what is required to perform the whole procurement function, what happens to it, and what results from it, policy makers and managers make required adjustments or reforms to the procurement system where they are needed.

Furthermore, feedback may indicate the need for adjustments to, or improvements in all procurement system elements. In some cases, feedback may indicate that procurement regulations or policies and/or agency procurement standards are no longer current or

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suitable, and adjustments or reforms would be made where they are needed. In other cases, feedback may prove that the procurement cycle does not work effectively, and needs to be improved in areas such as preparation of specifications by user departments, consideration of thresholds and the use of commensurate methods of procurement, among others. Feedback may be provided by external government organizations such as legislative bodies and/or legislative committees, oversight bodies, e.g., internal auditors, external auditors, inspectors and procurement monitoring body, such as the Public Procurement Authority. Another source of feedback is from procurement research, which unfortunately has been neglected.

In brief, without feedback, policy makers and management as well as the procurement practitioners are not aware of procurement challenges which the public procurement system encounters.

This section has used the systems theory to discuss how the public procurement system interacts with its environment to achieve the desired results. It can be said that the procurement system combines input from the environment, such as formal rules and regulations, laws, people, materials, machines and other inputs and process them to produce outputs which helps the organisation to achieve its objectives.

2.4   Key Principles Governing Public Procurement System

All systems thrive on tried and tested principles and according to the Ministry of Finance of Jamaica (2010), every good public procurement policy is ideally governed by the following key principles: Value-for-money, fairness, reliability, transparency and accountability.

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2.4.1 Value for Money

Value for Money (VFM) is a measure of economy, efficiency and effectiveness (3Es) with which the financial resources of the Government are converted. The Association of Chartered Certified Accountants, ACCA (1999) explains that Value for Money is concerned with obtaining the best possible combination of services from the least resources. It is thus, the pursuit of economy, efficiency and effectiveness which are briefly explained below:

2.4.1.1 Economy

According to the ACCA (1999), economy is the term and condition under which an organization acquires human and material resources of the appropriate quality and standard at the lowest cost. The Ministry of Finance of Jamaica (2010) also related economy to procurement by stating that procurement is a purchasing activity whose purpose is to give the purchaser best value for money and that for complex purchases, value may imply more than just price since quality issues also need to be addressed.

2.4.1.2 Efficiency

The ACCA (1999), defines efficiency as the relationship between goods and services produced and resources used to produce them. It went on further to stress that an efficient operation produces the maximum output for any given set of resource inputs; or, it has a minimum inputs for any given quantity and quality of services provided. Relating efficiency to a procurement system, the Ministry of Finance of Jamaica (2010) asserts that an efficient procurement is simple and swift, producing positive results without protracted delays. In addition, efficiency implies practicality, especially in

terms of compatibility with the government's administrative resources and professional capabilities.

2.4.1.3 Effectiveness

Again the ACCA defines effectiveness as the extent to which a programme achieves its established goals or other intended effects.

2.4.2 Fairness

Good procurement is impartial, consistent, and therefore reliable. It offers all interested suppliers, contractors and consultants a level playing field on which to compete and thereby, directly expands Government's options and opportunities.

2.4.3 Reliability

Good procurement system establishes and then maintains rules and procedures that are accessible and unambiguous. It is not only fair, but should also be seen to be fair.

2.4.4 Transparency & Accountability (Ethical Standards)

Good procurement holds its practitioners responsible for enforcing and obeying the rules. It makes them subject to challenge and to sanction, if appropriate, for neglecting or bending those rules. Accountability is at once a key inducement to individual and institutional probity, a key deterrent to collusion and corruption, and a key pre-requisite for procurement credibility.

The Ministry of Finance of Jamaica (2010) concludes that a sound procurement system is the one that combines all the above elements. The desired impact is to inspire the confidence and willingness-to-compete of well-qualified vendors. This directly and concretely benefits procuring entities, responsive contractors and suppliers.

It is the view of the researcher that the achievement of all what have been discussed above, especially, economy, effectiveness and efficiency depends upon the existence of sound arrangements for the planning, appraisal, authorization and control of the use of resources and it is management's responsibility to establish these arrangements and to ensure they are working properly.

2.5   The Role of Internal Audit in Public Procurement

As mentioned earlier, it is the responsibility of management to ensure that appropriate resources and controls are in place to ensure that the organization achieves its objectives for which it has been established. Organisations put in place internal control measures to guide management and all staff in the entity in the execution of their duties. The Internal Audit Department in organisations is entrusted to ensure compliance to the internal controls put down by management to guide its operations. According to Gray & Manson (2008), Internal Auditors play an important role in the public sector, for instance, by performing probity audits to determine if public monies were well cared for and that possibility of fraud and other irregularities were minimized, e.g. purchasing officers' decisions on placing of orders were properly based.

In relation to procurement activities, Robins (2004) emphasised that the internal audit must ensure that the significant amount of money spent on goods, services and works are effectively controlled to minimize the risk of financial loss, fraud or damage to the organisation's reputation.

The main areas of risk exposure which must be under the critical watch of the internal audit must include: fraudulent payments to suppliers; excessive prices for goods or

services or works; inaccurate payments for goods, services or works; delays in paying for goods, works or services resulting in damage to the reputation of the organisation and the breach of regulatory, legal, or organizational requirements.

From the risks identified above the Association of Chartered Certified Accountants (ACCA) have suggested the following control procedures must be enforced by the Internal Audit Department.

- The establishment of policies and procedures for procurement, communicated to all levels of management.

- Authorisation and approval procedures for procurement, with different levels covering different cost levels.

- Procedures for negotiating the best deals in the market place for specific bulk purchases.

- Approved list of suppliers, with no purchases made outside of that list without prior authorisation.

- Effective payment procedures.

- Exception reports showing where transactions have not been authorized, where they fall outside of the established procedures.

On a similar note, The World Bank (1996) explains that a procurement system is well functioning if the Internal Audit Department helps it to achieve the objectives of transparency, competition, economy and efficiency, fairness and accountability. The key elements which the Internal Audit Department can use to determine whether a particular procurement system meets these objectives are:

- Clear, comprehensive and transparent legal framework with easily identifiable rules that govern all aspects of the procurement processes, including advertising of bidding opportunities, maintenance of records related to the procurement process, pre-disclosure of all criteria for contract award, contract award based on objective criteria to the highest–ranked evaluated bidder, public bid opening, access to a bidder complaint review mechanism, disclosure of the results of the procurement process, clarity of functional responsibilities and accountabilities for the procurement, as well as those who are accountable for the proper application of procurement rules.

- Means of enforcing those responsibilities and accountabilities, including the application of appropriate sanctions.

- An institutional framework that differentiates between those who carry out the procurement function and those who exercise oversight responsibility robust mechanism for enforcement.

2.6 Areas of Procurement Assessment

The Annual Public Procurement Assessment Exercise carried out in Ghana since 2006 had concentrated in four main areas. These are discussed in their generality without restricting it to the Ghanaian situation only.

2.6.1 Management Systems

According to Bateman and Snell (1996), management is the process of working with people and resources to accomplish organizational goals. They stressed that good managers do those things both effectively and efficiently. To be effective is to achieve

organizational goals and to be efficient is to achieve goals with minimum waste of resources, that is, to make the best possible use of money, time, materials and people.

From Barnard (1938), managers are the people primarily responsible for seeing that work gets done in an organization. The executive management team is responsible for setting the vision and goals, bringing about collective commitment in formulating the policies and strategies necessary to put procurement initiative in place. Organizational effectiveness is the extent to which operative goals have been achieved. Efficiency represents the cost/benefit ratio incurred in pursing those goals.

The views of these authors are relevant to managing the procurement system in public tertiary institutions. Public expenditure in procurement is huge worldwide as already explained in the previous chapter. Therefore, any waste in procurement activities and processes will have adverse consequences on the institution in particular and the nation at large. Top management of public institutions must strive for efficiency, effectiveness as well as economy in the management of the procurement function in their institutions.

2.6.2 Information and Communication System

It is not easy to derive a single definition for an information system that embraces all facets of a good information system. However, Nash and Roberts (1994), define an information system, as a combination of people, facilities, technology, media procedures, and controls that is intended to maintain essential channels of communication, certain routine types of transactions, alert management and others to significant internal and external events and provide a basis for intelligent decision making. In the domain of public procurement procuring entities are expected to make

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use of the information they receive from the market places where they procure their needs. They are also expected to provide information in the right time, in the right structure and format and at the right place. In this direction, procuring entities are expected to undertake capacity development initiatives in terms of generating information to identify suppliers, exposing them to their specific needs and compiling their responses or tenders into tender documents.

The value of information depends on its content, timeliness, needs of the person to whom it is communicated, and in the way in which it is presented Nash and Roberts, (1984). Information and communication therefore, play a vital role in the procurement process and management decision making. The role and the relationship of information and communication to procurement and decision making are illustrated in Figure 2.1.

Figure 2.1: Data Flow for Management Action

Information

Data Input ⟶ Selection and ⟶ Information Output

Processing Management Action
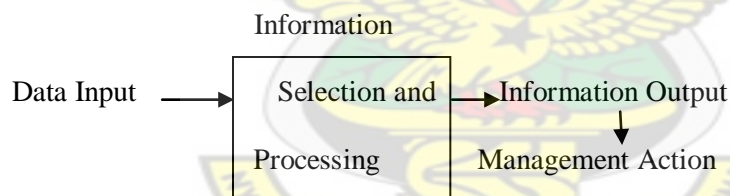
Source: Nash and Roberts (1984)

Elodie (2005), emphasized that the disclosure of information should be differentiated depending on the stage of the public procurement process, that is, the identification of needs, the preparation for bidding, the bidding process, the award of contract or the contract management. Providing information on the public procurement process can be seen as positive for competition since it is likely to attract more competitors, which reduces the price and improves the quality of services provided to society.

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The importance of documentation and records management has also been emphasized by the Public Procurement Act, 2003 (Act 663), as well as the Public Procurement Authority's Training Manuals of 2006, 2007 and 2008. They emphasised that documentary records, both in print or electronic format, are essential for efficient and effective management of procurement activities, provide evidence in support of decisions and actions taken, and provide an audit trail for verification of transparency, accountability and effectiveness.

2.6.3 The Procurement Process

Every efficient procurement system must follow through a set of essential steps to achieve the intended results. Lenders et. al (2003), stressed that procurement process is basically a communication process. They stated that determining what needs to be communicated, to whom and in what format and timeframe is the heart of an efficient and effective supply management process. They further explained that procurement life cycle in modern businesses, which is not quite different from that of public sector procurement, usually consists of seven steps outlined below.

2.6.3.1 Information Gathering

If the potential customer does not already have an established relationship with sales/marketing functions of suppliers of needed products and services, it is necessary to search for suppliers who can satisfy the requirements.

2.6.3.2 Supplier Contact

When one or more suitable suppliers have been identified, requests for quotation, requests for proposals, requests for information or requests for tender may be advertised, or direct contact may be made with the suppliers.

2.6.3.3 Background Review

References for product/service quality are consulted, and any requirements for follow-up services including installation, maintenance, and warranty are investigated. Samples of the Product/Service being considered may be examined or trials undertaken.

2.6.3.4 Negotiations

Negotiations are undertaken, and price, availability, and customization possibilities are established. Delivery schedules are negotiated, and a contract to acquire the product/service is completed.

2.6.3.5 Fulfillment

Supplier preparation, expediting, shipment, delivery, and payment for the product/service are completed, based on contract terms. Installation and training may also be included.

2.6.3.6 Consumption, Maintenance, and Disposal

During this phase, the company evaluates the performance of the product/service and any accompanying service support, as they are consumed.

2.6.3.7 Renewal

When the product/service has been consumed and/or disposed of, the contract expires, or the product or service is to be re-ordered, company experience with the

product/service is reviewed. If the product/service is to be re-ordered, the company determines whether to consider other suppliers or to continue with the same supplier.

As already explained the process or cycle outlined above is very essential in the initiation of contract through to the final execution and must be observed seriously by all procurement officers.

2.6.4 Contract Management

Contract management consists of a range of activities that are carried out together to keep the arrangement between customer and provider running smoothly. According to the Public Procurement Directorate of the Republic of Cyprus (2008), contract management refers to the procedures that allow a Contracting Authority to verify that the Contractor is executing the Project in accordance with the terms of the contract, providing the services/supplying the products or constructing the works that have been set forth by the Tender Documents, at the time and in the quantity defined in the contract but also with the quality and the cost that have also been defined in it. Contract management is very essential for any efficient procurement system because it has been identified by the Public Procurement Directorate of Cyprus (2008) that ineffective contract management may bring about, among other things, the following:

- The project is implemented at a slow rate;

- The opportunities to improve value for money are lost;

- The products, services and public works are delivered/accepted without meeting the acceptance criteria that had been set for them;

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- The payments that are made and the amounts paid do not correspond to the works that have been fully or adequately implemented.

