



**EFFECT OF PROCUREMENT CONTRACT MANAGEMENT ON PERFORMANCE OF SELECT COUNTY GOVERNMENTS IN KENYA**

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**ABSTRACT**

*This study determined the effect of procurement contract management on performance of select County Governments in Kenya. The specific objectives of the study were: To determine the effect of contract cycle, contract execution, contract relationship and contract monitoring on performance of select County Governments in Kenya. Descriptive research design was employed to collect data from the respondents. The target population was 564 employees from select County Governments in Kenya. Strata sampling technique was used to select a sample size of 234 employees from the departments, administration, procurement and supply chain management, finance and accounting who represented the entire population under study. A carefully crafted questionnaire was employed to collect data. Collected data was processed and analyzed using inferential and quantitative statistics through the use of SPSS version 22 and with the aid of Microsoft excel. Multiple linear regression model was used to show the relationship between the dependent variable and independent variables. The pilot study reliability result indicated that all Cronbach's Alpha coefficients were above 0.7, implying the research instruments were reliable. The response rate was 85%. The study findings revealed that contract cycle, contract execution, contract relationship and contract monitoring have positive and a statistical significant relationship with procurement performance in selected County Governments in Kenya. The study recommended that the county governments should, harness their skills in contract cycle process through a continuous training, should be clear and precise on what their expectation entails, improve on their communication mechanism and should continuously keep updating their key performance indicators to cater for any dynamics that may be experienced. The study further recommended that studies should be done using different variables such as technology, political and environmental and in other areas such as non-governmental organizations.*

**Key Words:** Contract Cycle, Contract Execution, Contract Relationship, Contract Monitoring

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## INTRODUCTION

The current global business environment is highly competitive and organizations currently face large and highly efficient competitors all over the globe (World Bank, 2018). This as a result has made contract management essential for further development and growth of business entities. Contract management entails the whole process of, contract cycle, contract relationship, contract implementation, contract monitoring and payment calculation, (CIPS, 2019). Similarly procurement performance is achieved when, contract execution and the expected project on outcomes or end results are realized, (Shiteswa and Akoth, 2017). A successive Procurement performance ensures an organization's services delivery is of high quality, timely and efficient. Having efficient procurement performance is possible if organizations have an effective contract management systems in place and an effective oversight committee, (Africog, 2017). In Kenya (PPOA) was enacted as an oversight authority to oversee the entire public procurement process. However since the enactment the National government and the County governments have been attracting corruption cases thus hindering procurement performance, (PPOA, 2018).

Globally the USA has the best management and oversight of the contract management process. However scandals at the local levels have led to renewed interests in minimizing contractors opportunistic behaviors and ensuring accountability throughout the contracting process, (Kim, 2015). In Europe many nations have adopted the European Union reforms in contract management process, (European public contracts directive, 2014). According to the public procurement directive the suppliers are evaluated in terms of financial criteria, quality and value for the money, the main aim being reducing cases of contract breaching and cases of corruption (Sacklen, 2018). An effective contract management process entails, contract cycle, contract relationship, contract implementation and contract monitoring through legal support training and utilization of possibilities

in procurement and supply chain systems, (Sacklen, 2018).

In Kenya Yegon and Mbeche (2018) studied the determinants of procurement contract management of select state corporations. The study notes contract relationship with contractual terms as the culmination of procurement performance. In addition they notes improving of quality contract documentation is essential for the entire contract process to be successful. Kipkemoi (2018) argues that contract documentation and the entire process of contract management system should be done according to public procurement act guidelines. Furthermore public procurement officers in charge of contract management have been stage-managing the contracts to suit their desires, large sums of taxpayers' funds has been lost through legal cases, and the remedy is to have a good contract management legal framework.

In Kenya, county governments are geographical units, the 2010 Constitution of Kenya envisaged as the units of devolved national government. Articles 191 and 192, the fourth schedule of the Constitution of Kenya, as well as the County Government Act of 2012 address these provisions. Each county also forms a one-member constituency for electing a representative to the Kenyan senate and a special women's representative to the National Assembly of Kenya. By the 2013 general elections in Kenya, there were 47 counties that obtain size and boundaries from the previous Kenyan constitution's acknowledged 47 districts. After the country's national administration was restructured, counties were incorporated into the new national administration, where the national government appointed commissioners to represent it at county levels.

It is government policy to permit unrestricted competition for procurement opportunities without favoritism in a clear, fair and accountable fashion to ascertain the attainment of value for money in all public procurement. One of the objectives of government policy is to attain economic growth, reduce poverty, as well as manifest significant

enhancements in the provision of services to the Kenyan citizenry.

County Governments spend huge budgets on procurement and up to 60 percent of public expenditure goes to public procurement (Kipkorir, 2013; Makabira and Waiganjo, 2014). Through flawed public procurement processes, large sums of taxpayers' money have been lost in Kenya in the past; the main reasons being poor contract management by the county government, (Kangogo and Kiptoo, 2013).

### **Statement of the Problem**

Contract management is an important aspect of procurement and supply chain management. Kenya has been losing Kshs 932 billions of taxpayers' money to improper procurement process, specifically poor procurement contract management practices, (Brown, 2019). Procurement performance is achievable when, contract execution and the expected project outcomes or end results are realized. Procurement performance has been pervasive both in the national government and county governments due to fumbling in the entire procurement contract management process, this has degenerated to loss of billions of taxpayers' money, (TI, 2018). Increase in corruption cases, litigations, contract cancellations, uncompleted or abandoned projects and sub standard services or product delivery to the general public has become a hindrance to procurement performance, (World Bank, 2018).

