



UNIVERSITY OF NAIROBI

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*...the thought-leader in
cutting edge research for WEE*

HANDBOOK

**Making AGPO Work for
Women:
Challenges, Opportunities and
Recommendations for Improvement of the
AGPO Program**

A woman is seen from behind, carrying a large basket of flowers on her back. She is wearing a light-colored t-shirt with the words "WILD FIRE FLOWER" printed on it. The background is a field of similar plants. The entire image has a blue tint.

WEE HUB MOTTO

**Promoting Womens Econominic
Empowernt through African
Women Centered Research, policy
change and collaboration with
womens organisations policy
makers and other stakeholders**

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Introduction

The objective of this Handbook is to document and report the challenges, opportunities and recommendations for the Improvement of the Access to Government Procurement Opportunities (AGPO) Program. The Government of Kenya has initiated several affirmative action funds and programs intending to support groups of people who have been marginalized over time due to various factors, including historical injustices and socio-cultural discrimination. This is a Report on the Access to Government Procurement Opportunities (AGPO) which has a 30% reservation on all contracts for uptake by women, youth, and persons with disabilities. The summary of findings in this

The first part of the Handbook is on the literature review that was undertaken to find the current status of AGPO, its performance and the main challenges

Handbook is from the study titled: Access to Government Procurement Opportunities in Kenya: Challenges, Lessons Learnt and Recommendations .

The first part of the Handbook is on the literature review that was undertaken to find the current status of AGPO, its performance and the main challenges the Program has faced so as to come up with some conclusions and recommendations for the improvement of the AGPO Program.

Literature Review on the Status of AGPO

The objectives of the study were to carry out a literature review on the status of the Access to Government Procurement Opportunities (AGPO) Program since its inception in 2013; review global literature on AGPO with a view to replicate strategies that could be used in Kenya; review the regulations of AGPO to understand their limitations; examine the implementation of AGPO; and to recommend changes that would improve the Program's uptake by women.

The methodology used to access information on AGPO included conducting a literature review and commissioning issue papers that were discussed in webinars. The feedback from the discussions was availed to the authors who then revised their respective papers. Specifically, Ms Wambui Kanyi of the AWSC tracked the evolution of AGPO from a gender perspective while Ibrahim Kiptoo analysed AGPO

regulations. Prof Kiriti-Ngang'a examined the performance of AGPO. In addition, a review of the literature was undertaken both at the global, regional and local level and lessons were drawn from the global perspective.

These documents were shared with the WEE Hub Technical Committee for their input. The Report was then shared at a meeting with key stakeholders, including women's organizations, women in business and women entrepreneurs which was convened by the Ministry of Public Service and Gender in partnership with Kenya Private Sector Alliance (KEPSA). Other stakeholders included Crown Trust, the academia, and the National Women Steering Committee. Feedback from this meeting was incorporated and further document analysis was done to update the data on the uptake of the AGPO Program by women and draw lessons from other countries.

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Summary

Global literature suggests that affirmative action is led by the Government and public procurement. It is among the more important government programs intended to advance self-employment and economic opportunities for the women, youth and persons with disabilities as seen in the USA, Malaysia, and South Africa. The drivers of Affirmative Action include past historical injustices which lead to movements and advocacy that pressure governments to act. Studies have shown that legal and compliance institutions contribute to the effective implementation of affirmative action programs.

Research findings suggest that women, youth, and persons with disabilities have benefited from the AGPO program since its establishment with the value of tenders increasing from KES 7.4 million in 2015/16 to KES 17.2 million in 2019/2020 (KNBS, 2020).

The performance of some state agencies, such as the ministries' state departments, has increased and achieved high rates of 84% on the average for 5 years while others, such as the county assemblies have awarded only 12% of the

amount reserved for AGPO. More research will identify the challenges at the county levels affecting the performance of AGPO reserved projects.

Despite it being a national initiative, AGPO is currently largely serving the capital city, Nairobi with the highest registered firms being in Nairobi County (67%), followed by Mombasa (6%); and Kiambu (5%) (HIVOS, 2018). Studies have also shown that Kenya has strong legislation and regulations for procurement but there is a need to focus on efficiency, accountability, application, and disbursement processes.

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Global Perspectives on Affirmative Action

South Africa

The objectives of the public procurement policy in South Africa are largely the same as they are for most national procurement systems. The South African Constitution, in section 217(1), stipulates that organs of state must contract for goods or services under a system that is fair, equitable, transparent, competitive, and cost-effective. In recognition of South Africa's history of discriminatory policies and practices, Section 217 makes provision for organs of state to use their contracting power for empowerment purposes. Section 217(2) stipulates that organs of state are not prevented from implementing a procurement policy that provides for categories of preference in the allocation of contracts and the protection or advancement of persons or categories of persons disadvantaged by unfair discrimination.