Procedures in contract management, according to the Public Procurement Directorate of Cyprus, that are executed for all types of contracts, (supplies, services, works) from the moment of its signature until its closure refer to:

- The monitoring of the contractor and management of acceptance;
- Management of the relationship with the contractor;
- Contract Administration;
- Dispute Resolution; and
- Contract closure.

Broadly, what have been said can be grouped into three areas as follows:

2.6.4.1 Service Delivery Management

This aspect of contract management ensures that the service is being delivered as agreed, to the required level of performance and quality.

2.6.4.2 Relationship Management

Relationship management keeps the relationship between the two parties open and constructive, aiming to resolve or ease tensions and identify problems early.

2.6.4.3. Contract Administration

Contract administration handles the formal governance of the contract and changes to the contract documentation.

All three areas must be managed successfully if the arrangement is to be a success, that is, if the service is to be delivered as agreed, the formal governance properly handled,

and the relationship between customer and provider maintained. The study will try to find out if the Sunyani Polytechnic's contract management system exhibits these best practices. The next section will outline the Ghanaian procurement structure, the law and the regulatory framework governing the procurement system in Ghana.

2.7   Overview of Public Procurement System in Ghana

This section briefly looked at the procurement system in Ghana. The Public Procurement Authority Annual Report of 2007 clearly articulated the purpose of the public procurement reforms in Ghana as to mainstream "good practices" into the procurement of goods, works and services, which transcend into the achievement of savings and value- for- money.

2.7.1   The Public Procurement Act, 2003 (Act 663)

The Public Procurement Act is the six hundred and sixty-third (663rd) Act of the parliament of the Republic of Ghana, which is entitled "The Public Procurement Act, 2003". It establishes a regulatory body and specifies the functions of Tender Committees and Tender Review Boards in procurement entities. It outlines rules for procurement,   methods, procedures, appeals by tenderers and disposal of stores and the definition of offences and applicable penalties. Furthermore, it specifies thresholds, which require regular updating in schedules to the Act and authorises the issue of regulations, which are enforceable in the same way as the Act.

2.7.2 Public Procurement Regulations

It is issued by the Minister for Finance in consultation with Public Procurement Authority (PPA). It contains detailed rules and procedures for all aspects of the procurement system in Ghana, including the operations of PPA and procurement entities and the conduct of procurement activities.

2.7.3 Guidelines

These are issued by the Public Procurement Authority under the Act and provide supplementary guidance on specific topics e.g. Disposal, single source procurement or margins of preference.

2.7.4 Standard Tender Documents

The Standard Tender Document is issued by the Public Procurement Authority in accordance with a schedule to the Act and contains standard invitation and contract documents for procurement of all values from tender documents to Request for Quotations. It includes separate documents for goods, works and services

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2.7.5 Public Procurement Manual

It is issued by the Public Procurement Authority and provides practical guidance and step-by-step procedures to assist procurement entities to undertake procurement in accordance with the Act. It contains standard forms to assist with procurement records keeping as contained in the Public Procurement Training Manual Vol. 1 (2007).

2.7.6 Who Does The Law Apply To?

The Public Procurement Law is applicable to, among other entities, the public universities, public schools, colleges and hospitals, the Bank of Ghana and public financial institutions- e.g. public trusts, pension funds, insurance companies and building societies which are wholly owned by the state or in which the state or in which the state has majority interest.

2.7.7 Procurement Rules

These are rules that govern public procurement in Ghana under Act 663. Additionally, there are methods and processes that need to be applied in all procurement exercises. Procurement rules are covered in sections 21 to 34 (Part III) of Act 663

2.7.8 Procurement Methods

The Public Procurement Act 2003, Act 663 also outlines procurement entities to apply the appropriate procurement method which commensurate with a particular procurement threshold. The thresholds for goods, works and contracts as well as for services and consultancy are all enshrined in the Act.

The Public Procurement Authority explains that the choice of procurement method will be based on the threshold or it would be circumstance driven. Schedule 3 to the Act contains the procurement methods/advert and the commensurate contract value thresholds to apply. The Act specifies the thresholds for review by Approval Authorities. This information is given in the table below:

Table 2.2: Decentralised Procuring Entities – Thresholds for Review/ Approval Authority

Authority	Goods	Works	Technical Services	Consulting services
1) Head of Entity	Up to Gh¢50 m	Up to Gh¢100 m	Up to Gh¢50 m	Up to Gh¢50 m
2) Entity Tender Committee	>50m-250m	>100m–500m	>50m – 250m	>50m – 100m
3) District Tender Review Board	>250m-1.0b	>500m-2.0b	>250m-1.0b	>100m-500m
4)Ministerial and Regional Tender Review Board	>1.0b – 8.0b	>2.0b – 15.0b	>1.0b – 8.0b	>500m-3.5b
5)Central Tender Review Board	Above 8.0b	Above 15.0b	Above 8.0b	Above 3.5b

Source: Public Procurement Act, 2003 (Act 663)

2.7.9 Procurement Roles and Responsibilities

At this point it would be necessary to explain briefly the functions/responsibilities of some selected stakeholders in the public procurement system in Ghana as contained in the Public Procurement Act, 2003, Act. 663.

2.8 The Public Procurement Authority

The Public Procurement Authority, formerly the Public Procurement Board (PPB) was established by the Public Procurement Act 2003, Act 663 to be in charge with the over sight responsibility for the effective implementation of the Act. The objective of the Public Procurement Authority is to secure a judicious, economic and efficient use of public funds in a fair, transparent and non-discriminatory manner while promoting a competitive local industry. Public Procurement Act, 2003, Act 663 Part 1, Section 1-13). As part of its functions, the Public Procurement Authority is expected to monitor

and supervise public procurement in Ghana and carry out assessment of procurement entities within the first quarter of each year to cover all procurement activities undertaken by the entities (Public Procurement Act. 663 of 2003, Section 3(d) and 3 (h)). This is to ensure that entities comply with the Law and by that ensure improved procurement processes.

2.8.1 Procurement Entities

The term "procurement entity" is defined to include all government agencies, ministries, public tertiary institutions; schools among others. Within the entities are various bodies and officers with different roles and responsibilities (Public Procurement Act 663, Sections 15 – 16), some of which are discussed below:

2.8.2 Tender Committees

The main responsibilities of the Tender Committee are to ensure that the procurement activities of the procurement entity are conducted in compliance with the Act and Regulations. The committee awards contracts within its level of authority and refers those above its threshold to the appropriate Tender Review Board.

2.8.3 Tender Evaluation Panels

The Act establishes the requirement for appointment of Tender Review Panels within every procurement entity. Its responsibility is to evaluate tenders and to assist the Tender Committee in its work. It is only an Ad hoc Committee (Sec. 19 of Act 663).

2.8.4   Procurement Unit

The procurement unit within every procurement entity is responsible for managing all procurement activities of the entity. The head of the procurement unit acts as the secretary to the Tender Committee in order to provide technical guidance clarify submissions and facilitate implementation of the committee's decisions.

2.8.5   The Private Sector

The private sector is a critical part of the public procurement system. It encourages the companies participating in public procurement as tenderers and providers of goods and services and works. The private sector is very important in the public procurement system because they prepare tenders, proposals and quotations and implement awarded contracts.

2.8.6   The Oversight Bodies

These are bodies which monitor the public procurement system in Ghana. They include various bodies, both within the public sector and in civil society. Their roles differ, ranging from monitoring and audit, which enables them to report cases of non-compliance to prosecuting breaches of the Act. Public Procurement Authority (2007)

CHAPTER THREE

RESEARCH METHODOLOGY

3.0   Introduction

This chapter describes the research methodology used to gather the relevant data or input for the dissertation. It starts by identifying the type of study, the research method and design, the description of the population and sampling procedures, data analysis procedures and ends with the profile of Sunyani Polytechnic.

3.1   Type of Study

The study was aimed at identifying the obstacles in the procurement system in Sunyani Polytechnic and suggesting ways to improving the procurement performance. The study was therefore, of the action type. As Eden and Huxham (1996) put it "the findings of an action research results from involvement with members of an organization over a matter which is of genuine concern to them". It was also a case study because it involved an empirical investigation of a particular contemporary phenomenon within its real life context using multiple sources of evidence Roebson (2002).

3.2   Research Method and Design

According to Saunders M., et. al (2007), research is a process that involves obtaining scientific knowledge by means of various objective methods and procedures. As this study concerns itself with probing into the operational deficiencies in the procurement system in Sunyani Polytechnic, the plan adopted by the researcher was to obtain answers to research questions formulated in chapter one. Questionnaires, follow-up interviews, and examination of relevant documents were the main instruments used for

the collection of data. The internet was also another source which was used to some extent.

3.3   Population, Sample and Sampling Procedures

The entire teaching and non-teaching staff as well as the student body constituted the population for this work. According to Johnson and Wichern (1997), the population represents the target of investigation. They are the direct and indirect beneficiaries of the end-product of the procurement system in Sunyani Polytechnic. In all they totaled up to about six thousand (6,000). It was out of this number that a sample of sixty (60) was selected by means of purposive sampling method and the simple random sampling methods. Thus, the study used both probability and non-probability methods to obtain the sampling units.

The researcher selected the sample from groups that were considered to be capable of providing informed and objective answers to questionnaires that were distributed. Consequently, a sample of sixty (60), made up of four (4) Top Management Staff, forty-six (46) Deans, Departmental and Sectional/Unit Heads, five (5) Members of Staff from the Procurement Unit and finally, another five (5) members of staff from the Internal Audit Unit were selected for the study.

The researcher used the purposive sampling and the simple random sampling methods in the selection of the sample. Thus, both non-probability and probability sampling methods were used. In purposive sampling, the sample is selected with a purpose in mind. One or more specific predefined groups are sought. The basic assumption here was that with good judgment the researcher could handpick the groups to be included in

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the sample which, in this case were: Top-Management, Deans and Heads of Department (HODs)/Heads of Section (HOSs), Procurement Unit Staff and the Internal Audit Unit Staff. One important aspect that was considered for was whether the respondents, in fact, met the criteria for being in the sample. In this case sampling for proportionality was not the primary concern. Since the research is about the procurement system of Sunyani Polytechnic, the categories were selected for their roles and involvement in the procurement system of the school. For instance, top management takes decisions affecting the procurement activities, processes and decisions.

The Deans and HODs/HOSs are the heads of the various departments/sections in the school and thus implement the policies and programmes emanating from the top-most level in the hierarchy. They also make requisitions for the purchase of goods, services, works/contracts for their departments and sections.

Another important group whose actions and inactions affect the procurement system directly is the procurement unit staff. They are directly involved in all the procurement activities and processes in Sunyani Polytechnic. By virtue of their functions in the school they are presumed to have in-depth knowledge of the procurement law and guide lines, as well as all the process and activities involving the procurement cycle. The Procurement unit is supposed to be the 'engine room' of the procurement system, in fact, playing the major role in facilitating an efficient procurement system.

The Internal Audit Department is supposed to ensure compliance to the provisions in the Act and the other regulatory framework and guidelines. They monitor advice and in

the extreme cases recommend sanctions in case of serious violations for management action.

The researcher selected these groups knowing very well that the needed information for this research could be obtained from them. With the exception of the Deans and HOD/HOS group, the elements in each of the other groups were small so the population constituted the samples.

For the HOD/HOS group the members were made up of sixty (60) current and former heads. The researcher used the simple random sampling method to select the required sample of forty-six (46) from this population. The procedure used was that the names of all the sixty (60) members were listed and given codes. The codes were written on pieces of papers, folded and all of them put in a box. The coded papers in the box were picked one after the other without replacement to give each element the chance of being selected for the sample. Eventually, the forty-six (46) members were selected.

3.4   Distribution of Questionnaire

A total of sixty (60) questionnaires were distributed to the groups as follows: Top management, 4; Deans, Heads of Department/Sections (former and current), 46; Internal Audit staff, 5 and Procurement Unit staff, 5. Each group was given a different set of questionnaire depending on the type of information the researcher wanted to elicit from that group. However, some few questions were common to two or more groups. The following table shows the questionnaire distributed and those returned:

Table 3.1: Distribution of Questionnaire

Category of Sample	Questionnaire Distributed	Questionnaire Returned
Top Management	4	4
Deans/HODs/HOSs	46	34
Procurement Unit Staff	5	5
Internal Audit Staff	5	5
Total	**60**	**48**

Source: Field Survey, September 2010

3.5   Response Rate

From Table 3.1, out of the sixty (60) questionnaires distributed, forty eight (48), representing eighty percent (80%) were returned. All questionnaires distributed to top management, procurement staff and internal audit staff were all returned.

The use of questionnaire was employed in this case because all members in each category were highly literate and understood the questions asked. The questionnaire method is quicker in collecting information from a large number of people at the same time and also easier to analyse, especially when the questionnaire is the closed-ended type, as in the case of this project where the researcher has adopted the closed-ended type. However, the researcher was aware of the disadvantages of this method which included the fact that they could suggest ideas that the respondents would not otherwise and also respondents with no option or knowledge could answer anyhow.