The most recent cases that have hindered procurement performance include; Arror and Kimwarer dam projects, Kenya Power and Lighting company, the National Youth Services, Kenya Pipeline Company and other inflated projects, (Githaiga, 2019). The procurement contract management process for instance for Arror and Kimwarer was unusual since the 10 per cent contingency was not a necessity but the National Treasury had agreed to incur interest in addition to the principal amount rather than pay from State funds, (Kahura and Mpungu, 2019). Part of the controversy is that, already, even before the project

starts, a total of EUR94.1 million (Sh10.6 billion) has already been paid as total insurance premiums to cover non-repayment of the loan by the National Treasury. The other major problem with these projects is that the contract agreement was entered into between KVDA and a joint venture between CMC di Ravenna and another Italian company, Itinera SpA, which had not featured in the tendering process, (Kipchoge, 2019).

According to the Auditor general report (2019) Kenya county governments have been experiencing low absorption of development fund (52%) due to lack or ignoring to follow the process of procurement contract management process that includes contract cycle, contract execution, and contract relationship and contract monitoring. These scandals have greatly affected performance where the intended objectives of the organizations have not been achieved. This has led to wastage of public funds and delays in project implementation leading to increase in gestation period and cost overruns, (World Bank, 2018).

For instance Wajir County, Bungoma and Nairobi Counties have experienced inefficient service delivery to the public due to poor procurement contract management, this has increased the gestation period and cost overruns, (World Bank 2018). Procurement contract management involves the contract cycle, contract execution, contract relationship and contract monitoring. Corruption scandals in the county governments in Kenya have similar shortcomings and these occurs when the parties concerned either ignore or bypass some stages in the entire procurement contract management process, (AfriCog, 2018).

Various studies have been conducted in relation to effects of procurement contract management on performance. Panya (2018) conducted a study on determinant of public procurement regulatory compliances by county governments in Kenya. The result indicated contract management has an influence on procurement regulatory compliance. The study focused on procurement regulatory compliance and not procurement contract

management on performance of county governments.

Ogembo and Muturi (2019) Studied influence of contract management on procurement performance of devolved governments in Kenya. They found out contract automation, contract management team, strategic contract management and contract risk management affect procurement performance. The study outcome did not clearly indicate how the process of procurement contract management affects performance of devolved governments.

Cherotich (2018) examined effectiveness of procurement practices on performance of county governments in Kenya. The study findings revealed that financial management and tendering had an effect on performance of county governments. The results did not factor in contract management and performance. But the study focuses on establishing the effect of procurement contract management on performance county governments.

Kipkemoi (2018) conducted a study determinant of effective contract administration in public secondary schools in Mogotio sub county Kenya. The study focused on public secondary school in, Mogotio Sub County. The study outcomes were on contract administration in public secondary schools.

In addition Kibet (2017) investigated the determinants of effective procurement contract administration in select public universities. The study focused on select public universities. However, this study articulated clearly the issues of procurement contract management and how they affect performance of select County governments Kenya. Therefore the study sought to establish the effect of procurement contract management on performance of select county governments in Kenya.

### **Objectives of the Study**

The general objective of the study was to determine the effect of procurement contract management on performance of select county governments in

Kenya. The study was guided by the following specific objectives;

- To establishing the effect of contract cycle on performance of select county governments in Kenya
- To determine the effect of contract execution on performance of select county governments in Kenya
- To examine the effect of contract relationship on performance of select county governments in Kenya
- To assess the effect of contract monitoring on performance of select county governments in Kenya

## **LITERATURE REVIEW**

### **Agency Theory**

This theory describes clearly how to handle the relationship between two parties in relation to work. In this scenario the paper examines the association through contract management with suppliers. In this association the principal hires an agent (contractors) to undertake a task, to work on behalf of the principal who is not up to or equal to delivery of goods or services. The theory infers the two parties the principal and the agent are influenced by self-interests. Self-interest becomes a problem that creates conflicts for the parties. If for instance the agent is influenced by his interest, the agent is likely to deviate from the actual objectives and goals of the principal this goes against the dogma. The agents are only expected to make decisions on the interests of their principals, (Macho Stadler and Peres Castrillo, 2020).

In cases where the agent go against the principal the loss is unavoidable. When the loss is severe the agent relationship is terminated by the principal. In a scenario where the agents works on the interest of the principal there is a zero loss. It is essential for the agents to always have the interests of their principals if they expect to end agency losses, (Forbes and Mipema, 2014). The theory is relevant to the research phenomena since it explains the relationship between the county governments and

the suppliers (contractual relationship). Contract relationship is between the county governments and suppliers have witnessed self-interest conflict of agents and principal leading to losses of large sums of money. This is evidenced in the mega corruption scandals within the county governments.

### **Relation Contract Theory**

Relation contract theory was advanced by Ian McNeil's (2011). The theory has attracted a major hypothetical focus in the law of jurisprudence. The theory infers that contracts are legal formalization that are partly assumed to fall under long term relational, from distinct arrangement to highly relational. Contract theory is based upon a relationship of mutual trust among the parties which determines the behavior of the parties. The emphasis is on the actual association of the parties involved. The theory is pertinent to the study phenomena since it elaborates on the procedure involved in contract signing. This involves the entire process where all the parties are required to develop a mutual relationship and adhere to the contract to the latter. An effective contract management requires a good contract relationship management this is then replicated in the general organization performance. Organizations or entities need to have contract relationship management policy in place to facilitate the working of the contract. Having a good contract relations in the entire contract management process propels the organization performance to high levels, facilitating satisfaction of the end-users of product and services, (Ochola and Kitheka, 2019).

This theory elucidates the issue of having a good relationship in contractual matters. The relationship should develop right from the contract cycle phase, contract execution phase and contract relationship management phase. In addition it is clear that one cannot discuss contract relationship without other phases such as contract monitoring phase. This theory is relevant to this study because contract relationship is involved in all phases of contract management process. Further the theory recognizes that information is important in all

phases of contracting right from the start to end time.

### **Grounded Institution Theory**

Grounded institutional theory is a traditional approach hypo project used to assess procurement performance in public institutions. The theory explains the influence of external pressures, (the regulatory authorities, government institutions, legislations, courts, firms or organizations, interested bodies and public opinion) how they influence procurement performance in public institutions, (Karra and McCaslin, 2015).

