

Abstract

Government procurement is the process of securing goods, services or construction on behalf of the public. The duties entail the states allowing bid from a collection of competitors, then engaging experts in the selection of the most qualified entity to render the service or provide goods. The objective of guiding the process is minimizing pilferage and many others forms of practices that derail fulfillment of the interest of the public. The Bureau of procurement and national council of public procurement guides the task in Nigeria. The authorities ensure that the service or goods providers work in accordance with the principles of procurement stipulated in the Act of 2007. The government of Nigeria uses open source, and two-stage, and restricted methods of procurements. The communication of the information is on a public forum to fulfill the principles of transparency, integrity, and accountability among many other requirements. The tasks commence with an announcement before the identification of the qualification fulfillment for the bidders. The documentation follows. Before 2007, Nigeria experienced cases of violation of the principles that led to the formulation of 2007 procurement Act that allows automation of some task. Just as the case in the past, the future process will still demand engagements of all stakeholders for the realization of the objective of public procurement.

KEY WORDS MISSING:

Public procurement

Political scientists use the term public procurement interchangeably with the phrase government procurement. The process describes the undertaking of securing good, services of construction undertaking on behalf of the public. The procurement entails the states allowing bids from the qualified entities then engaging experts in the selection of the most qualified entity to render the service or provide goods. In Nigeria, the federal government steers the process with the aim of preventing pilferage and many others forms of unethical act that could derail the accomplishment of the objective of addressing the needs of the public. The respective government agencies undertake the process and serve equally as the regulatory authority in ensuring that the activities proceed in line with the legislative stipulation. The authorities also ensure that the service or goods providers work in accordance with the set-out guidelines. The entity providing the service has to abide the principles of procurement. The steps entail engaging stakeholders affected in the organization of the procurement. According to Rodrigues, & Dias (2011), the government of Nigeria uses the open methods of procurements. The restricted mode and two-stage modality also help in fulfilling the needs of the population. Even though at times the process of procurements results in challenges, the authorities always strive to ensure realization of the goals of procurement that entails minimizing waste and alleviating corrupts acts that lead to losses amounting to 10 billion nairas yearly. *citations needed.*

In an attempt to shed light on the process of government procurements of Nigeria, the article explores the details of the process and the factors considered by inferring to a collection of scholarly resources as discussed below. The paper commences with a description of the regulatory authority in Nigeria then outlines the fundamental of government procurements. The presentation proceeds with the description of the mode of organizing procurements before outlining the methods of procurements. The challenges, current state of affairs, a summary of the discussion and a recommendation will feature in the last section of the paper.

Regulatory authority

The authority responsible for regulating government tendering in Nigeria is the Bureau of Public Procurements (bureau) and National Councils Of Public Procurement. According to Udeh (2015), legislatures in the country helped formulate laws that resulted in the establishments of the organization the Act of 2007. The country had relied on the

guidance of collection of the framework before the formulation of the bureau. The legislators lobbied for the enactments of Nigerian Public Procurement Act 2007 on June 4, 2007, that facilitated the creation of National Council on Public Procurement (NCPP) and the Bureau of Public Procurement (BPP) following the realization that the political class in the country was taking advantage in influencing the tendering process. There was the minimal engagement of the stakeholders in the decision of 2017 before the ratification of the Act in 2016. The readings of Okoronkwo (2018) suggest that few stakeholders took part in the process. As a result, the situation angered the activists who motivated the politicians to seek a solution to the concern through the formulation of an Act in 2007. The bureau has ensured that the respective ministries in Nigeria collaborate in the scrutiny of the procedures of government procurement for the realization of economic progress in the nation.

Despite the opposition to the punitive penalties outlined in Part xii, section 58(1) by a section of legislators, the majority in legislature supported the enactments of the act recommending punishments of not less than five years for violations. The effectiveness of the laws in curbing fraud in the early years led to its recognition in the country (Babalobi, 2009). Until today, the legislative institutions in the country acknowledge the authority of the bureau in enacting punitive actions for procurement violations. The bureau strives to ensure that the process of procurement proceeds in accordance with the laid down procedures. The authority works as the watchdog in proposing standards that ensures efficiency in the process. The entity coordinates with the civil society in identifying loopholes in the system (Udeh, 2015). The National Council on Public Procurement (NCPP) and the Bureau of Public Procurement (BPP) are responsible for the automation of some of the process in Nigeria. Their agenda in the decision is ensuring transparency in tendering of government projects. The entity checks process that includes advertising and bidding amid stakeholders willing to win a government tender.