To make it easier for respondents to answer the questionnaire, at most, five possible options were given to each question for respondents to choose from. The questionnaire was also structured in a way which made the analysis simpler and less prone to errors.

The answers were arranged and coded using point numeric rating scales, Saunders et al, (2007) as follows: - numeric rating scale -Strongly Agree (SA) reflected the best manifestation of a parameter while Strongly Disagree (SD) reflected the worst manifestation of a parameter in the organization. Between the two extreme options were scales for: Agree (A), Neutral (N) and Disagree (D).

All questions were the closed- ended type. The researcher also made some follow-ups to some of the offices, especially, the Finance, Procurement and the Registrar's office to elicit additional information and obtain evidence to confirm some responses given to some of the questions. Some of the documents examined were the school's annual budget, the procurement plan, Public Procurement Act, Act 2003, procurement guidelines, as well as the filling system.

3.6   Validity and Reliability of Data Collection

The procedures for collecting data were valid and reliable since primary data gathering technique was mostly used through out to collect the data for the analysis. To a very large extent, the questionnaire and documentary sources proved positive because all those sampled knew what they were saying and writing. This manifested in the high response rate to the questionnaire. To ensure validity and reliability the researcher used very simple language in designing the questionnaires. The simplicity of the questionnaire was to avoid ambiguity and to make sure that the questions were understood by the respondents. Further, some few members of the sample were initially given the questionnaires on a piloting basis and their comments and observations were used to modify or correct the final questionnaires which formed the basis of this project.

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My supervisor for this project also read the draft questionnaires and his comments and suggestions also helped in shaping the final questionnaire.

3.7   Data Analysis

The responses from the questionnaires had to be processed to obtain the needed information. The nature of the issues and processes under discussion necessitated the use of both qualitative and quantitative analysis for the data collected. Initially the data was edited to check contradictions to ensure consistency. The responses were coded and fed into the computer one after the other. In analyzing the primary data, descriptive and inferential statistics such as percentages and averages were used. Tables and figures were the main tools employed to present the data collected. The analysis was done with the aid of Statistical Package for Social Sciences (SPSS) software version 16 and Microsoft Excel. The edited responses had been analysed in chapter four.

3.8.   Ethical Issues

The researcher had permission from Sunyani Polytechnic Authorities to carry out the research. On the part of the respondents they were adequately oriented by the researcher of their rights and about the use of the data.

3.9   Profile of Sunyani Polytechnic

Sunyani Polytechnic began as a Technical Institute in November 1967 to train middle school leavers in technical courses. In January 1997, Government upgraded it to a Polytechnic with statutory objectives and functions to provide career-focused training at the tertiary level.

Currently, Sunyani Polytechnic offers the Higher National Diploma (HND) and Hon-Tertiary Programmes in technical and vocational courses.

The main aims and objectives of the Polytechnic, according to the Polytechnic law of 1992 (PNDCL 321) were to provide tertiary education; encourage the use of technical subjects and provide opportunities for research and development. The Polytechnic is located at the southern end of Sunyani, the capital of the Brong Ahafo Region with the vision of becoming a centre of excellence for the provision of middle level manpower. Its mission is to provide career-focused education and training.

DATA PRESENTATION, DISCUSSION, AND ANALYSIS

4.0.   Introduction

This chapter presents and analyses data collected in the course of the research. The questions were intended to find out how the procurement system is being handled in Sunyani Polytechnic in the following areas: Management systems, Information and communication, Procurement processes and Contract management.

4.1   Socio Biographic Data of Respondents

The study analysed the gender, age distribution and educational background of all categories of respondents. The results are reported in Tables 4.1(a), (b), (c) respectively. Table 4.1 (a) presents the gender distribution of the four categories of respondents.

Table 4.1 (a): Gender Distribution of Respondents

Sex	Deans &HODs	Procurement	Audit	Top Management	Total	Percentage (%)
Male	27	2	2	4	35	73
Female	7	3	3	0	13	27
TOTAL	**34**	**5**	**5**	**4**	**48**	**100**

Source: Field Survey, September 2010

Table 4.1(a) shows that 73% of the respondents were males while the remaining 27% were females. Generally, the distribution of male employees to female employees in the school at all levels seems to follow this pattern. However, the proportion of males to females will not bias the results of the research.

4.1(b) Age Distribution of Respondents

The age distribution of respondents is presented in Table 4.1 (b)

Table 4.1 (b): Age Distribution of Respondents

Age (Years)	Deans & HODs	Procurement	Audit	Top Management	Total	Percentage (%)
21-30	-	3	-	-	3	6.25
31-40	14	2	5	-	21	43.75
41-50	11	-	-	2	13	27.08
51-60	8	-	-	2	10	20.83
61-70	1	-	-	-	1	2.08
TOTAL	**34**	**5**	**5**	**4**	**48**	**100**

Source: Field Survey, September 2010

Table 4.1 (b) indicates that majority, 92% of the respondents are in the age group of 31-60 years. The age distribution is a blend of youthful exuberance and adventurism and adult experience. It is expected that the responses they give will be a true reflection of what is actually happening on the ground.
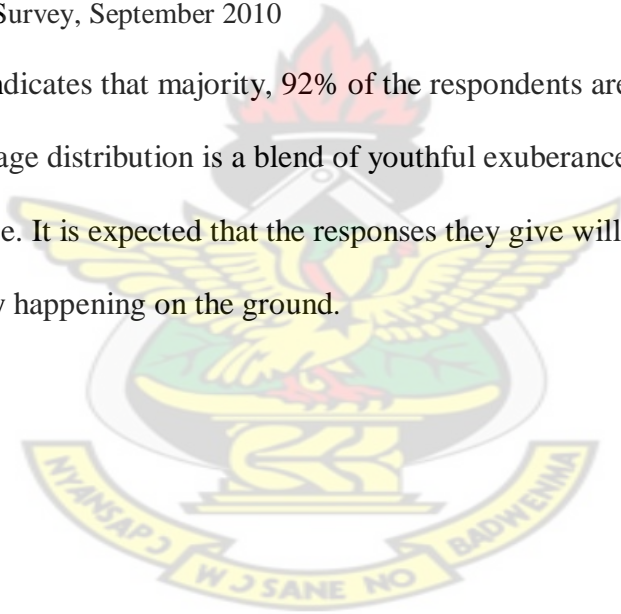
4.1 (c) Educational Qualifications of Respondents

This section considers the educational background of respondents.

Table 4.1(c): Educational Background of Respondents

Qualification	Deans & HODs	Procurement	Internal Audit	Top-Management	Total
PhD	2				2
MBA	10		1		11
MPA	1				1
MPHIL	3			1	4
MSc	8				8
EMBA	2				2
MA	5			2	7
PGD	2		2		4
CIMA	1		1		2
ICA				1	1
BSc.					-
BA		1			1
HND		4	1		5
TOTAL	**34**	**5**	**5**	**4**	**48**

Source: Field Survey, September 2010

Table 4.1(c) shows the educational qualifications of all respondents. The available information shows that all the respondents have various levels of tertiary and professional education. Thus, they are able to do critical and independent thinking and make informed contributions. As such most of the responses from the study were well thought out ones but not mere guesses.

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4.2 Responses from Deans, Heads of Department/Section

This section presents the responses obtained from the HODs/HOSs about the procurement system of Sunyani Polytechnic in the areas of management system, information and communication, procurement process and contract management.

4.2.1 Availability of Procurement Documents

The Public Procurement Act is a statutory document which governs public procurement processes in Ghana and as Sunyani Polytechnic is operating under the law, the question sought to find out whether the leadership of the school has access to the Act and other documents regulating public procurement practice in Ghana.

Figure 4.2.1: Availability of Procurement Act and Procurement Documents
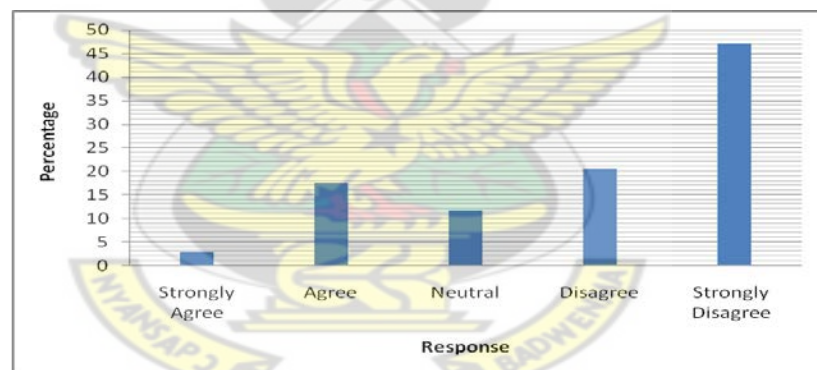
Source: Field Survey, September 2010

Figure 4.2.1. Shows that only 2.9% strongly agree to the assertion that relevant procurement documents are available, 17.6% agree, 20.6% disagree. 11.8% assert that they are neutral on the issue and as many as 47.1% strongly disagree that relevant documents are available.

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Thus, from the analysis, as many as 64.7%, disagree or strongly disagree on this issue. These documents are very essential for proper functioning of the procurement system and so must be made available to all stakeholders.

4.2.2   Adherence to Procurement Act Provisions

The researcher wanted to know from the respondents whether they comply with the provisions in the Procurement Act since that practice will mean an effort to achieve best procurement practice.

Figure 4.2.2: Compliance with the Provisions in the Procurement Act
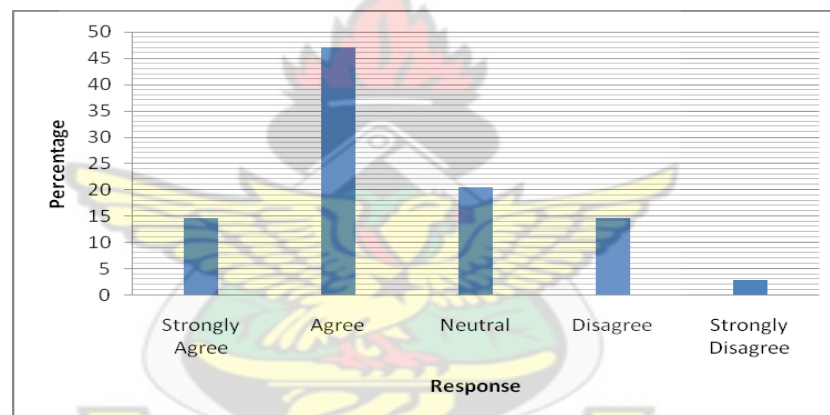
Source: Field Survey, September 2010

From Figure 4.2.2 the responses indicate that 14.7% strongly agree that they ensure compliance with the relevant statutory documents, 47.1% agree, 14.7% disagree, 20.6% remained neutral and only 2.9% strongly disagree. Generally, 61.8% affirm that they ensure compliance to the provision in the Act on procurement issues and other regulatory documents. It is one thing possessing the laws and another thing enforcing it. From the statistics there is still much to be done on the enforcement. The researcher finds it difficult to reconcile the positions of the respondents as shown in sections 4.2

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and 4.3. If in 4.2, as many as 64.7% confirm that they do not have the Act and the other relevant documents, how can they ensure compliance of the provisions in them as portrayed in 4.3? A follow up to the offices to inspect the documents proved that they do not have the documents.

4.2.3   Procurement Plans

The researcher wanted to find out if the deans and the HODs/HOSs prepare their departmental procurement plans as input to the consolidated procurement plan of the Polytechnic.

Figure 4.2.3: Departmental Procurement Plans.
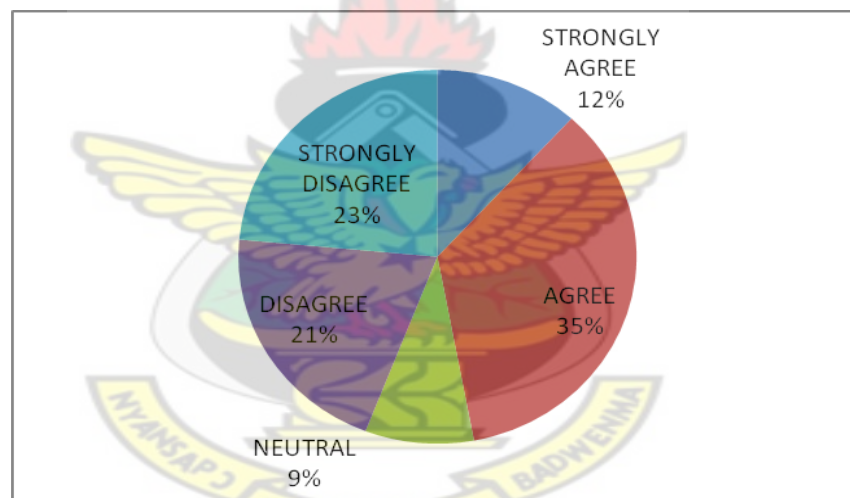
Source: Field Survey, September 2010

From figure 4.2.3, only 12% of the Deans and HODs/HOSs strongly agree to this position, 35% also agree to some extent, 21% disagree, 23% also strongly disagree. Ignoring the neutral group it can be inferred that the group is divided almost equally to this position. Top management was also asked the same question for the purpose of establishing consistency in the positions of the two management groups. The positions

of th01ese groups were in contrast; while 75% of top management disagrees, only 21% of deans and HODs disagree. For further evidence to reconcile this situation, a follow up was made to the finance department for further information. The evidence was that instead of procurement plans, the departments and sections rather prepare departmental budgets. Both top management and the deans and heads of department must be educated to know the distinction between a procurement plan and a budget; though they are all plans, their purposes differ in some aspects.