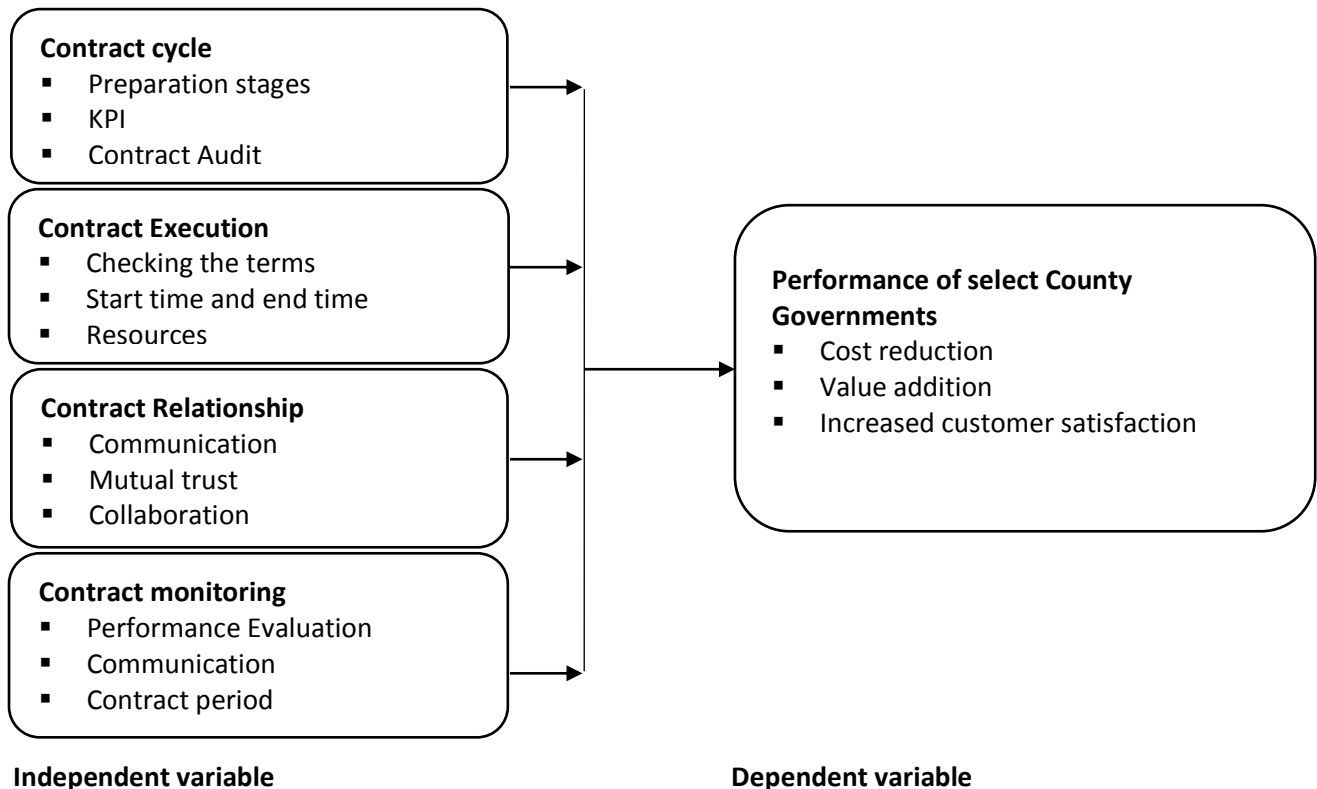
Odera and Shitseswa (2017) posit organizations are shaped by the cultures, internal and external regulations in relation to activities and resources that derives meaning to life. Regulatory (policies) pillars advocates for adherence to specified rules, laws and penalties to moderate or control any vices of the outlined values. This theory infers the importance of designing and enacting familiar believes that symbolizes a common understanding. The theory is relevant to this study since it explains the importance of having a culture in an organization that involves all the stakeholders. When having contracts all stakeholders involved must adhere to specific laid down procedures that improves on performance. This ensures the parties involved are knowledgeable on the entire contents of the contracts and the consequences of breaching the contract. The parties include the organizations and the supplier of goods and services.

### **Contract Compliance Theory**

Contract compliance theory is about the parties adhering to the contractual terms. The procuring unit or departments are liable for any cause of non-compliance. Compliance can be inside or outside the contract. Inside compliance is adhering to the terms in the contract by the firm procuring example in making payments or order specifications through the procuring structures, (Telgen, 2004). The utilization of structured terms for a firm facilitates in upholding contract compliance thus reducing buying expenses or unnecessary expenses. In

instances where the process is properly done, the upswings of probability in the success of the project is guaranteed. On the other hand outside contract obligation can be in different forms that is lack of the procured goods or incompetent employees or asking higher prices than the price agreed on or delivery delays or goods that don't meet the required specifications, (Cullen, 2017). The theory is pertinent to this study since it explains how

important it is for the parties to oblige to the contractual terms .Buyers and sellers are obligated to follow the contractual terms to the latter if they expect the entire process to be successful. It is also relevant to the study since the successfulness of the entire contract management process enables the organization to realize its performance by meeting the intended objectives of service delivery and customer satisfaction, (Cullen, 2017).



**Figure 1: Conceptual Framework**

**Empirical review**

Many studies done globally and locally were reviewed in relation to procurement contract management on performance of select county governments in Kenya. Graves (2001) conducted a study on benchmarking UK public procurement performance. Results indicated a positive correlation between benchmarking and procurement performance. The findings presents rich literature however the findings cannot be used to infer on the research phenomena. Quesada, González and Mueller (2010) examined the effect of e-procurement on procurement performance. Results showed a strong link among the variables.

Planning, statutory amendments, insufficient use of ICT, low public participation, and irregular payment process negatively influenced procurement performance. There is a conceptual and contextual knowledge gap, however the study seeks to establish the effect of procurement contract management on performance of county governments.

Mohammed (2008) examined the effect of performance contracting bank industry's operational performance. The findings revealed a positive strong association among the two variables. The findings present a conceptual and contextual gap, the study concentrated on banks.