Since establishments in 2007, the bureau has been responsible for accomplishments that include the harmonization of the legislative frameworks that guide the process of procurements. The organization focuses on policies that affect tendering process. The members serving at the Bureau strive to promote accountability and transparency in state undertakings that directly affect the well-being of the public. The organization engages professionals in the determination of the pricing process and the establishments of the benchmarks. The same standards guide contracting of projects such as the construction of infrastructure in the country (Udeh, 2015). The regulatory authority monitors the bidding for the tender to promote fairness in the quotation to alleviate a possibility of state officials

collaborating with financiers in overestimating or underestimating state asset value. The underlying aim of the decision is ensuring that the service providers guarantee values for money for the economic benefits since the act of procuring direct affects the gross domestics output of Nigeria. According to Babalobi (2009), corruption accounts for wastage of 70% of state revenue. Another objective in the decision of the regulatory authority monitoring procurement process is encouraging the participation of competent service providers in competitive bidding.

Fundamental principles of procurement

The process of procurement in Nigeria proceeds in line with the laws governing public procurements. The legislative framework mandates the government to adhere to the set principles that includes transparency, honesty, and economy. The need for accountability, integrity, fairness, and competitiveness also guide procurement in Nigeria. The transparency requirements in Nigeria entail the communication of the information to a public forum. The state can use the online portal established by the governments in accordance with the 2007 Act in notifying the stakeholders about the intent to initiate the tendering. The announcement has to reach a wider target audience. The case before the advent of the intent is that the use of newspaper facilitated the process. The government communicated to the responsible stakeholders via the platform (Eduardo, Ronald, & Alexander, 2014). At present, the use of the internet together with much other form of media is a transparency requirement. The details provided that fulfill transparency principle includes the scope of the project. A case in point is listing the nature of the task or service required by the state such as the length of the road. The period of the procurement and the place for submission of the bids as well as the copies for presentation when seeking the tender has to feature in the publications in Nigeria. The law acknowledges the possibilities of meetings and the description of the strategies that guide the selection of the winner for the bid. The adjustments in the scope or the details of the project and the procurement steps have to appear in the communication of the tendering for the realization of the desired goal; of fulfilling the transparency principle.

The subsequent principles for consideration are integrity. The laws in Nigeria categorize the principles as applicable to both the practitioners involved in the process and the process itself. The person or organization seeking to bid for the offers must access the verifiable information from the responsible government agencies tendering a service or goods delivery. In the case of the contract, the bidders must validate the credibility of the documentation as per the Public Procurement Act (2016) schedule. The approval of understanding of the details of the process and the requirement for qualification in winning

the tender is necessary. The competence of the representatives of the state by meeting the integrity test is a necessity for procurement to proceed in Nigeria. The bureau regulating the process seeks information to ensure that qualified personnel takes part in the process. The principle of economy aligns with the need to minimize waste and prevent all forms of unethical action that affects the value of the process. The objective is ensuring that the process costs corroborate with the quotation that grants the public value for money. The fulfillments apply to all stakeholders facilitating or taking part in the delivery of resources procured by the state. The principles of fairness dictate that no one should fail to gain a chance of the person quality. The organizers must ensure that all competent individual get a fair chance to participate in the bidding for tenders (Yescombe, 2007). Nigeria places exemption on defense procurement because of the nature of the undertaking. The restricting or limited bidding permits the government to deploy secretive strategies in procurements. However, during the process, the teams taking part ought to reports information that serves the interest of the public as a fulfillments of the principle of fairness. The principles also dictate that the interpretation of information that guide decision-making ought to proceed with impartiality the parties seeking tenders must all undergo through the same process of scrutiny. They should provide the necessary documents then compete with other bidders on neutral ground. The entities providing the certifications in Nigeria are ITF, NISTF, PENCON, and CAC (Onyema, 2017).