4.2.4   Response to Needs

The best procurement is simple and swift, producing positive results without protracted delays. For the system to be efficient, it must be very swift so this proposition was aimed at knowing the speed with which the procurement system responds to the needs of user departments.

Figure 4.2.4: Responding to the Needs of User Departments.

Field Survey, September 2010

51
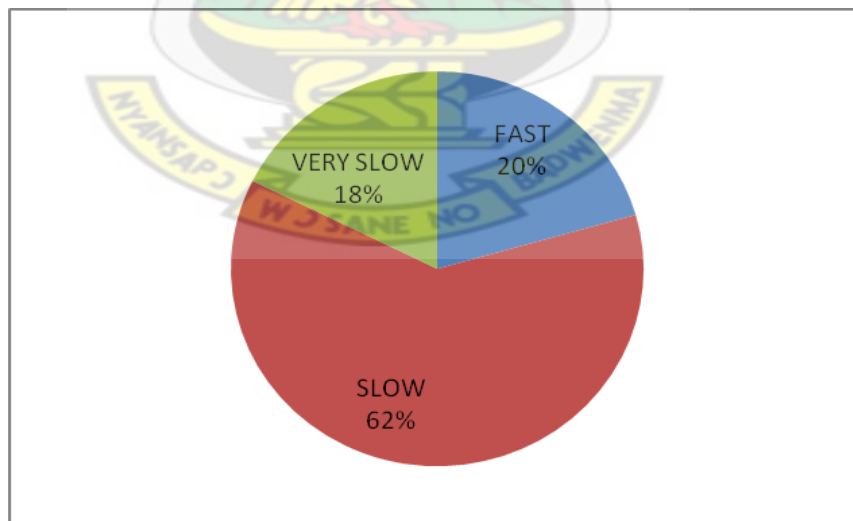
The information in Figure 4.2.4, 20% indicates that the system is fast. However, 62% maintains that the system is slow while 18% affirm that it is very slow. The general position on this is that the response to users' needs in the Polytechnic is to a larger extent, slow.

4.2.5   Reasons for the Slow Pace in Procurement Process

The statistics from the previous figure 4.2.4 sought to know the speed with which the system responds to users' needs. This question is a follow up to probe further what might have accounted for the slow response.

Table 4.2.1   Factors Accounting for Slow Pace in Procurement Process

Reponses *	Frequency	Percent
i, ii, iii, iv	10	29.4
i, ii	5	14.7
i, ii, iii,	9	26.5
i, iii	2	5.9
iii, iv	2	5.9
i, ii, iv	2	5.9
ii, iii, iv	2	5.9
ii, iii	1	2.9
Ii	1	2.9
Total	**34**	**100**

Field Survey, September 2010

Note*

i)   *Undue delayance of authorisation of memoranda*

ii)   *Memos not reaching their intended destination*

iii)   *Purchasing processes demanding time and documentation*

iv)   *Provisions in the regulatory framework*

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From the information in Table 4.2.1, 29.4% attributed the slowness of the system to all the factors stated below, 26.5% choose the first three factors, and 14.7% selected only the first two. The choices of the rest vary. The key to the Roman numerals in the table is given below:

These observations made must be corrected and the provisions in the act also revised to ensure greater efficiency in the procurement system.

4.2.6   Grading Procurement System

Following from the previous point this question is intended to look at the perception of this group about the quality of the procurement system.

Figure 4.2.5: Grading the Sunyani Polytechnic Procurement System
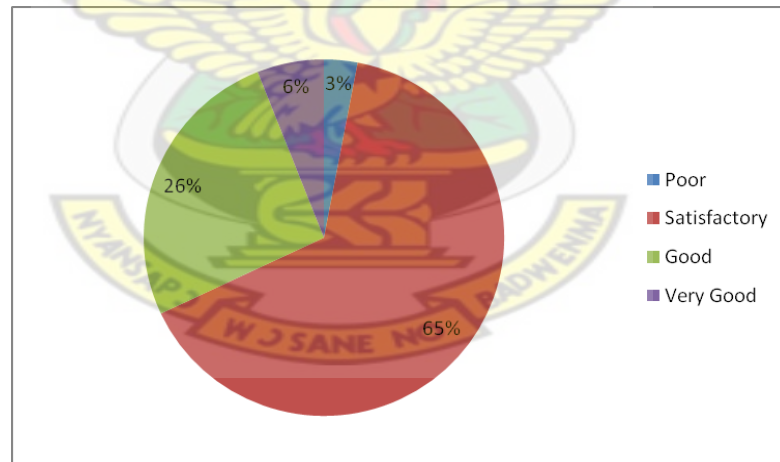
Source: Field Survey, September 2010

From the figure 4.2.5, 65% are convinced that the system is just satisfactory, 26% see it as good, 6% consider it to be very good, while only 3% grades the system as poor.

Generally, majority of the Deans and HODs see the system as just satisfactory so the procurement system must be reviewed to make it swift.

4.2.7   Storage of Documents.

The purpose of this question was to find out whether procurement documents are kept at one place in the Polytechnic or not.

Figure 4.2.6. Storage of Procurement Documents.
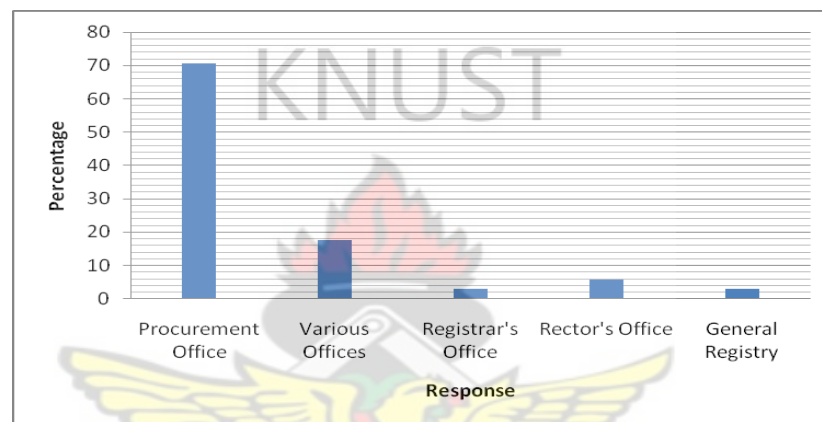
Source: Field Survey, September 2010

From Figure 4.2.6, majority of 70.69% selected option (i) indicating that these documents are kept at the Procurement Office. The second popular option was (ii) 17.6%; together both options add up to 88.2%. Further enquires at the offices mentioned indicated that the two offices where most of the documents are kept are the Procurement Unit and some few at the Registrar's Office. For easy reference and safety all documents relating to procurement issues must be kept at the procurement office as the literature review emphasises that entities should provide information in the right time, in the right structure and format and at the right place, Public Procurement Authority Annual Report (2008).

4.2.8 Contract Management Policy

The respondents were asked whether they know or have in their possession the contract management policy of the Polytechnic.

Figure 4.2.7: Knowledge of Contract Management Policy.
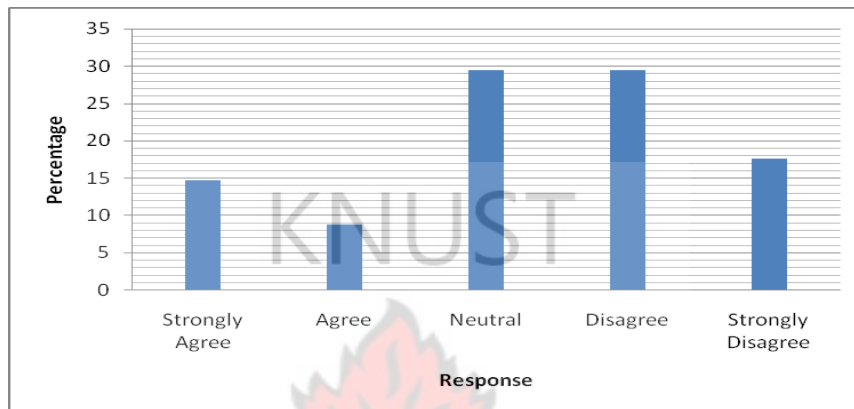
Source: Field Survey, September 2010

From Figure 4.2.7, 14.7% strongly agree that they are in the known that a contract management policy exist, 8.8% also agree, 29.4% disagree and 17.6% strongly disagree, while the remaining 29.4% remains neutral. The underlying point to note is that if such documents exist, it must be made available to the Deans and HODs since they are supposed to be the working documents guiding contract issues in the Polytechnic.

4.3 Responses from the Staff in the Procurement Unit

This part analyses the responses obtained from the staff of the Procurement Unit of Sunyani Polytechnic.

4.3.1   Staff Capacity

From Thai (2001), procurement professionals make sure that operational agencies comply with procurement regulations and they are directly involved in procuring goods, services and capital assets as authorized and funded. Therefore the question intended to find the caliber of personnel in the Procurement Unit to find out if they have the capacity to discharge their duties effectively and efficiently.

Figure 4.3.1: Staff Capacity at the Procurement Unit
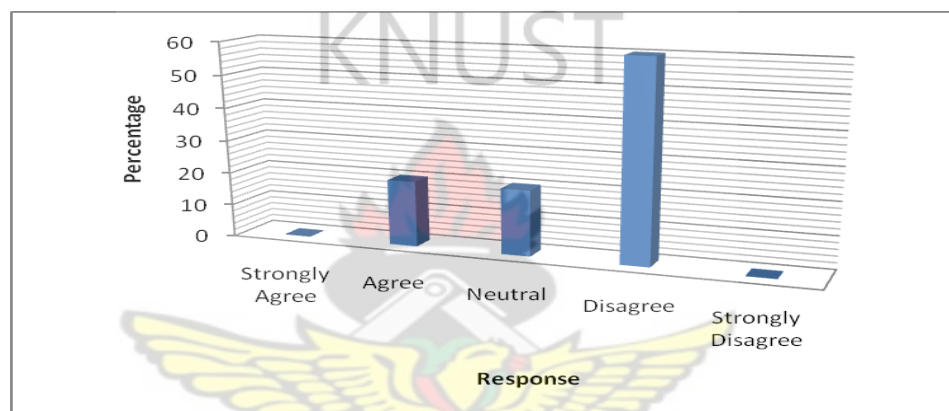
Source: Field Survey, September 2010

The information from figure 4.3.1, indicates that 60% disagree that the unit is staffed with professionals and/or experienced personnel, 20% agree and 20% is neutral. This is a confirmation of the earlier discussion made on qualification and experience. Management must focus on capacity building in the procurement unit.

4.3.2 Resources for Procurement Unit

For public procurement function to be carried on economically, efficiently and effectively management has to allocate the required human and material resources (Barnard 1938). Thus, the question seeks to find whether adequate resources are

provided to the procurement unit to enable them carry out their duties as required by the Act.

Figure 4.3.2: Availability of Needed Resources at the Procurement Unit.
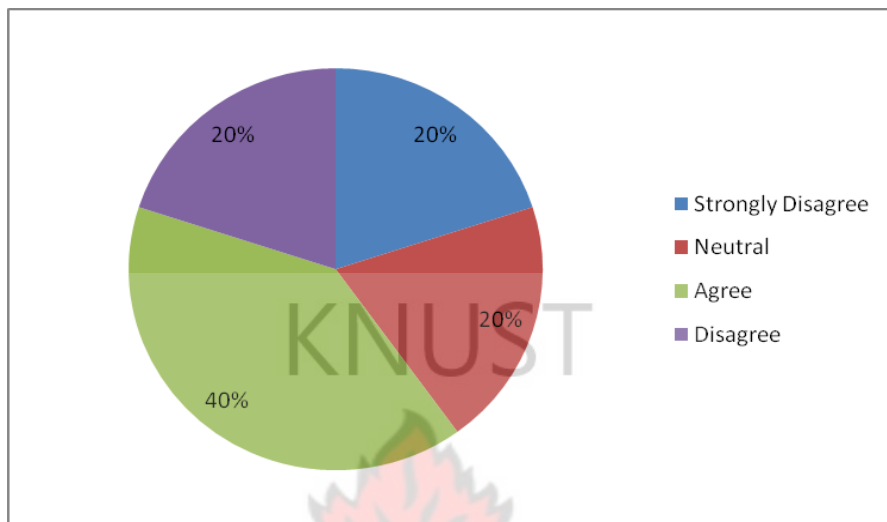
Source: Field Survey, September 2010

In Figure 4.3.2, 40% agree that they are given the needed resources, 20% disagree, 20% strongly disagree while the remaining 20% remains neutral. The analysis above points out that the resources may be inadequate so management must take steps to normalize the situation.