However the findings cannot be used to infer on the research gap since the focus is on effect of procurement contract management on performance of County government.

Contract cycle is defined as time when economics of an entity is discussed by parties who intends to arrive at a fixed contract and this may be indefinite or limited to number of years ,(Alder, 2011).The contract life cycle includes all contract handling phases from request for quotations to termination or renewal of contract. Contract Negotiation- This begins with set up negotiation terms. They involve the price of the products and services offered by prospective clients, (CIPS, Guide 2019). A seller's intention is to maximize on savings, According to Opong (2016) negotiation permits the parties to be in a position where they both feeling to have good value, win- win situation. Instances when one party wins the contract failure may be experienced.

Contract implementation /execution is the last phase in the contract cycle process after the agreement has been reached. In this phase the contract must be put in motion, this must be as per the agreement. This is executed fully or partially according to agreed terms, (Organization for Economic Cooperation and Development, 2019). Contracts are very important documents that involves different type of stakeholders, it is important that they are managed and implemented effectively and efficiently to realize the end goal of the intended purpose or contractual obligations.

Contract relationship is the engagement of both parties involved in the entire contract management process. This involves having good communications, mutual trust and open for any inconveniences that might occur, (CIPS, 2019). Absence or lack of communication and close relations may end or reduce the trust. If this occurs, the actual contract management process will be in jeopardy thus interfering with procurement performance.

Contract monitoring involves tracking or using a simple checklist to a more advanced dashboard methodology to pinpoint variations from the actual

plan. Byaruhanga (2016) posits contract monitoring ensures the sellers adequately execute the contracted services. Monitoring centers on collecting and analyzing information so as to give assurance on performance of the contractor as per the timeline agreed on deliverables, (Price, 2017).

An efficient functioning contract management is essential in improving procurement performance. Practicing contract management's intention is to facilitate achievement in the overall strategic objectives of the firm. As evidenced procurement contract management enhances firm's performance. Performance in this case is measured using different parameters they include, quality, flexibility, speed, efficiency and supplier associations. Naughter (2017) posits successive contract performance is influenced by the conduct of suppliers with firms who effectively have clearly outlined contract units that involves needs, meeting deadlines, costs management and supplier relations this translates to increased procurement performance.

## **METHODOLOGY**

Descriptive research design methodology was employed in the study. The study included select county governments, (Nairobi, Mombasa, Nakuru, Kiambu, Kirinyaga, Garissa and Kisumu) employees from specific departments, (94 administration, 188 procurement and supply chain management, 141 accounts, 141 finance). Strata sampling technique was used to select the staff from specific departments of the total population with a margin of error that is strategically determined. The study used Taro Yammane formula to select a sample size of 234. Primary data was collected through Questionnaires and observational forms. The questionnaires were Structured and unstructured. The data collected was keyed into SPSS for analysis. Collected data was processed and analyzed using inferential and quantitative statistics through multiple linear regression model. Multiple linear regression model was used to show the relationship between the independent variables (Contract cycle, Contract Execution, Contract relationship and



Contract Monitoring) and dependent variable (procurement contract management). The study used SPSS version 22 with the aid of Microsoft excel to analyze the link among the variables .The analyzed data was interpreted and presented in form of tables and figures.

$$Y_t = \alpha + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \varepsilon$$

Where;

$Y_t$  = Procurement Performance

$X_1$  = Contract cycle

$X_2$  = Contract execution

$X_3$  = Contract relationship

$X_4$  = Contract monitoring

$\alpha$  = Constant; y intercept that is, the value of y when x is equal to zero

$\beta$  = Coefficients of the model

$\varepsilon$  = Error term

## RESULTS

### Contract Cycle

Contract life cycle includes all contract handling phases from request for quotations to termination or renewal of contract. The contract life cycle includes all contract handling phases from request for quotations to termination or renewal of contract. The objective of the study was to establish the effect of contract cycle on performance of select county governments. The study employed 7 parameters using rating Likert scale ranging from 1=strongly disagree to 5=strongly agree to measure the response. The findings were presented in Table 1.

**Table 1: Contract Cycle**

Statements	N	SD	D	Un	A	SA	Mean	Std. Dev.
The organization departments are well informed on the contract cycle process	200	0%	2%	4%	39%	55%	4.46	.694
The county has skilled employees who participates in the contract preparation stages	200	2%	3%	6%	40%	49%	4.31	.870
The organization has the best key performance indicators	200	8%	4%	8%	44%	36%	3.96	1.151
The organization has an efficient contract audit policy	200	0%	2%	14%	48%	36%	4.16	.773
The county follows the right procedure in contract management process	200	0%	0%	1%	55%	44%	4.43	.516
An effective contract cycle improves organization performance	200	0%	1%	2%	37%	60%	4.55	.632
The contract cycle is followed to the letter	200	1%	0%	1%	44%	55%	4.52	.609
<b>Average</b>							<b>4.34</b>	<b>.749</b>

The findings revealed that the organization's departments are well informed on the contract cycle process, this was indicated by (55%) of the respondents who strongly agreed, (39%) agreed, (4%) were undecided, (2%) disagreed and non-strongly disagreed. The descriptive statistics indicates (M=4.46 and SD=0.69) this implies that the respondents strongly agreed with the statement. In addition the study revealed that the respondent were in agreement that the county has skilled employees who participate in the contract preparation process with (M=4.31 and SD=0.87). This was also indicated by the respondents rating, (49%) they strongly agreed, (40%) agreed, (6%)

undecided, (3%) disagreed and (2%) strongly disagreed. This implies the respondents agreed with the statement.

The result also showed that the organization has the best key performance indicators with (M=3.96 and SD=1.15).This means the respondents agree with the statement. This is supported by the response of (36%) who strongly agreed, (40%) agreed, (8%) undecided, (8%) strongly disagree and (4%) disagree.