The Preferential Procurement Policy Framework Act (the 'Procurement Act') of 2000 was enacted in 2000 and provides a framework for the implementation of preferential procurement

policies. Preferential Procurement Regulations, Government Gazette, No. 22549, flesh out the use of procurement as an empowerment tool. New Regulations, Preferential Procurement Regulations, Government Gazette, No. 34350 were enacted and became effective on 7th December 2011. The Regulations were re-drafted to bring them more in line with South Africa's Broad-Based Black Economic Empowerment Act No. 53 of 2003. The Act aims to, among others, establish a legislative framework for the promotion of Black Economic Empowerment (BEE) in South Africa.

United States of America

The term Affirmative Action was first officially used in Executive Order 10925, which was made in the context of the Civil Rights Movement. It made it a responsibility for contractors and employers to take affirmative action and ensure that applicants were employed without discrimination and that employees were treated equally




during employment, without regard to their race, creed, colour, or national origin (OECD, 2020; Kristi, 2003). Another Executive Order 11246, issued on September 24, 1965, prohibited employment discrimination based on race, colour, religion, and national origin by those organizations receiving federal contracts and subcontracts (OECD, 2020).

Executive Order 11246 was amended to include sex on the list of attributes which then promoted gender equality, and also required Federal

contractors to take affirmative action to promote the full realization of equal opportunity for women and minorities. This broadened the use of affirmative action to ensure gender equality in the workforce and political and socio-economic spaces. More significant is that the core of Affirmative Action in the USA then was the regulation enabling marginalized groups to access government procurement contracts.

Canada

Canada's Affirmative Action



Another Executive Order 11246, issued on September 24, 1965, prohibited employment discrimination based on race, colour, religion, and national origin

policies began in the 1980s when some policies were adapted from the US implementation, and other, intentionally differentiated programs. One of the affirmative action programs was the creation of the Employment Equity Act (1986) which was designed to remove barriers to employment of historically marginalized groups, including women, visible minorities, aboriginal people, and Persons Living with Disabilities (Thomas & Jain, 2004). Canada also included two new programs: Legislated Employment Equity Program (LEEP) and the Federal Constructors Program. With LEEP, corporations are required to enact equity plans to promote the representativeness of their workforce, to identify and eliminate discriminatory practices, and to provide goals and schedules for the operation of such special measures. They were also required to collect data on their employees' occupational status, wage, and representativeness and submit this information to the Ministry of Human Resources, (Klarsfeld et al., 2010).

Performance of AGPO in Kenya

The AGPO program in Kenya can be evaluated on the basis of the process of public procurement. This includes trends in the performance of the AGPO Program, registration, prequalification, Preparation of Financial and Technical Proposals, and award of tenders.

Trends in the Performance of the AGPO Program

Public procurement, as a gateway to the empowerment of marginalised communities and special groups, is a growing recognised approach to combat poverty and promote inclusive economic growth. Since AGPO was established, women, youth and persons with disabilities have benefited from the program and the value of tenders has increased over the years. The value of the contracts, for example, increased from KES 7.4 million in 2015/16 to KES 17.2m in 2019/2020 (KNBS, 2020). The Kenya Economic Survey further notes that women received only 26 percent of the total amount of funds reserved in the 2019/2020 financial year (KNBS, 2020).

A five-year review from the 2015/2016 to 2019/2020 financial year indicates that from the total amount reserved for AGPO, only 48% was awarded. The implementation of awarding tenders lies with the government agencies and an analysis of the performance by the government agencies in awarding AGPO was undertaken. There are still significant challenges that face the procuring entities and the potential beneficiaries which have contributed to the low utilization of the public procurement opportunities that are available at both levels of government. The number of firms registered under AGPO from 2015 to 2020 has been declining. The number of AGPO firms registered between 2015 and 2018 was 104,776. However, only 42,092 firms

were registered between 2018 to 2019, and this further decreased to 24,010 firms registered between 2019 and 2020. All this represents a 59% and 43% decline respectively.

Registration

Instead of a periodic increase, there has been a decrease in registered firms with AGPO. Of note is that an AGPO certificate is valid for 2 years only and must be renewed thereafter. Part of the reason for the decrease could be that most firms do not reregister after time expiry of their certificate, especially if they have not been awarded any contracts during the period that the certificate was valid. In addition to the decrease of registered businesses, the study shows that the average size of the tenders remains the same, as shown in Table 1.