4.3.3 Filing System

The Public Procurement Authority emphasises that documentary records, both in print or electronic format, are essential for efficient and effective management of activities, provide evidence in support of decisions and actions taken, and provide an audit trial for verification of transparency, accountability and effectiveness, Public Procurement Act, 2003 (Act 663).

Figure 4.3.3 Filing System for Procurement Issues
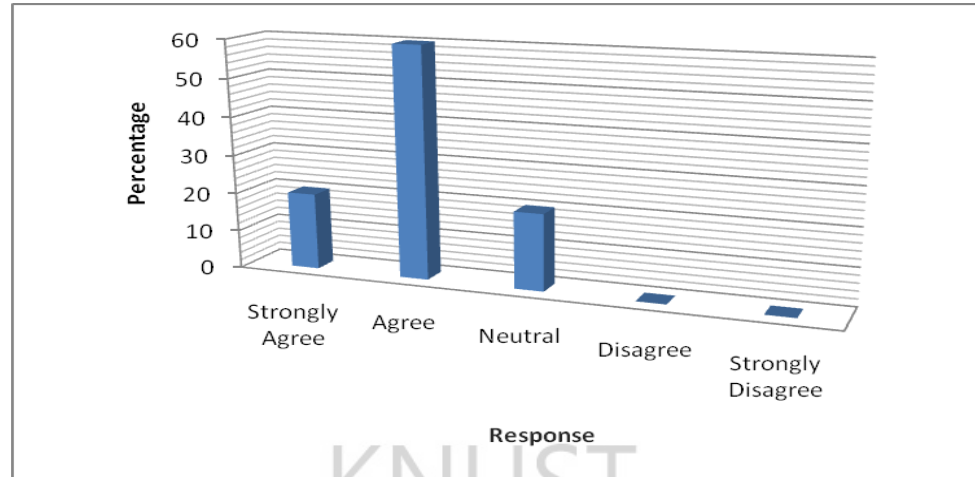
The statistics in figure 4.3.3 shows that as many as 4(80%) confirm that the unit has a good filing system on procurement related issues while the remaining 1(20%) is neutral.

4.3.4 Information Gathering

The researcher wanted to know from where the Procurement Unit obtains relevant and timely information for their work because information obtained at the right time and from reliable sources is very vital for the smooth running of an efficient public procurement system.

Table 4.3.1   Collection of Information from the Market Place

Response*	Frequency	Percent
i, iii, iv, v	1	20
i, ii, iii, iv, v	1	20
i, iv, v	1	20
V	1	20
i, v	1	20
Total	**5**	**100**

Source: Field Survey, September 2010

Note*
 i)   Public Procurement Authority Website
 ii)   Websites other than that of Public Procurement Authority
 iii)   Mass Media
 iv)   Personal contact
 v)   Correspondence with stakeholders

To this question, all the available options were selected by one staff or the other, implying that the Procurement Unit obtains information from all the above sources. It is clear from table 4.3.1 that only 20% selected all the available options, 20% selected four of the options, 20% selected three options, again 20% selected two options and finally, 20% opted for only one option.

4.3.5   Procurement Plan and Other Required Documents.

Procuring Entities are required by Act 663 to prepare procurement plans to cover their procurement for goods, works and services/consultancy for any given year so the researcher wanted to know if that has been done and it is being used together with other statutory documents.

Table 4. 3.2 Working with Procurement Plan and Other Required Documents.

Response	Frequency	Percent
Yes	5	100
No	0	0
Total	**5**	**100**

Source: Field Survey, September 2010

From table 4.3.2, all respondents were unanimous in their response that the documents in question are prepared and used. This is a very good procurement practice, as required by the Procurement Act. Management must ensure that this practice is encouraged to avoid unnecessary expenditure and also improve future performance on procurement and financial management.

4.3.6   Knowledge of Procurement Cycle

To be abreast with the elements of the procurement cycle is a necessary requirement for all officers handling the procurement process so it was necessary to know if the officers are abreast with the cycle. See Table 4.3.3 below for the statistics.

Table 4.3.3: Procurement Unit being Conversant with Procurement Cycle

Response	Frequency	Percent
i) Fully	2	40
ii) Fairly	3	60
Total	**5**	**100**

Source: Field Survey, September 2010

Table 4.3.3: indicates that 40% are fully conversant and the other 60% are fairly conversant. This is also a very good sign since being conversant with the various stages

in the procurement cycle and implementing them to the letter will definitely lead to value for money procurement, i.e. it will ensure efficiency, economy and effectiveness

4.3.7 Tender Documents.

A well prepared Tender Documents advertised or communicated to potential suppliers at the right time and in the appropriate manner ensures transparency and reduces corruption so the researcher wanted to know if Sunyani Polytechnic prepares tender documents which spells out specifications.

Table 4.3.4   Preparation of Tender Documents

Response	Frequency	Percent
SA	3	60
A	2	40
Total	**5**	**100**

Field Survey, September 2010

On this issue, as indicated in Table 4.8.4, 60% strongly agree and the other 40% also agree, implying that tender documents of Sunyani Polytechnic are well prepared. This practice ensures transparency and acts as anti corruption device. This must be encouraged to improve the procurement system.

4.3.8   Transparency in Contract Award

Transparency and fairness in contract awards are some of the key principles governing public procurement. The question sought to find out if transparency exists Sunyani Polytechnic's contract awards.

Figure 4.3.4: Selection of Tenderers/Suppliers for Contract Award.
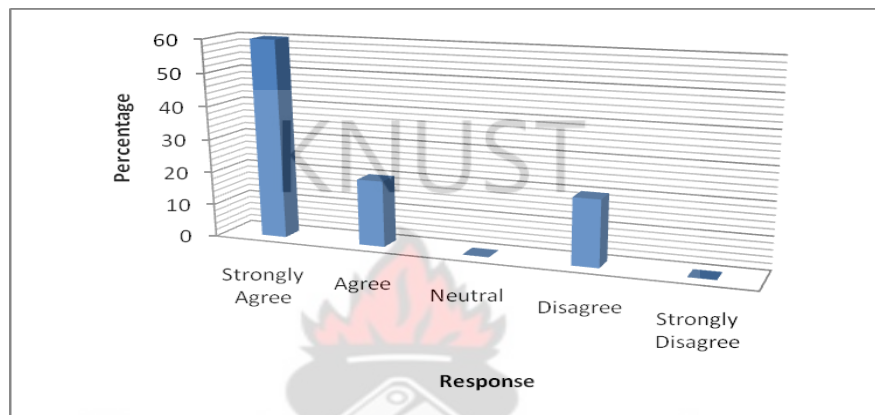
Source: Field Survey, September 2010

From table 4.3.4, 60% strongly agree that there is transparency in the tendering process leading to the contract award, 20% also agree to some extent while 20% disagree. Together 80% agree that there is transparency in the award of contract in Sunyani Polytechnic.

4.3.9   Project Outcome

Timely delivery of contracts and projects is the hall-mark of an efficient public procurement system. The question sought to find out how management monitor contractors to ensure that contracts awarded are delivered on time.

Table 4.3.5: Project Outcomes Achieved in a Timely Manner

Response	Frequency	Percent
ii) Very Often	1	20
iii) On Very Few Occasions	4	80
Total	**5**	**100**

Source: Field Survey, September 2010

Table 4.3.5 suggest that project outcomes which are achieved in a timely manner are on very few occasions as shown by 80% of the respondents while only 20% claim that it is achieved very often. From all indications there might be problems associated with contract deliverables which must be checked and corrected

4.4   Responses from Internal Audit Staff.

4.4.1   Procurement Strategy

The structuring of a workable procurement strategy on goods, services works/construction projects will be an internal control tool to guide the procurement system in Sunyani Polytechnic.

Figure 4.4.1: Procurement Strategy for Goods, Services, and Works.
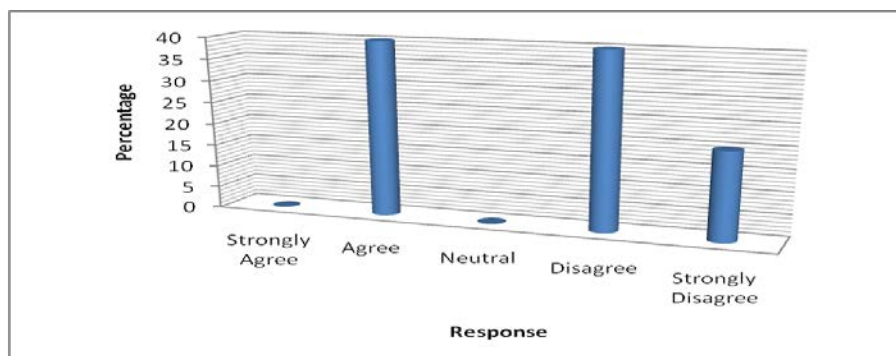
Source: Field Survey, September 2010

In Figure 4.4.1, 40% agree that procurement strategy exist for goods, works/construction and services. On the other hand, 40% disagree while the remaining 20% strongly disagree. This means that 60% in general disagree to the position.

4.4.2 Monitoring and Reporting on Contracts

Internal Audit must monitor and report on major procurement initiatives to alert management to correct variances on time. By continuously evaluating what is required to perform the whole procurement system, what happens to it and what results from it, policy makers and management can make required adjustments or reforms where they are needed (Office of Federal Procurement Policy 1982).

Figure 4.4.2: Monitoring and Reporting on Major Procurement Initiatives
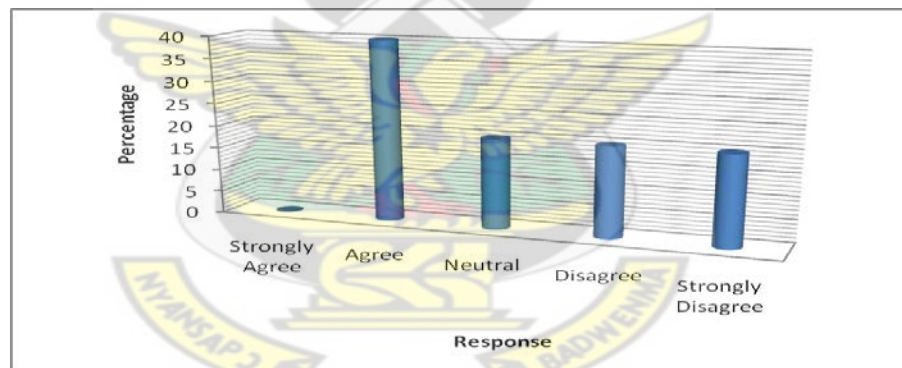
Source: Field Survey, September 2010

From Figure 4.4.2, 20% each of the staff disagree, strongly disagree or remain neutral. 40% on the other hand agree. The observation is that there might be some sort of monitoring and reporting but is not adequate. Monitoring and reporting will facilitate evaluation of performance so top management must ensure that more effort is put into these activities to ensure a workable and efficient procurement system in Sunyani Polytechnic.

4.4.3 Performance Evaluation

On the issue that the Internal Audit considers past performance of suppliers before another contract award decisions are made, the response is presented by Figure 4.4.3

Figure 4.4.3 Evaluating Past Performance of Suppliers
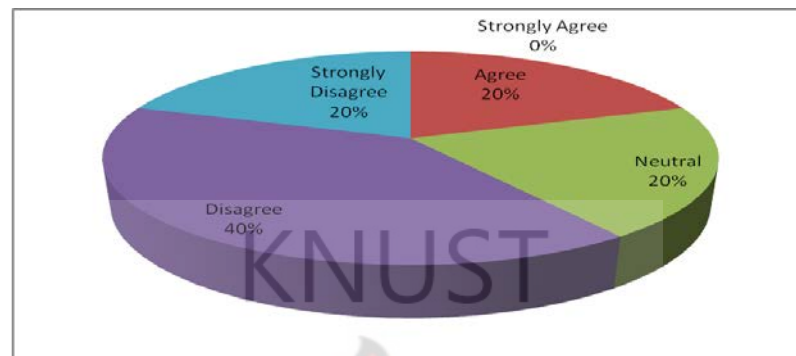
Source: Field Survey, September 2010

Figure 4.4.3 shows that only 20% agree and for the remaining 80%, 20% strongly disagree, 40% disagree, while 20% remain neutral. Since such exercise will aid the assessment of the suppliers of the Polytechnic if taken seriously it will help in the efficiency and transparency of the procurement system.