The study further asked if the organization has an efficient contract audit policy. The result revealed that the respondents agreed with the statement

with (M=4.16 and SD=0.77). This was also indicated by the ratings as follows; (36%) indicated strongly agree, (48%) agree, (14%) undecided, (2%) disagree.

The respondents were asked to rate the statement the county follows the right procedure in contract management process. The result revealed the respondent strongly agreed with the statement with (M=4.43 and SD=0.52). This is also indicated on the individuals rating, where (44%) strongly agreed, (55%) agree, and (1%) disagreed.

The respondents were asked to rate effective contract cycle improves organization performance. The result revealed that the respondents strongly agreed with the statement with (M=4.55 and SD=0.63). This is also indicated on the individuals rating, where (60%) strongly agreed, (37%) agree, (2%) undecided and (1%) disagreed. In addition the respondents were asked to rate contract cycle is followed to the latter. The result was (M=4.52 and SD=0.61). This implied that the respondent strongly agreed with the statement. This is also indicated on the individuals rating, where (55%) strongly agreed, (44%) agree, (1%) undecided and (1%) strongly disagreed. The findings clearly indicated that the organization adhere to their contract cycle process as stipulated, this involves all the stage before signing the contract.

The result implied that contract cycle is the stage where all the parties involved agrees to modify the contract terms. This include prices, time of delivery or any aspect of the contract. The parties concerned ensure they review the contract for accuracy and clarity purposes. They then give a go ahead of their approval by signing the documents, (Busch, 2019). In the process of commencement of contract adjustment needs approval from both parties at this stage. At this point it is essential to maintain accuracy since there is no room for any misconceptions in the contract cycle process. This must be done in proper recording and preserved to steer clear from any confusion, (Cobblestone's, (2017).

### Contract Execution

Contract execution is the last phase in the contract cycle process after the agreement has been reached. In this phase the contract must be put in motion, this must be as per the agreement. This is executed fully or partially according to agreed terms. The study objective was to determine the effect of contract execution on performance of select county governments. Seven parameters were employed in the study. The findings were presented in Table 2;

**Table 2: Contract Execution**

Statements	N	SD	D	Un	A	SA	Mean	Std. Dev.
The contracts terms are followed to the latter	200	0%	1%	8%	43%	48%	4.38	.677
The organization is firm on the start and end time of the contract	200	1%	0%	4%	45%	50%	4.40	.730
The organization has enough resources to complete the contract as per the agreed time	200	3%	2%	11%	49%	36%	4.16	.827
The county has the best mechanism for review and approval of the contract	200	3%	0%	7%	31%	60%	4.46	.826
The county has the best workflow checking mechanism	200	0%	0%	2%	45%	54%	4.53	.530
The county has the best policy for contract execution that measures the intended purposes	200	2%	0%	10%	65%	23%	4.08	.683
The county has the best Contract execution mechanism	200	1%	1%	3%	40%	55%	4.47	.701
<b>Average</b>							<b>4.35</b>	<b>.711</b>

The result indicated that contracts terms were followed to the latter. This was shown by the respondents who indicated they agreed with the statement with (M=4.38 and SD=0.68). This was also indicated by the respondents rating, (48%) they strongly agreed, (43%) agreed, (8%) undecided and (1%) disagreed. In addition the study inquired if the organization is firm on the start and end time of the contract. The findings shows that the respondents strongly agree with the statement with (M=4.40 and 0.73). This was also indicated by the respondents rating, (50%) they strongly agreed, (45%) agreed, (4%) undecided, (0%) disagreed and (1%) strongly disagreed. The respondents were also asked to rate the statement the organization has enough resources to complete the contract as per the agreed time. The findings shows the respondent agree with the statement with (M=4.16 and SD=0.83).

Further the study asked if the county has the best mechanism for review and approval of the contract .The findings shows that the respondents agreed with the statement with (M=4.46 and SD=0.83).In addition the respondents strongly agreed that the county has the best workflow checking mechanism with (M=4.53 and SD=0.53).

The study also inquired if the county has the best policy for contract execution that measures the intended purposes. The findings indicated that the respondents agreed with the statement with (M=4.08 and SD= 0.68).Lastly the respondents were required to rate the statement the county has the best Contract execution mechanism. The results

showed that the respondents strongly agreed with (M=4.47 and SD= 0.70).The study findings clearly indicates the organizations have an effective contract execution process in place.

The study findings implies that the organization practices contract execution and this is vital because for performance to be achieved, contractual terms must be followed to the latter, firm on start time and end time, have enough resources, best mechanism for review and approval of contracts and adequate contract execution policy initiative required for proper framework for implementing build operate transfer contracts, (Adjarko, Ayerakwah and Fynn, 2018).Organizations should be careful in contract execution process since it is the most essential process after the contract agreement between parties involved. Contract implementation process should be managed accordingly if the contracting authority and the economic operator intends to meet the expected contractual obligations, (Emaru, 2016).

### Contract Relationship

Contract relationship is the engagement of both parties involved in the entire contract management process. This involves having good communications, mutual trust and open for any inconveniences that might occur. Absence or lack of communication and close relations may end or reduce the trust. It creates room for conflict resolution mechanisms. The study sought to examine the effect of contract relationship on performance of select county governments in Kenya. The findings are presented in Table 3.

**Table 3: Contract Relationship**

Statements	N	SD	D	Un	A	SA	Mean	Std. Dev.
The organization has the best communication process for the contract management process	200	0%	1%	5%	51%	43%	4.35	.648
There is a mutual understanding between the parties involved in the entire contracting process	200	2%	4%	8%	47%	40%	4.17	.888
There is a strong and firm collaboration among the parties involved in the contract management process	200	2%	1%	3%	50%	44%	4.30	.814
The county maintains a strong close contact	200	2%	2%	1%	44%	51%	4.41	.758

relations with the contractors									
There county practices free to express in the entire contract management process	200	0%	2%	6%	42%	50%	4.40	.695	
The organization's contract relationship policy has improved the organization's procurement performance	200	0%	1%	9%	36%	54%	4.42	.732	
The organization's contract relationship management is the best	200	1%	0%	3%	53%	43%	4.35	.664	
<b>Average</b>							<b>4.34</b>	<b>.743</b>	

The study asked the respondents to rate the statement the organization had the best communication process for the contract management process. The findings indicated that the respondents strongly agreed with the statement with (M=4.35 and SD=0.65). In addition the study inquired if there is a mutual understanding between the parties involved in the entire contracting process. The findings showed that the respondents agreed with the statement with (M=4.17 and 0.88). The respondents were also asked to rate the statement there is a strong and firm collaboration among the parties involved in the contract management process. The findings showed the respondent strongly agreed with the statement with (M=4.30 and SD=0.81).