Additionally, the regulatory authority has the duty of mandating fulfillments of the principle of integrity. The principles define the legibility of the participants and possibility of influencing individuals having a stake in the bid. The law demands the recognition of bidders as equal partners and prohibits any action that might result in favors of a service provider or a contractor. The fulfillment is easier when the dissemination of the information reaches a wider audience. Another principle held dear among Nigerian is accountability. The concern features in all types of procurement with the contractual undertaking receiving specialized attention. According to Onyema (2017), the expectation is that all must account for their acts. The same applies to those engaging with the providers of the services upon securing a contract. The failure to fulfill the principles results in lawsuits in Nigeria.

Organization of procurement

At the commencement of the process of tendering, the state must ensure compliance with the Acts outlined by the Bureau of procurement that regulates tendering. The needs assessments are the first step. During the stage, the state has to confirm the availability of funds for the undertakings then organization the process in line with all the set thresholds.

The government in Nigeria uses the research data from governance entities in planning. Afterward, the permanent secretary guides in bidding for tendering services or goods delivery. The official creates awareness about the intent to tender and the stakeholders involved. The timing and transparency of the process is paramount during the planning stage of procuring. The urge to ensure fairness in competition and efficiency in duties guide the process (Rodrigues, & Dias, 2011). The authorities in Nigeria regard the duties as substantive. The decision has to fulfill the intent of promoting economic progress of the nation. Constant timing to ensure that the public receives update about the progress of the procurements is a mandatory requirement in Nigeria.

After the putting a plan in place, appropriation follows. The compliance with the requirements equally applies since the step has to fulfill regulatory authority standards. In the second step of adequate appropriation, the task entails the issuance of the resources of the desired process after the examination of the process to ensure that the minimum set standards with accuracy. The stakeholders in the country can seek information during the step.

The reporting in the form of advertisement takes place as the third step. The use of media guides the process. The possibility of the members of a public objective the issuance may affect the outcome of procurement. However, in a context where no one files a complaint against the decision, the tendering proceeds as scheduled. The officials reporting about the request must seek to ensure that that state will attain benefit from the decision (Yescombe, 2007). The process has to identify ways to ensure the decision guarantee value for money in addition to being an undertaking worth pursuing. The transparent prequalification takes places as the fourth step. Additional issues for examination before the award of the tender in the seventh step us the issuance of the tender have to check the company's history, especially those serving in the leadership positions. The experiences in Nigeria mandated the enactment of the stipulation that prohibits transaction with leaders of corrupt act or bad reputation. The laws in place require the presentation of affidavit approving the trustworthiness of the parties representing a company. The presentation of the documents is in concurrence with the provision of items listing the reasons for qualification for bids.

According to Rodrigues, & Dias (2011), the documentation process is mandatory according to the 2007 Act that resulted in the realignments of some of the policies governing the process of public procurement. The ability to fulfill the need can withstand without the exemption of the illegibility of the personal serving the company at a leadership position. The exemption is possible in a circumstance where a member in a junior position engages in acts

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that distort the reputation of a company seeking to bid for the governments issued tender. The verification of the authenticity of the information presented by the parties seeking a contract takes place in less than two weeks in Nigeria. The period ensures the cross-examination of the competency of the person for failing to remit levies or pay dues owed to other commercial ventures. Participation in a deviant act that qualifies as a crime is equally prohibitive in the issuance of the insurance (Okoronkwo, 2018). The relationship of the person with a criminal outfit such as a gang known for fleecing public will automatically lead to the exemption of a bidder from procurement. The persons evaluating the documents and the qualification of the bidders at times can rely on the actions that project illegitimacy in the conclusion of the competencies of the stakeholders seeking to win a bid.