4.4.4 Controls on Fraud and Misappropriation

Since the Internal Audit is the ''watch dog'' of activities and processes in the Polytechnic, they must ensure that management put in place workable measures to address the concerns raised above. The researcher sought to find out if controls exist for fraud and misappropriation.

Figure 4.4.4: Controls on Fraud and Misappropriation
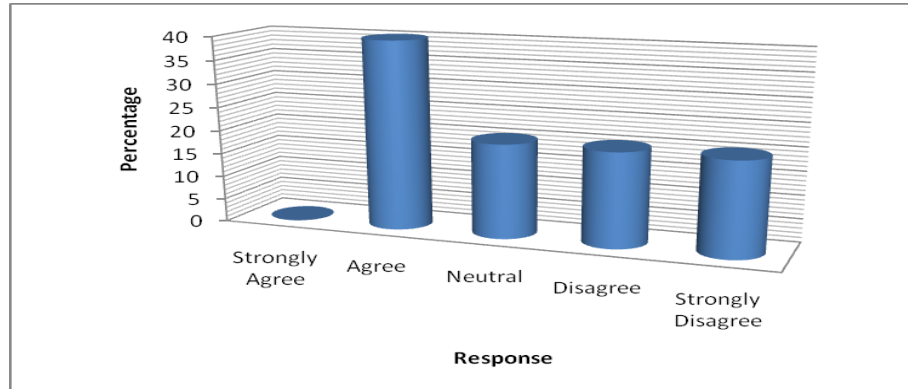
Source: Field Survey, September 2010

From Figure 4.4.4, 40% agree and the remaining, 60% equal number either remain neutral, disagree or strongly disagree that there are controls in place to address the risks of fraud and misappropriation.

4.4.5 Post Implementation Reviews

Assessment of performance targets is critical for the revision of strategies and policies by top management and to a larger extent management will rely on the advice, suggestions and recommendations of the Internal Audit Unit. This is an important exercise to aid management action which the researcher wanted to know.

Figure 4.4.5: Post-Implementation Reviews.
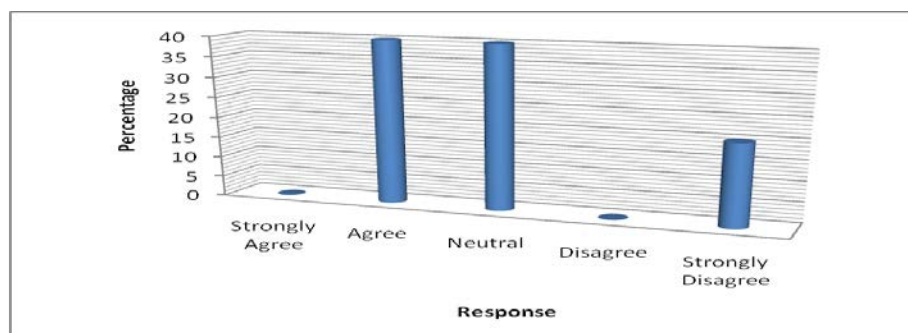
Field Survey, September 2010

From Figure 4.4.5, 40% agree to the statement that post implementation reviews are conducted, 40% remain neutral while 20% strongly disagree. It must be emphasised that assessment of performance targets is critical for the revision of strategies and policies by top management.

4.4.6 Procurements Expenditure Reviews

The researcher probed to find out if Internal Audit Unit regularly reviews procurement expenditure. The results is shown in Figure 4.4.6

Figure 4.4.6: Regular Reviews of Procurement Expenditure.
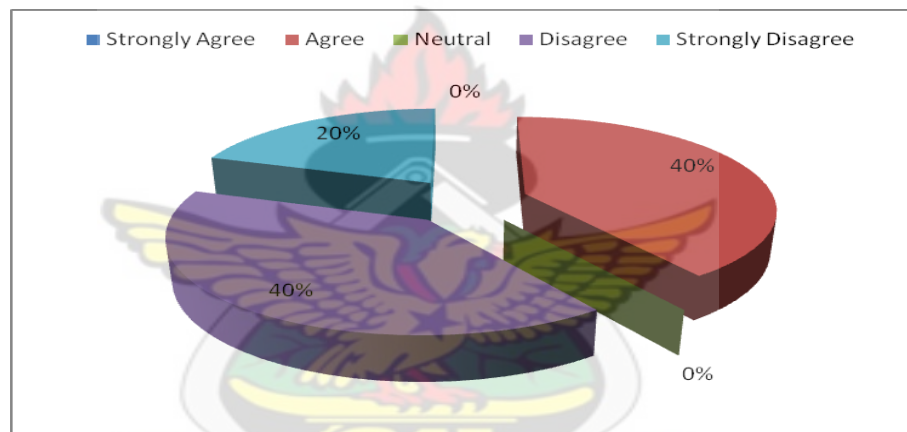
Source: Field Survey, September 2010

From Figure 4.4.6, 40% agree, 40% disagree, while 20% strongly disagree. The inference which can be made is that 60% disagree while 40% agree; suggesting that even if such exercise is being carried out by the Internal Audit Unit, there is still much room for improvement.

4.4.7   Bench-Marking Performance

The issue was to know whether Internal Audit Unit bench-mark the performance of the Procurement Unit staff against some selected variables. The response is shown below.

Table 4.4.7: Evaluating and Bench-Marking the Performance of Procurement Unit

Response	Frequency	Percent
Yes	5	100
No	0	0
Total	**5**	**100**

Source: Field Survey, September 2010

In Table 4.4.1, all the respondents were unanimous in their response. They all confirm that they evaluate and bench-mark the performance of the Procurement Unit against variables such as procurement practices and procedures, prices and transaction. This is a good exercise to advice the Procurement Unit staff as well as top management where things are going wrong and also keep them on their toes.

4.5   Responses from Top-Management

4.5.1   Availability of Procurement Act

The question of the availability of Procurement Act and other procurement document was also posed to the Deans group and the response here corroborates the assertion of the Deans.

Table 4.5.1: Availability of Procurement Act and Relevant Documents

Responses	Frequency	Percent
Strongly Agree	0	0
Agree	1	25
Neutral	0	0
Disagree	3	75
Total	**4**	**100**

Source: Field Survey, September 2010

To the statement that Procurement Act, manuals and other documents are available to guide the procurement processes, 75% of top management disagree and only 25% agrees to it. To drive the procurement system then something needs to be done.

4.5.2   Compliance with Procurement Act

This question was asked to reconcile the response given earlier by the Deans on this same question.

Figure 4.5.1: Compliance with the Provisions in the Procurement Act.
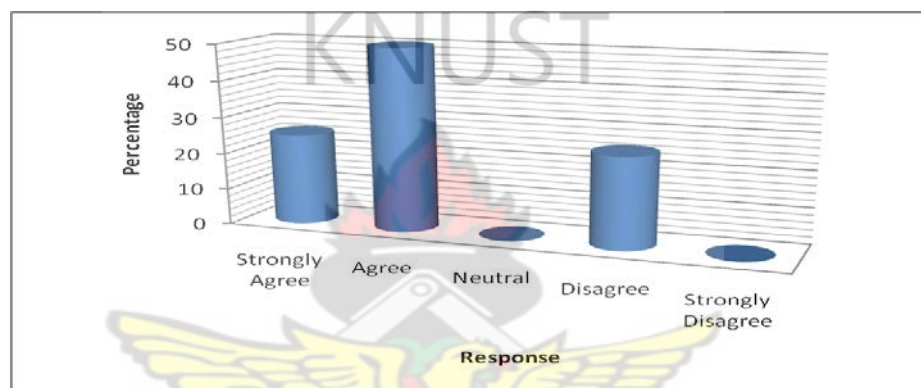
Source: Field Survey, September 2010

Figure 4.5.1 indicates that while 25% strongly agree and 50% agree that top management ensures compliance, 25% disagree to the statement. Comparing the answers given here to the earlier one there seems to be some sort of contradiction between the two positions. If in the earlier statement, 75% claim that they do not agree that copies of the Act and other documents are provided, how can the same management claim that they ensure compliance with the provisions in the Procurement Act? What the researcher thinks is that there might be other internal policies on procurement in the school to which top management, Deans and HODs ensures

compliance but not the provisions in the Procurement Act and the other statutory procurement documents which regulates public procurement system in Ghana.

4.5.3 Working with Procurement Plans

Procuring entities are required to work with procurement plans so top management is supposed to ensure that they are available.

Table 4.5.2: Entity Works with a Well Defined Procurement Plan

Response	Frequency	Percent
Yes	4	100
No	0	0
Total	**4**	**100**

Field Survey, September 2010

From table 4.5.2, the response to this statement shows that all the 4 (100%) top management members, confirm that the Polytechnic do not just prepare the procurement plan but, also implement the plan. However, a follow up exercise conducted at the accounts office and the Procurement Unit revealed that some procurement for goods and works were not initially in the procurement plan.

4.5.4 Departmental Procurement Plans

The Public Procurement Act 2003, Act 663 mandates that every public entity must prepare annual procurement plans to guide their procurement activities.

Table 4.5.3: Departmental Procurement Plans as Input for Master Procurement Plan

Response	Frequency	Percent
Strongly Agree	1	25.0
Disagree	3	75.0
Total	**4**	**100**

Source: Field Survey, September 2010

Table 4.5.3 indicates that as many as 75% disagree to the statement that departmental procurement plans serve as inputs to the entire school's procurement plan, while only 25% strongly agree. It is important that the master procurement plan captures the total expected procurement expenditure for the entire school.

4.5.5   Procurement Performance Assessment

The Researcher sought answer to the question of whether the Public Procurement Authority conducts annual performance assessment of the Polytechnic. The response is shown in Table 4.5.4

Table 4.5.4: Annual Assessment of Procurement Performance

Response	Frequency	Percent
Strongly Agree	2	50
Agree	2	50
Total	**4**	**100**

Source: Field Survey, September 2010

Table 4.5.4 indicates that 50% strongly agree that the Public Procurement Authority assesses the procurement performance of Sunyani Polytechnic annually and the other 50% also agree. In this regard, further evidence from of Procurement Assessment

Reports for 2006, 2007 and 2008 were obtained from the Procurement Unit which corroborates the position of those who strongly agree.

4.5.6 Complaints on Procurement

The researcher sought to find out if there were structures in place to address complaints from aggrieved stakeholders.

Table 4.5.5: Standing Committee to Deal with Complaints on Procurement

Response	Frequency	Percent
Yes	0	0
No	4	100
Total	**4**	**100**

Source: Field Survey, September 2010

From Table 4.5.5, 100% of respondents were unanimous in their response objecting to the statement that the school has established any standing committee to deal with complaints on procurement issues. What this means is that there is no avenue or platform for those who feel cheated or aggrieved to seek redress. This does not encourage transparency and fairness in the procurement system.

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4.5.7   Information System

It was intended find out if the Polytechnic has an information system which incorporates procurement issues.

Figure 4.5.2: Information System on Procurement.
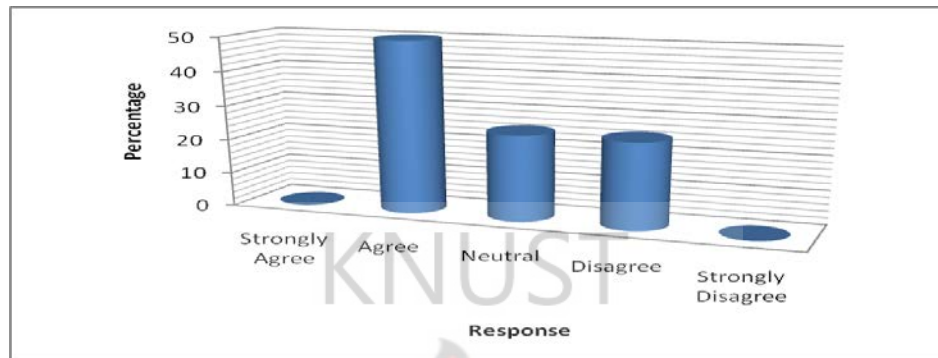
Source: Field Survey, September 2010

From Figure 4.5.2, 50% agree that there is an established information system which incorporates procurement issues, 25% and another 25% are neutral or disagree respectively. What is required of a good public procurement system is information flow from and to the market place. Management needs to do more in this area.

4.5.8   Liaison with Public Procurement Authority

The statement intended to find out if the Polytechnic communicates with the apex body (Public Procurement Authority) for up-to-date and vital information which facilitate the procurement activities and processes in Sunyani Polytechnic.

Table 4.5.6: Liaison with Public Procurement Authority for Information

Response	Frequency	Percent
Agree	3	75
Neutral	1	25
Total	**4**	**100**

Source: Field Survey, September 2010

73

From Table 4.5.6, 75% agree that the school liaises well with the Procurement Authority. Only 25% was neutral. Since the Public Procurement Authority is a supervisory body with oversight responsibility over the public procurement system in Ghana, it is a very good practice that the school liaises well with it.