Further the study asked if the county maintains a strong close contact relations with the contractors .The findings shows that the respondents strongly agreed with the statement with (M=4.41 and SD=0.76). In addition the respondents strongly agreed that the county practices free to express in the entire contract with (M=4.40 and SD=0.69).

The study also inquired if the organization's contract relationship policy had improved the organization's procurement performance. The findings indicated that the respondents agreed with the statement with (M=4.42 and SD= 0.73).Lastly the respondents were required to rate the statement the organization's contract relationship management is the best. The results showed that the respondents strongly agreed with (M=4.35 and SD= 0.66). The study findings clearly indicated that

the organizations were practicing contract relationship.

The result implied that contract relationship is an important aspect that enhances procurement performance. A strong relationship with an open communication system, mutual trust and collaboration in the contract management process improves on organization performance, (Kimundu and Moronge, 2018, Njagi and Shalle, 2016). An effective management of contract relations improves the performance of projects, (Aluonzi, Oluka and Nduhura, 2016). This reduces on inefficiency, cost risks and timely deliverables of the intended purpose, the idea being public service delivery. Practicing or enabling a close contract relationship and trust between the parties involved in the contract process alleviates risks involved in the project or task undertaken, (Lemieux and Beauregard, 2018).

### Contract Monitoring

Contract monitoring involves tracking or using a simple checklist to a more advanced dashboard methodology to pinpoint variations from the actual plan. Contract monitoring centers on collecting and analyzing information so as to give assurance on performance of the contractor as per the timeline agreed on deliverables. In addition contract monitoring ensures organizations gets all products and services procured. The study sought to assess the effect of contract monitoring on performance of select county governments in Kenya. The findings are presented in Table 4.

**Table 4: Contract Monitoring**

Statements	N	SD	D	Un	A	SA	Mean	Std. Dev.
Contractors follows undertakes their duties and fulfills their contract as per agreement	200	0%	2%	5%	51%	43%	4.35	.700
The organization identifies risks and handles them earlier	200	2%	4%	8%	47%	40%	4.14	.865
The organization monitors and evaluates the contractors performance	200	2%	1%	3%	50%	44%	4.32	.825
The county evaluates the quantity and quality of services, works or products delivered	200	2%	2%	2%	44%	51%	4.44	.623
The county contract monitoring policy facilitates effective contract monitoring process	200	0%	2%	6%	42%	50%	4.37	.542
Contract monitoring ensures payment and delivery deadlines are adhered to	200	0%	1%	9%	36%	54%	4.36	.730
The organization's contract monitoring mechanism is effective	200	1%	0%	3%	53%	43%	4.16	.700
<b>Average</b>							<b>4.31</b>	<b>.712</b>

The respondents were asked to rate the statement contractor's follows undertakes their duties and fulfills their contract as per agreement. The result showed that the respondents agreed with the statement with (M=4.35 and SD=0.70). In addition the study inquired if the organization identified risks and handled them earlier. The findings revealed that the respondents agreed with the statement with (M=4.14 and SD=0.87). The study further asked the respondents to rate the statement organization monitors and evaluates the contractors performance. The findings showed that the respondents agreed with the statement with (M=4.32 and SD=0.82).

The result further indicated that the respondents strongly agreed with the statement the county evaluates the quantity and quality of services, works or products delivered. This was shown by (M=4.44 and SD=0.62).The respondent were also required to rate the statement the county contract monitoring policy facilitates effective contract monitoring process. The findings indicated that the respondents strongly agreed with the statement with (M=4.37 and SD=0.52). In addition the result also revealed that the respondents agreed with the statement that contract monitoring ensures payment and delivery deadlines are adhered to, with (M=4.36 and SD=0.73).Lastly the respondents

were asked to rate the statement the organization's contract monitoring mechanism is effective. The findings indicated that the respondents agreed with the statement with (M=4.16 and SD=0.70). The findings clearly indicated that the organizations have contract monitoring in place.

The findings implied that Key performance indicators are important if the contracts require that the contractor are to be remunerated or reprimanded based on their output in relation to certain indicators,(Miaera,2017). In addition having specified target key indicators influence performance. The emphasis is that an organization should have an effective monitoring framework, a monitoring and evaluation policy in place that includes, PI's in relation to buyer's objectives, baseline information availability, remunerations for improved performance, supervision and monitoring plans in place and indicators that meet the criteria. This may enable the organization to meets its end objective, (Price, 2017).

#### **Performance**

Performance is the achievement in the overall strategic objectives of the firm. Procurement performance is an outcome of purchasing effectiveness and purchasing efficiency. The study utilized eight parameters to measure performance. The findings are presented in Table 5.