The process of bidding which is the fifth step dictates that the bidders must presents papers or documents affirming their competency. The use of previous records of performance in contracts plays a critical role in the decision in Nigeria. There is a tendency to prefer working with organizations that have established a reputation for minimizing the possibility of hitches arising during the process. The organizers check the history of the goods/service provider based on the financial position in the market in Nigeria. The financial analyst guides those issuing the tender in the assessments. In the case of road constructions, the resource's capability such as possessing the necessary machinery serves as the projector in the quantification of the ability of a company fulfilling the requirements for winning a bid. According to the terms laid out for the companies in Nigeria, the organization that is grappling with financial woes such as insolvency cannot win the tender. This is because the position risks the accomplishments of the project. The identification of legal tussles that might jeopardize the ability of a company fulfilling the requirements of the public upon securing the tender is a consideration in decision-making (Procurement Policy Note, 2016). The organizers of the procurement coordinate with the revenue authority in Nigeria in checking the reputation of the venture in remitting taxes and the relations with the employees. After the verification of the bids, in the sixth step, the party holds the mandate of presenting a written request to provide the suggested services to the state agencies. The same applies to goods provision or contractual undertakings. The documentation of the information in electronic as well as hard copy takes place in the contemporary times in Nigeria. Before, the state relied on the use of print. The undertaking should not exceed 90 days before reaching the regulating authority in the country. The data contains the date, and value together with the detailed information about the selected parties to serve the tender. The public has the liberty of crosschecking the information after the documentation (Delmon,

2011). The bid that grants value for money wins at most. The norm in Nigeria has been selecting the one charging lowest amount for the desired outcome. The failure to fulfill subsection 1 grants the bid null. However, the fulfillment of the same allows the continuation of the process.

The tender approval and contract rewards follow assessments. The bureau regulating the process communicates to the masses about the proceeding then engages an accountant in accessing the information. The procurer then asks the bidder to proceed with service delivery after confirmation with the responsible authorities. The identification of the arbitrary issue that might affect the issuance of tender in Nigeria is a consideration that bureau follows in the last stages of the procurement. According to the writing of Babalobi (2009) on the requirements of the Act enacted in June 2007, the statements must appear in the local currency. If the providers of the goods or the services quoted the amount in dollars or any other foreign currencies, the translation of the same has to take place before the decision. The Central Bank of Nigeria provides the rate for use in conversations for the procurements transactions.

Procurement methods

The standard method for use in Nigeria is open tendering according to Oyebode & Fayokun (2008). Additionally, the country exploits direct procurement, request for quotation, two-stage tendering and restricted tendering. The open qualifies as the traditional methods because of its utilization for decades. The official representing state agencies in the country still deploy the technique in tendering. However, the incorporation of the digital platform has made the strategy appear unique. There is the use of codes in the process. The documentation incorporates the use of hard copy together with digitals contents in the legislation. The government then conveys the information via the public portal to allow the equal participation of stakeholders from all backgrounds. The direct procurements apply in a context where one entity fulfills the requirements without facing competition from many other organizations. The law permits the deployment of the methods in times of disasters or critical situations such as addressing the aftermath of floods. Companies with exemplary reputation in delivery of quality services benefit from the process. However, the National Council on Public Procurement should still determine the effectiveness of the method in serving public good.

The two-stage method defines the separate presentation of the proposals. The undertaking is subsequently and is common with research and activities that require collaborative efforts amid stakeholders. The methods allow the parties bidding to assist the

government in the description of the technicality of the procurement requirements (Oyebode & Fayokun, 2008). The request for proposal entails the provision of information in preparation for gaining a tender to supply services to the government. The modality aims at attaining a single objective of enlightening all parties before their decision in the engagement of the task. The authorities in Nigeria describe the technique as the envelope method. The restricted procurement describes the quotation approach that seeks a service rendered by a limited number of suppliers. The utilization of the method strives to alleviate costs that might affect the process of invitation for tendering. The process has to ensure that the supplies originate from shopping applies in Nigeria. Another aspect of the procurement in Nigerian context is that the state classifies the process as competitive and non-competitive. The latter applies to sophisticated undertaking such as military resources. The competitive applies to the requisition of public infrastructure projects and undertakings that require openness tendering.