4.5.9 Timely Information

It was intended to find out if the Internal Audit provides management with accurate and timely feedback to ensure management takes appropriate action at the right time.

Table 4.5.7: Provision of Timely Information by the Internal Audit

Response	Frequency	Percent
Agree	2	50
Neutral	2	50
Total	**4**	**100**

Source: Field Survey, September 2010

The information from table 4.5.7 indicates that equal number of top management agree to the statement while the same number remained neutral i.e. 50% each. Management needs not just information but information provided timely so it is important that top management always ensure that the Internal Audit provides them with accurate and timely feedback to ensure management takes appropriate action at the right time.

4.5.10   Procurement Plan and Annual Budget.

On the issue of linkage between the school's procurement plan and its annual budget, the statistics from Figure 4.5.3, 75% of members of top management agree while only 25% does not agree.

Figure 4.5.3:Linkage between Procurement Plan and Annual Budget.
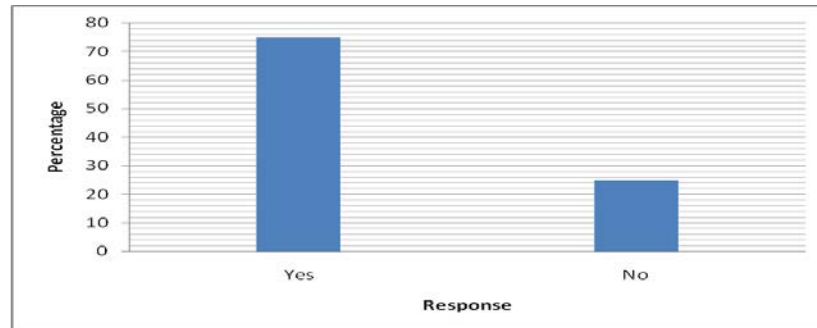
Source: Field Survey, September 2010

From the inspection of the school's budget and the procurement plans for three years of assessment, there was ample proof that the majority's position was true. There is a strong linkage between the approved budget and the procurement plan, which, in the view of the researcher, must continue to avoid excessive and unnecessary spending.

4.5.11 Procurement Methods and Threshold

The Public Procurement Act 2003, Act 663 enjoins procurement entities to apply the appropriate procurement method which commensurate with a particular threshold. This is in line with the procurement rules, methods and processes.

Table 4.5.8: Procurement with Due Regard to Methods and Thresholds

Response	Frequency	Percent
Yes	4	100
No	0	0
Total	**4**	**100**

Source: Field Survey, September 2010

From Table 4.5.8 above, all the Top-Management members agree that the procurement of goods, works and services is done with regard to procurement methods and thresholds.

4.5.12 Selection of Tenders

One of the key principles governing public procurement is the ethical standard of transparency and accountability.

Table 4.5.9: Application of Fair and Transparent Rules for Selection of Tenders

Response	Frequency	Percent
Strongly Agree	3	75.0
Disagree	1	25.0
Total	**4**	**100**

Source: Field Survey, September 2010

From Table 4.5.9, 75% Top-Management members strongly support the assertion, while 25% disagree to it.

4.5.13: Efficient Contract Administration

The study intended to find whether the Polytechnic has efficient contract administration and quality.

Figure 4.5.4: Policy Ensuring Efficient Contract Administration and Quality.
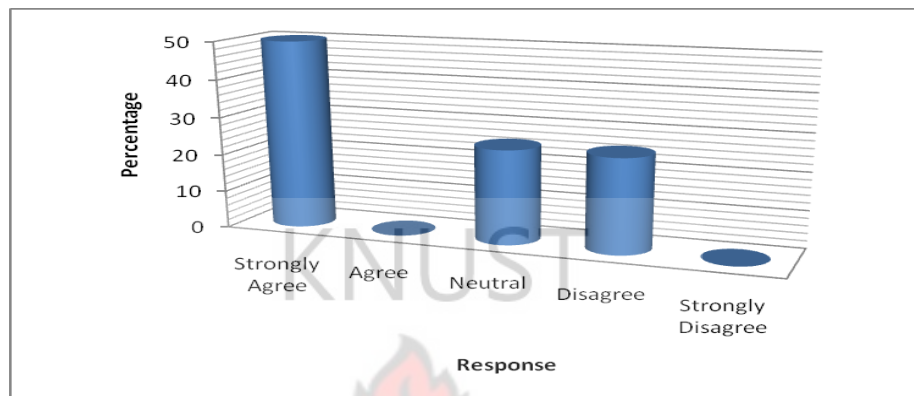
Source: Field Survey, September 2010

From Figure 4.5.4, 50% strongly agree, 25% is neutral and the other 25% disagree. The implication here is that the school may have contract policy in place as asserts by the two members, but is not being used or is not made available to the other two officers; it is the researcher's conviction that all top management personnel, as well as the deans and heads of department must be in the known of such policy to ensure its correct implementation.

4.5.14 Contract Award

The Public Procurement Act has specified the processes that must be strictly followed from the initiation of contracts to the execution. These processes must be followed strictly to ensure transparency and avoid corruption. The question wanted to know if contracts are awarded based on provisions in the Act.

Table 4.5.10: Contract Award Based on the Public Procurement Act

Response	Frequency	Percent
Strongly Agree	2	50
Agree	1	25
Disagree	1	25
Total	**4**	**100.0**

Field Survey, September 2010

Table 4.5.10 reveal that 50% management personnel strongly agree to the assertion that contracts are awarded based on the provision in the Procurement Act, 25% agrees and the other 25% disagree.

4.5.15 Project Implementation Report

By continuously evaluating what happens to the procurement system and what results from it, policy makers and management can make required adjustments or reforms where they are needed.

Table 4.5.11 Regular Reports on Project Implementation and Deliverables

Response	Frequency	Percent
Agree	1	25
Disagree	3	75
Total	**4**	**100**

Source: Field Survey, September 2010

From Table 4.5.11, 75% disagree to the assertion that information on contracts are received regularly. Only 25% agree. Perhaps the other three officers are not informed of such reports. If that is the case, it should be discouraged. According to the Office of Federal Procurement Policy (1982) feedback is very important for a sound procurement system.

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CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.0   Introduction

This chapter summarises the findings resulting from the data collected and analysed in chapter four. It also gives the opinion of the researcher as a result of his reasoning from the summary of findings and finally recommendations for improvement in the procurement system in Sunyani Polytechnic and for that matter public tertiary institutions acting within the confines of the public procurement system in Ghana.

5.1   Summary

The analysis revealed that in the case of management systems, the top management has put in structures place to champion the course of procurement system, e.g. the establishment of a unit solely responsible for the Polytechnic's procurement issues; the provision of resources and has some level of authority to the Procurement Unit to enable it discharge the procurement duties efficiently and effectively; and ensuring that procurement rules, guidelines and methods are strictly adhered to.

However, there is still much room for improvement; for instance almost all of the Deans and HODs/HOSs do not have access to the important legal and regulatory documents on procurement to work with. The responses suggest that contract management is not adequately followed through.

Also from the educational background of the procurement staff, the study revealed that the Procurement Unit is not resourced with professionally trained procurement personnel. Though the existing crop of staff in the unit have various academic

qualifications and some level experience and skills in procurement, they are not enough to handle the complex procurements competently.

On information and communication the responses obtained suggested that the Polytechnic is doing quite well in the area of constant communication with the apex body (Public Procurement Authority) for relevant and up-to-date information on procurement issues. Relevant documents and files (both hard and soft copies) are available all the time to aid procurement activities.

However, internal information flow and access to procurement documents and important procurement materials by other internal stakeholders, such as the Deans and HODs are not encouraging. Also, all procurement files are not kept at one place. Notably, some are kept at the Procurement Unit and others in the Registrar's office. The best practice is to keep all procurement files and documents at the Procurement Unit.

In the area of procurement processes and responding to the needs of user departments, the feedback from the respondents identified the system as quite slow and pointed out those factors responsible for that. Such factors include: Undue delayance of authorisation for procurements; purchasing processes demand time and documentation and some of the requirements in the Procurement Act also account for these delays. Further, it has been realised that the needed skills, knowledge and expertise to drive the procurement processes in the Polytechnic is lacking. One other factor that has been noted for the delayance of the procurement process is the Procurement Act itself. As observed by Napier (2007), the Department of Foreign and International Development (DFID)-funded policy advisor in Ghana then, "The new rules are very time-

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consuming", and described the laborious nature of the procurement process and the inherent capacity needs in government that are created by adopting such a comprehensive and bureaucratic system.

However, the encouraging issues identified were that the procurement unit is in constant consultation with the Public Procurement Authority on controversial procurement issues; they also apply the laws and guidelines regulating the public procurement issues to avoid any conflict with the Act. Also Parliament is yet to consider proposals for the revision of certain parts of the Act which accounts for the slow pace of the procurement system.

Finally, on contract management, most of the respondents acknowledged that contract management policy is either not in existence or not known to those who matter in ensuring the smooth implementation of the policy. It was also obvious from especially the Procurement Unit staff that projects are not completed on time. Again it was clear from top management's responses that regular reports on project implementation were not forth coming from whichever group or individuals responsible for that.

However, the positive aspect which came to light was that for contracts where the thresholds demand national or international competitive bidding the sale of tenders are advertised in popular news papers to make it open to all who qualify to bid/tender for such contract. The bid opening and evaluation as well as the final award are done openly by the Entity Tender Committee of the Polytechnic. This was confirmed after a number of specimens of contract advertisements and evaluated bid documents were obtained and examined.

5.2. Conclusions

Public procurement system in Ghana has been affected by various laws and decrees, the latest of which is the Public Procurement Act 2003, Act 663. The Act established the Public Procurement Authority as an oversight body charged with various responsibilities to ensure that the public procurement reforms actually works.

As a result of the enactment of the Act, public sector entities, including the Universities and Polytechnics have to conduct their procurement activities and processes in line with the provisions in the Public Procurement Act, 2003 (Act 2003) governing public procurement in Ghana and also use the official procurement documents issued by the Public Procurement Authority. This research was therefore conducted to find out if Sunyani Polytechnic had been doing its procurement with due regard to the Act and regulations to ensure efficiency, transparency and accountability in its procurement.

The study revealed that the Polytechnic's Top Management has put some structures in place to guide procurement activities in the school but they seem not to be adequate. Though, the information flow between the Polytechnic and the apex body (Public Procurement Authority) is quite good, it is not all that strong between the Polytechnic and the private sector bodies, especially both current and prospective suppliers/contractors. Even among the internal stakeholders, information flow between them and the Procurement Unit is not swift for prompt action

It is also obvious that the Deans and the HODs/ HOSs who form the majority of the respondents and who should play a vital role in the proper functioning of the procurement system in the school do not seem to have much knowledge about the

procurement processes and activities in the school. Almost all of them know little about the procurement law and guidelines. Consequently, they seem not to be playing their roles in the area of procurement effectively and efficiently.

In the area of contract management the information obtained points out that feedback on contracts relating to procurement for goods and short-term works are easily obtainable but in the case of long term building contracts, progress reports are not submitted at all or are not adequate when they are prepared or are not submitted in good time for appropriate action. Timely feedback on deliverables is very necessary for a successful contract management.

In general, the procurement system in Sunyani Polytechnic has exhibited some good practices in certain areas of the procurement system and in some other areas there is still much to be done.

5.3   Recommendations

The starting point of public procurement activities and processes must emanate from the Public Procurement Act, 2003 and the regulatory framework. Since it has been established that most of the senior members and heads of sections/units either do not have these documents or do not even know that they are available at the website of the Public Procurement Authority, top management is entreated to organize workshops and seminars that will educate and equip the HODs/HOSs with much knowledge of the procurement system in Sunyani Polytechnic. Copies can also be downloaded freely from PPA website at www.ppbghana.org.

It is also obvious that the top management of every organization drives it to achieve the intended objectives. Procurement of goods, services and works takes a very large chunk of the budget of Sunyani Polytechnic, like all other public sector institutions. The top management must ensure that the necessary policies and adequate structures, as well as the needed resources, both human and material are in place, to drive the procurement processes of the Polytechnic.

Since the success of an efficient procurement system depends to a larger extent on the abilities, skills, attitudes and competence of the procurement personnel, it must be suggested that the Procurement Unit must be staffed with knowledgeable, skillful and competent professionals who are capable of handling all procurement issues involving simple and complex transactions.

It is recommended that a team, not necessarily from the Procurement Unit only, be constituted to handle complex procurement issues. A team comprising procurement professionals, legal practitioners, project management professional as well as a management accountants may be put together to handle complex procurement contracts because public procurement is an extremely complicated function which requires interdisciplinary skills and knowledge or multiple disciplines.

The study recommends that the Procurement Unit communicates effectively with professionals who are involved in procurement and project management whenever there are complex procurements to be made or projects to be managed.

Management must also build the capacity of the existing procurement personnel through workshops, short-term courses and also sponsor them to pursue professional courses in procurement and Purchasing and Supply Chain Management programmes.