**Table 5: Performance**

Statements	N	SD	D	Un	A	SA	Mean	Std. Dev.
The county has good key performance indicators	200	3%	2%	10%	47%	38%	4.14	.914
Through using the PPA rules facilitates smooth procurement performance	200	2%	4%	9%	50%	35%	4.09	.914
With good contract management the county reduces wastage and costs	200	1%	4%	11%	47%	37%	4.13	.855
Current contract management process has improved the county's value addition processes	200	2%	5%	9%	49%	35%	4.10	.902
The organizations has experienced speedy delivery of services and products to the end users	200	4%	3%	13%	41%	39%	4.07	1.023
Contract management has improved process cycle time improvement of the county projects	200	3%	4%	15%	45%	33%	4.01	.964
The organization's contract management has improved the general satisfaction of the end users	200	0%	2%	18%	48%	33%	4.11	.745
The county's performance is on the right track	200	1%	2%	8%	46%	43%	4.29	.779
<b>Average</b>							<b>4.12</b>	<b>.887</b>

The respondents were asked to rate the statement the county has good key performance indicators. The result showed that the respondents agreed with the statement with (M=4.14 and SD=0.91). In addition the study inquired if using the PPA rules facilitates smooth procurement performance. The findings revealed that the respondents were in an agreement with the statement with (M=4.09 and SD=0.91).The study further asked the respondents to rate the statement with good contract management the county reduces wastage and costs. The findings showed that the respondents agreed with the statement with (M=4.13 and SD=0.86).

The result further indicated that the respondents agreed with the statement current contract management process has improved the county's value addition processes. This was shown by (M=4.10 and SD=0.90).The were also required to rate the statement the organizations has experienced speedy delivery of services and products to the end users. The findings indicated that the respondents agreed with the statement with (M=4.07 and SD=1.01). In addition the result also revealed that the respondents agreed with the statement that contract management has improved process cycle time improvement of the county projects, with ( M=4.01 and SD=0.96).

Further the study inquired if the organization's contract management has improved the general satisfaction of the end users. The findings revealed that the respondents agreed with the statement with (M=4.11 and 0.75).Lastly the respondents were asked to rate the statement the county's performance is on the right track. The findings indicated that the respondents agreed with the statement with (M=4.29 and SD=0.78).

The findings from the study implies that organization performance is influenced by contract cycle, contract execution, contract relationship and contract monitoring .For organizations to maintain an increase in performance they should ensure procurement contract manage systems within the organizations are managed professionally according to the laid down rules and regulations . Procurement performance is an outcome of contract management effectiveness and purchasing efficiency. This provides an opportunity to evaluate how well public institutions advances towards preplanned objectives of making decisions on the future initiatives intended to enhance performance, (Subedi and Farazmand, 2020).

An efficient functioning contract management is essential in improving procurement performance. Practicing procurement contract management's

intention is to facilitate achievement in the overall strategic objectives of the firm, (Naughter (2017).

### Correlation Analysis

The analysis was presented in Table 6.

**Table 6: Summary of Pearson Correlation**

		Performance	Contract Cycle	Contract Execution	Contract Relationship	Contract Monitoring
<b>Performance</b>	Pearson Correlation	1	.	*		
	Sig. (2-tailed)					
<b>Contract Cycle</b>	Pearson Correlation	.604**	1			
	Sig. (2-tailed)	.000				
<b>Contract Execution</b>	Pearson Correlation	.725**	.941**	1		
	Sig. (2-tailed)	.000	.000			
<b>Contract Relationship</b>	Pearson Correlation	.754**	.844**	.883**	1	
	Sig. (2-tailed)	.000	.000	.000		
<b>Contract Monitoring</b>	Pearson Correlation	.711**	.676**	.733**	.801**	1
	Sig. (2-tailed)	.000	.000	.000	.000	

\*\* . Correlation is significant at the 0.05 level (2-tailed).

The summary indicated that the association between the independent and dependent variables were statistically significant at 95% confidence level. In addition the result shows that performance and Contract relationship is positive related with (r=0.754) and the significant (p=0.001). This means that an improvement in the organization performance is associated with an increase in contract relationship. The result also reveals there is a strong association between organization performance and contract execution. This is indicated with (r =0.725) and the significant level (p= 0.002).

Further the correlation findings showed there was positive correlation between performance and contract monitoring which was statically significant with (r = 0.711,p = 0.001). The study result also showed a positive association between performance and contract cycle which was statistically significant with (r = 0.604,P = 0.001). This

implies that these variables tend to increase together that is increase in organization performance is associated with all the variables ,contract cycle, contract execution ,contract relationship and contract monitoring .

The study revealed that the variables were positively and strongly associated among themselves. Contract cycle and contract execution are positively and strongly associated and statistically significant with (r= 0.941, p = 0.001) .Also contract cycle and contract relationship are positively and strongly associated and statistically significant with (r = 0.844, p = 0.001). Contract monitoring and contract cycle are positively associated and statistically significant with (r = 0.676, p = 0.001). From the findings it is clearly outlined that all the independent variables explains or influences performance of select county governments in Kenya.

### Regression Analysis

Multiple regression analysis was utilized to ascertain the correlation coefficient of the independent, (contract cycle, contract execution,

contract relationship and contract monitoring) and dependent variable (Performance). The findings were presented in Table 7;

**Table 7: Model Summary**

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.817 <sup>a</sup>	.668	.661	.453

(a) Predictors: (Constant), Contract Cycle, Contract Execution, Contract Relationship & Contract Monitoring

(b) Dependent Variable: Performance

The result showed there was a correlation coefficient of 0.817, which points to a strong relationship between the study variables. Coefficient of determination (R<sup>2</sup>) of 0.668 indicates that 66.8% of the variations in performance of select county governments in Kenya were expounded by the predictor factors in the analytical model (contract cycle, contract execution, contract

relationship and contract monitoring). However 33.2% of the variation in value of performance of select county governments in Kenya is explained by other factors that are not included in the model. The value of adjusted R was 0.661, which indicates that there was 66.1% variation in performance of select county governments in Kenya due to changes in some of the independent variables.

**Table 8: Coefficient of Determination**

Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
	B	Std. Error	Beta		
(Constant)	.881	.252		3.496	.001
1 Contract Cycle	-.801	.141	-.699	-5.690	.000
Contract Execution	.885	.144	.864	6.135	.000
Contract Relationship	.419	.109	.390	3.843	.000
Contract Monitoring	.302	.088	.239	3.426	.001

a) Predictors: (constant), Contract Cycle ,Contract Execution ,Contract Relationship and Contract Monitoring

b) Dependent Variable: Performance

From the findings, it was evident that there is positive and significant relationship between contract cycle and performance of select county governments shown by p values are less than 5%.Contract execution and performance of select county governments in Kenya, that is shown by P values less than 5%.In addition contract relationship, contract monitoring also produced positive and significant relationship with p values less than 5%.