Conclusion

Public procurements also known as government procurement entail the requisition of services or good or contract by the government on behalf of the public. The process in Nigeria follows legislative stipulation outlined in the act of 2007. The Bureau of procurements monitors the process. The aim in tendering where the bidders place their request is minimizing waste and corrupt acts. The task has been ongoing for years in Nigeria with the state selecting the most competent company for the task. The process commences with the announcements of the need for the service by the state. The representative, the government agencies communicate the information through a public portal. The bureau ensures compliance with the principles of transparency, accountability, integrity, fairness, and competitiveness. The state then sources using the open method, restricted procurement, two-stage method. The preference of the open method proceeds in Nigeria. Before the selection of the winner of the bid, the procurement team has to ensure compliance with the Act of 2007. The legislation guides the regulating bureau in the country in the harmonization of the undertakings. According to the practice in the country, the process has to prioritize the interest of the public for procurement to serve intended goals. The realization that public attains values for money for service, goods and contractual undertakings guides the tendering process.

Recommendations and challenges

The prevailing dynamics highlight improvement in the process of public procurements. However, the government of Nigeria stills confronts challenges that mandate automation of the entire process. The inclusion of the public through sensitization is equally

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necessary (Gil-Garcia, Helbig, & Ojo, 2014). Another change required is discouraging politicians from participating in bidding on behalf of companies. Likewise, the inclusion of the professionals in guiding the regulators and other stakeholders is mandatory for the realization of the set objectives. The entity providing the service has to abide the principles of procurement as the norm in Nigeria. Before engaging stakeholders affected in the organization of the procurement, institution should collaborate in identifying policies that corroborate to enhance seamless procurements. Despite the efforts, it is worthwhile noting that the process of procurements is likely to experience.

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References

- Babalobi. (2009). Nigeria Public Procurement Act 2007. NGO Network Magazine . Retrieved from <http://assemblyonline.info/nigerias-public-procurement-act-2007/>
- Delmon, J. (2011). Public-Private Partnership Projects in Infrastructure: An Essential Guide for Policy Makers Paperback
- Eduardo, E., Ronald, D. F. & Alexander, G. (2014). *The Economics of Public-Private Partnerships: A Basic Guide*.
- Gil-Garcia, J.R., Helbig, N. & Ojo, A. (2014). Being smart: Emerging technologies and innovation in the public sector - Government Information Quarterly, Elsevier
- Okoronkwo, P. (2018). *The Nigerian Public Procurement Act 2007 and Debarment of Multinational Corporations from Participating in Government Contracts*. HG experts.Org. Retrieved from <https://www.hg.org/article.asp?id=5890>
- Onyema, M, E. (2017). A DECADE OF THE IMPLEMENTATION OF THE PUBLIC PROCUREMENT ACT, 2007 IN NIGERIA: AN APPRAISAL. *Nigeriaworld*. Retrieved from <http://www.nigeriaworld.com/articles/2017/jun/122.html>
- Oyebode, G, & fayokuon, O. (2008). Nigeria. Retrieved from <http://www.aluko-oyebode.com/files/gtdt%20-%20public%20procurement%202008.pdf>
- Procurement Policy Note (2016). Legal requirement to publish on Contracts Finder https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/539104/Procurement_Policy_Note_Legal_requirement_to_publish_on_Contracts_Finder_1.pdf
- Public procurement act(2016). Federal republic of Nigeria. Proshareintelleigent investing Retrieved from https://mail.google.com/scs/mail-static/_/sk=gmail.main.en.RldPbm7dFs.O/m=pds.pdl.pdlit.m_i.pdl/am=p6AHZDVbWkKwJEEGUGBMPszg3waehHj_P_3AEAADQBfgH9zH0DHAQAAAAA

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Rodrigues, A. M. & Dias, N. M. (2011). *The New Rules on Public Procurement*, accessed 8

November 2016

Udeh, K.D. (2015). Nigerian National Council on Public Procurement. African Journal

Procurement Law. Retrieved from [https://mail.google.com/scs/mail-](https://mail.google.com/scs/mail-static/_js/k=gmail.main.en.RldPbm7dres.O/m=pds.pdl.pdl.m_i.pdl.t/am=p6AHZDvBwKwjEEGuzqBMPszg3waehij_P_3AEAADQBfgH9zH0DHAQAAAAAA)

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Yescombe, E. R. (2007). Public-Private Partnerships: Principles of Policy and Finance 1st

Edition