It has also been established that the Procurement Unit's response to users' needs is quite slow. It is recommended that Top management must meet all departmental heads and those involved in the school's procurement processes to find ways to make the system very swift since swiftness is the hall-mark of an efficient procurement system.

The principal reason for the enactment of the Public Procurement Act, Act 2003, was to have a legal regime that weeds out inefficiency in the procurement process, remove patterns of abuse, and the failure of the public purchaser to obtain adequate value in return for the expenditure of public funds. Therefore it is the belief of the research that management must enforce compliance to the provisions in the Act to achieve the objectives for which the Act is intended to achieve.

Even though the Polytechnic prepares annual procurement plan the departments do not prepare their individual (Departmental/Sectional) plans as inputs to the master procurement plan. It is recommended that top management educate and ensure that each department or sectional head prepares the department's or section's procurement plan to enable the procurement unit to prepare the amalgamated procurement plan for procurement monitoring, control feedback to facilitate management's action on time. Again, not only must the procurement plan be prepared on time, but it must be used as intended.

It is also recommended that the Internal Audit Unit have in place strong internal control systems which ensure compliance with all procurement policies which management has put in place to ensure the integrity of the procurement system.

Again the Government and Parliament must take the proposed revision of the Act very serious since it can improve the efficiency of the procurement system in public sector institutions in Ghana.

On contract management it is recommended that contracting organisations take proper strategic decisions and draft the right contract; ensure that Contract Management Team has the qualification, knowledge and experience required in order to manage the contract effectively, as well as properly monitoring the performance of the contractor continuously.

Lastly, but not the least, it is the vision of this researcher that in this technological era, management of public sector organisations train their procurement personnel in the use of modern methods and technology, such as e-buying, e-payment etc. and also equip the Procurement Unit adequately to enhance the efficiency of their procurement operations.

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QUESTIONNAIRE

KWAME NKRUMAH UNIVERSITY OF SCIENCE AND TCEHNOLOGY

(INSTITUTE OF DISTANCE LEANING)

QUESTIONNAIRE FOR THE TOP MANAGEMENT, HEADS OF DEPARTMENT, PROCUREMENT UNIT STAFF AND INTERNAL AUDIT UNIT STAFFOF SUNYANI POLYTECHNIC ON THE TOPIC: INVESTIGATING THE OBSTACLES TO THE IMPROVEMENT OF THE PROCUREMENT SYSTEM IN PUBLIC TERTIARY INSTITUTIONS IN GHANA: A CASE STUDY OF SUNYANI POLYTECHNIC

This questionnaire is designed as part of a student's project by **Adu-Aning Richard Osarfo,** a Commonwealth Executive Masters in Business Administration student in the above mentioned University in Kumasi.

The purpose of this questionnaire is to help the student to investigate the obstacles to the improvement of the procurement system in Sunyani Polytechnic.

While respondents are not under any obligation to answer the questionnaire, any attempt to do so would be most appreciated. The confidentiality of any information that you give and your anonymity are highly assured.

QUESTIONNAIRE FOR TOP-MANAGEMENT

PART 1:   Socio-Biographic Data

Please tick (√) and fill in the blank spaces as appropriate.

1)   Gender: Male [ ]   Female [ ]

2)   Age: 31-40 yrs [ ]   41-50yrs [ ]   51-60 yrs [ ]   61-70yrs [ ]

3)   Education: PhD., MA, MSC, ICA, ACCA, CIMA (Underline, please.)

Others

(specify)………………………………………………………………………

PART 2

Assess the performance of Sunyani Polytechnic in the following key areas of its procurement system, Management Systems, Information and Communication, Procurement Process and Contract Management using the parameters below:

[SA- Strongly Agree, A- Agree, N- Neutral, D- Disagree, SD- Strongly Disagree]

a)   **Management Systems**

1)   Management has provided all departmental/sectional heads with the Procurement Act, manuals, guidelines and other relevant procurement documents to guide them in procurement procedures.

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

2)   The principal officers and departmental/sectional heads ensure compliance to the   provisions in the Procurement Act and other regulatory framework.

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

3)   Management ensures that all departments prepare their departmental procurement plans as input for the annual procurement plan of the whole school

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

4)   Procurement activities of the school are assessed annually by the Public Procurement Authority

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

5)   There is a standing Committee to deal with both internal and external complaints about the entity's procurement issues.

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

b)   **Information and Communication**

6)   The institution has an established information system which incorporates procurement issues

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

7)   Procurement Entity liaises with Public Procurement Authority always for timely and required procurement information

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

8)   The Internal Audit Unit provides timely information to enable management action and for improving procurement performance

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

c)   **Procurement Process**

9)   Does the entity work with a well defined procurement plan?

Yes [   ]   No [   ]

10)   Is the procurement plan linked to the Polytechnic's approved budget?

Yes [   ]   No [   ]

11)   The Polytechnic procure goods, works and services with due regard to procurement methods and thresholds

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

12)   The school applies fair and transparent rules for the selection of tenderers

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

d) **Contract Management**

13) Management has workable policy in place to ensure efficient contract administration and quality.

SA [ ]　　　A [ ]　　　D [ ]　　　N [ ]　　　SD [ ]

14) Contracts are awarded strictly in accordance with the provisions in the Public Procurement Act

SA [ ]　　　A [ ]　　　D [ ]　　　N [ ]　　　SD [ ]

15) Management and project team members are informed regularly on project implementation till completion

SA [ ]　　　A [ ]　　　D [ ]　　　N [ ]　　　SD [ ]

16) Management has developed sustainable training strategy and capacity to manage procurement operations in the Polytechnic

SA [ ]　　　A [ ]　　　D [ ]　　　N [ ]　　　SD [ ]

QUESTIONNAIRE FOR DEANS, HEADS OF DEPARTMENT, HEADS OF SECTION/UNITS

PART 1:　　Socio-Biographic Data

Please tick (√) and fill in the blank spaces as appropriate.

1) Gender:　　Male [ ]　　Female [ ]

2) Age:　31-40 yrs [ ]　41-50yrs [ ]　51-60 yrs [ ]　61-70yrs [ ]

3) Education: PhD., MA, MSC, ICA, ACCA, CIMA (Underline, please.)

Others (specify)………………………………………………………

PART 2

Assess the performance of Sunyani Polytechnic in the following key areas of its procurement system: Management Systems, Information and Communication, Procurement Process and Contract Management using the parameters below:

[SA- Strongly Agree, A- Agree, N- Neutral, D- Disagree, SD- Strongly Disagree]

a)   Management Systems

1)   The Deans and departmental/sectional heads ensure compliance to the provisions in the Procurement Act and other regulatory framework.

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

2)   All departments prepare their departmental procurement plans as input to the annual procurement plan of the whole school

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

3)   How does the procurement system in Sunyani Polytechnic respond to the needs of user departments?

Very fast [ ]   Fast [ ]   Slow [ ]   Very Slow [ ]

4)   If your answer to the question above is slow or very slow, what factors might have accounted for that?

(Please choose as many as applicable from the options below)

i)   The flow of memos for authorization is most often unduly delayed [ ]

ii)   Many memos end up at certain points without reaching the intended destination

iii)   Processing of purchasing documents demands much time and documentation [   ]

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iv)   The provision in the regulatory framework is a contributory factor. [ ]

5)   In your own view how do you grade the procurement system of the Sunyani Polytechnic using the following parameters?

Poor [ ] Satisfactory [ ] good [ ] Very good [ ] Excellent [ ]

6)   Where do you keep procurement files and important procurement documents?

(Tick as many as are correct.)

(i)   Kept at the procurement unit [   ]

(ii)   Kept at various offices within the entity [   ]

(iii)   Kept at the Registrar's Office [   ]

(iv)   Kept at the Rector's Office [   ]

(v)   Kept at the Registry [   ]

d)   **Contract Management**

7)   The Polytechnic has contract management policy in place and it is known to all Deans and Heads of Department

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

8)   Deans, Heads of department and project team members are informed regularly on   project implementation till completion.

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

9)   Top management, Deans and Departmental heads hold regular meetings to deliberate on contract awards and other procurement issues.

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

QUESTIONNAIRE FOR PROCUREMENT UNIT STAFF

PART 1:   **Socio-Biographic Data**

Please tick (√) and fill in the blank spaces as appropriate.

1)   Gender: Male [ ]   Female [ ]

2)   Age: 21   31-40 yrs [ ]   41-50yrs [ ]   51-60 yrs [ ]   61-70yrs [ ]

3)   Education: PhD., MA, MSC, ICA, ACCA, CIMA (Underline, please.)

         Others (specify)…………………………………………………………

PART 2

Assess the performance of Sunyani Polytechnic in the following key areas of its

procurement system: Management Systems Information and Communication,

Procurement Process and Contract Management using the parameters below:

[SA- Strongly Agree, A- Agree, N- Neutral, D- Disagree, SD- Strongly Disagree]

a)   **Management Systems**

1)   The Procurement Unit of the Polytechnic is staffed with procurement

         professionals as well as experienced scholars and professionals in other fields.

         SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

2)   Management makes resources available at all times to the Procurement Unit to

         enable the unit carry out its duties effectively, efficiently and economically

         SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

b)   **Information and Communication**

3)   The unit has excellent filing system for all procurement issues, including

         correspondence with the Public Procurement Authority.

         SA [ ]   A [ ]   N [ ]   D [ ]   SD [ ]

4)   How does the unit collect information from the market place?

(Please, choose as many as applicable)

i)   From Public Procurement Authority's web-site [   ]

ii)   From other web-sites other than that of PPA [   ]

iii)   From the mass media [   ]

iv)   From personal contacts [   ]

v)   Through formal correspondence with suppliers and other stake-holders []

c)   **Procurement Process**

5)   Does the Procurement Unit work with a well defined procurement plan and other documents and guidelines provided by the Public Procurement Authority

Yes [   ]   No [   ]

6)   14)   Are all members in the Procurement unit conversant within the procurement cycle?

i) Fully   ii) Fairly   iii) Not at all

d)   **Contract Management**

7)   The Procurement Unit prepares tender documents that spell out specifications clearly

SA [   ]   A [   ]   N [   ]   D [   ]   SD [   ]

8)   The Procurement Unit applies fair and transparent rules for the selection of tenderers or suppliers for contract award.

SA [   ]   A [   ]   N [   ]   D [   ]   SD [   ]

9)   Are project outcomes achieved in a timely manner as planned?

i)   Always

ii)   Very Often

iii)   On very few occasions

iv)   Not at all

10)   Does the Procurement Unit respond to stakeholders' contribution in promoting

transparency   in the market place?

SA [ ]   A [ ]   D [ ]   N [ ]   SD [ ]

QUESTIONNAIRE FOR INTERNAL AUDIT UNIT STAFF

PART 1:   Socio-Biographic Data

Please tick (√) and fill in the blank spaces as appropriate.

1)   Gender: Male [ ]   Female [ ]

2)   Age: 21   31-40 yrs [ ]   41-50yrs [ ]   51-60 yrs [ ]   61-70yrs [ ]

3)   Education: PhD., MA, MSC, ICA, ACCA, CIMA (Underline, please.)

Others   (specify)…………………………………………………………………

PART 2

Assess the performance of Sunyani Polytechnic in the following key areas of its

procurement system: Management Systems, Information and Communication,

Procurement Process and Contract Management using the parameters below:

[SA- Strongly Agree, A- Agree, N- Neutral, D- Disagree, SD- Strongly   Disagree]

1)   The Sunyani Polytechnic has a procurement strategy covering the whole

processes of obtaining goods, services and construction projects from third

parties

SA [ ]   A [ ]   N [ ]   D [ ]   SD [ ]

2) There is monitoring and periodic reporting on the outcomes of major procurement initiatives at a senior level in the department

SA [ ]   A [ ]   N [ ]   D [ ]   SD [ ]

3) The Internal Audit Unit ensures that information on past performance of suppliers is taken into consideration in making procurement decisions

SA [ ]   A [ ]   N [ ]   D [ ]   SD [ ]

4) There are appropriate controls in place to ensure consistency in procurement activities to address the risk of fraud, misappropriation of funds and ensure that procurement complies with Ghana Public Procurement Act and other relevant regulatory guidelines issued by the Public Procurement Authority.

SA [ ]   A [ ]   N [ ]   D [ ]   SD [ ]

5) Post Implementation reviews are carried out after procurement exercises to assess whether planned targets have been achieved and to identify lessons learnt.

SA [ ]   A [ ]   N [ ]   D [ ]   SD [ ]

6) The Internal Audit Unit conducts regular reviews and analysis of the departmental total procurement expenditure to identify trends on how much is spent, on what and with which suppliers to help inform the development of public procurement and contract strategies

SA [ ]   A [ ]   N [ ]   D [ ]   SD [ ]

7) Do you evaluate and benchmark the performance of the Procurement Unit against other purchasers in areas such as practices and procedures, prices, prices paid and transaction costs?

Yes   [ ]   No   [ ]

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