The regression equation was estimated as follows;

$$Y_t = \alpha + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \varepsilon$$

$$Y = 0.881 - 0.801 X_1 + 0.885 X_2 + 0.419 X_3 + 0.302 X_4$$

On the estimated regression model it was observed, that the constant = 0.881 this implied that if select

dependent variables were rated at zero, performance of county governments would be 0.881. A unit decrease in contract cycle would result to a decrease in performance of county governments by -0.801. A unit increase in contract execution would result to a decrease in performance of county governments by 0.885. A unit increase in contract relationship would result to an increase in performance of county governments in Kenya by 0.4190. A unit increase in contract monitoring would result to an increase in performance of county governments in Kenya by 0.302 respectively.



**Table 9: Analysis of Variance**

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	80.655	4	20.164	98.054	.000 <sup>b</sup>
	Residual	40.100	195	.206		
	Total	120.755	199			

a) Predictors: (constant), Contract Cycle, Contract Execution ,Contract Relationship and Contract Monitoring

b) Dependent Variable: Performance

The analysis of variance indicated that the significance value 0.000 was less than 0.05. This meant that the model was statistically significant in predicting how contract cycle, contract execution, contract relationship and contract monitoring affects performance of select county governments in Kenya. The F critical at 5% level of significance was 86.80. Since the F calculated which as noted from the ANOVA table above is 98.054 this is greater than F critical (value =86.80). This result clearly reveals that the overall model was significant. In addition this finding shows that contract cycle, contract execution, contract relationship and contract monitoring affects performance of select county governments.

### CONCLUSION AND RECOMMENDATIONS

The study findings indicated that contract cycle, contract execution, contract relationship and contract monitoring are essential drivers of performance in county governments in Kenya. Efficient functioning procurement contract management is essential in improving performance. Practicing procurement contract management's intention is to facilitate achievement in the overall strategic objectives of the firm.

The study concluded that contract cycle affects performance of select county governments in Kenya. This was indicated in findings where the organization's departments were well informed on the contract cycle process. The organization had skilled employees capable of undertaking the contract cycle process. In addition the organizations had key performer's indicators in place, and an efficient contract audit policy that emphasizes on practicing contract cycle process to the latter this

improves on the performance. The study also concluded that there was a positive and statistically significant relationship between contract cycle and organization performance with ( $P < 0.001$ ).

The study concluded that contract execution has an effect on performance of select county governments in Kenya. This was indicated by the organizations adhering to contractual terms to the latter. The findings also revealed the organizations are firm on the start and end time of the contract. The findings also revealed that the organizations have best mechanism for review and approval of the contract. The study also concluded that there was a positive and statistically significant relationship between contract execution and performance of select county governments with ( $p < 0.001$ ).

The study concluded that contract relationship has an effect on organization performance. This was clearly indicated by the organizations, having in place the best communication process. The results also indicated that the organizations advocate for a mutual understanding between the parties involved in the entire contract process. Having a strong and firm collaboration and a strong contract relations with the contractors was also practiced within the organizations. These were some of the important factors that improve contract relationship management in an organization. The study also concludes that there was a positive and statistically significant relationship between contract relationship and organization performance with ( $P < 0.001$ ).

Based on the results the study concluded that contract monitoring affects performance of select

county governments .The results indicated that contractor's follows undertakes their duties and fulfills their contract as per agreement. The study also concludes that organizations have a mechanism that identifies risks and handles them earlier in advance with clear monitoring and evaluation parameters. The study also concludes that organization has tools in place that evaluates the quantity and quality of services or products delivered. This implied that the organization's contract monitoring mechanism is effective. The study also concludes that there was a positive and statistically significant relationship between contract relationship and organization performance `with ( $P < 0.001$ ).

Based on the findings the study recommended that in order for the employees to harness their skills in contract cycle a process, a continuous training should be conducted such as having seminars. This would help the employees to have knowledge on the changes in the contract process that are experienced globally. The organizations should also review their key performance indicators or adjust them to meet their objectives and also the organizations should adopt technology to increase the efficiency of contract audit policy.

Despite the fact the organizations are firm on the start and end time of the contract execution, there was delay in project delivery due to external interferences therefore the study recommends that organizations should be clear and precise on what their expectation entails. The study also recommends that the organizations should re - evaluate and adjust their contract execution mechanism to include other dynamic that may be unexpected.

The study results revealed that the organizations have a good contract relationship within their organization. However in order to strengthen the relationship the study recommends that the organizations should improve on the communication part through having a constant consultations with the contractors right from the

start time to end time of the project. This may create room to any changes that may be needed in the entire process of contract execution. In addition the study also recommends that the organizations should always review and update all the information of the contractors for easy familiarization with them thus improving on the relationship.

The study also observed that the organizations have in place key performances indicators in their organizations. However the study recommends that the organizations should continuously keep updating their key performance indicators to cater for any dynamics that may be experienced. The emphasis is to mitigate unknown risks that may occur. The study also recommends that the tools that the organization uses to evaluate the quantity and quality of services or products delivered should be reviewed and updated. This should done through use of new technologies that are able to identify quantity and quality faster than the archaic methods.

#### **Areas for Further Studies**

The study focus was effect of procurement contract management on performance of select county governments in Kenya. The findings from the study indicated contract cycle, contract execution, contract relationship and contract monitoring affects organization performance. The study focus was limited to county governments in Kenya, further studies should be carried on how procurement contract management affects organization performance in government parastatals in Kenya.

In addition further studies should be carried on the effects of procurement contract management on organization performance within East African countries. The study may utilizes factors such as technology, political factors and environmental to show the necessity of replication. The study utilized descriptive research design, further studies should be conducted utilizing longitudinal studies.

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