Table 1: No. of tenders vs the value of tenders awarded under AGPO

	No. Of Tenders	Value of Tenders (Kshs Mn)	Average Tender Size (Kshs)
2015/2016	17,349.00	15,675.00	903,510.29
2016/2017	32,510.00	24,608.00	756,936.33
2017/2018	26,916.00	26,795.00	995,504.53
2018/2019	31,651.00	30,140.00	952,260.59
2019/2020	32,989.00	32,739.00	992,421.72

Source: Public Procurement Regulatory Authority <http://ppra.go.ke/agpo/list/>

This could be a result of opportunities accorded to the affirmative groups which have high frequency but low finance impact, for example, cleaning activities, printing and stationery as shown in Table 2 below.

Table 2: Registered and certified enterprises under AGPO since inception in 2013

Target Group by Category	Number	Proportion (%)
Youth	25,549	37.47
Women	39,681	58.2
PWDs	2,956	4.34
Total	68,186	100

Source: AGPO Secretariat at National Treasury 6th September 2017

There are more women in the general supplies category than in any other category, followed by small engineering works and professional services and consultancies. This is contrary to expectations because it involves a lot of expenses plus the fact that one has to be registered with the National Construction Authority (NCA), meaning that registration has to be done twice: with AGPO and with NCA. This could be attributed to the allegation by the procuring entities that women are fronting for rich businessmen. It could also be attributed to the fact that the general

supplies and construction are the most lucrative sectors as compared to the others. Very few women are found in ICT services and fresh produce.

The access to AGPO largely remains an urban area issue. Data shows that Nairobi County has the highest number of registered AGPO firms accounting for 76 percent of the total number of registered firms. Nairobi is followed by Mombasa (6 percent), Kiambu (5 percent), Nakuru and Uasin Gishu (2 percent) and Kisumu, Kajiado, Kitui, Nyeri (1 percent) each.

²Public Procurement Regulatory Authority <http://ppra.go.ke/agpo-list/>

This may be due to limited access to information regarding AGPO tenders and the National Construction Authority (NCA), especially in the rural areas outside of Nairobi.

Pre-qualification for Tender

Pre-qualification is the first step where an enterprise can be registered for pre-qualification to supply goods, works, services and consultancies to whichever institution sends out a Notice for Pre-Qualification. Filling out the documents can be a tedious and discouraging process for women, persons with disabilities and youth entrepreneurs and it may lead to disqualification if instructions are not followed properly.

Preparation of Financial and Technical Proposal for Tender

The next stage is the preparation of a financial and technical proposal. To successfully win a tender, the woman entrepreneur's financial proposal should be the most competitive compared to those of the other competitors. In the tender documents, one needs to specify the credit period because the contract obligates the supplier to continue

supplying the goods and services for the duration of the contract even when an invoice has not been honoured. So, the entrepreneur needs to have a good relationship with a bank that can extend the credit required to purchase the goods to supply while waiting for payment for goods supplied or services rendered. This can be quite a challenge for new businesses that do not have a credit history.

Banks and other micro-finance institutions are not always ready to lend to a start-up because they have no credit history. Recommendation letters may also be required, and these can also be a challenge to a new business.

Award of Tender

Assuming that a firm owned by a woman wins a tender under the AGPO initiative after having bought the documents and supplied the goods using bank credit, one of the challenges would be delayed payments. A lot of money owed for supplies or services given is held up for too long, which is discouraging if the woman entrepreneur is servicing a loan. Apart from the challenges that women face as they try to access these opportunities, critics argue that the country's procurement



Assuming that a firm owned by a woman wins a tender under the AGPO initiative after having bought the documents and supplied the goods using bank credit, one of the challenges would be delayed payments

procedures are still bureaucratic and lack the desired transparency. In addition, some of the contracts are ‘abnormally’ capital intensive, thus locking out would-be beneficiaries who may not necessarily have the amount of money required to carry out such capital-intensive contracts.

Because of such limitations, enterprises that qualify to undertake government jobs can get only considerably basic contracts. This is a view that is entrenched within the government, with all the procuring entities setting aside what is known within the procuring entities as ‘*grass cutting*’ jobs for the youth, women, and persons with disabilities. Thus, contracts set aside for these groups will include delivery of flowers, newspapers, office stationery, cleaning services and maintenance of grounds. The latter involves maintenance of gardens and hence the name grass cutting.

Main Challenges Facing the Access to Government Procurement Opportunities

The challenges facing the full rollout of the AGPO program include challenges from procurement law, inadequate capacity of AGPO staff to assist the applicants and information asymmetry.

Challenges in the Implementation of AGPO

The single largest policy issue to the AGPO program is the fact that firms owned by women, youth and persons with disabilities participate in low-

value procurement, popularly referred to as grass cutting jobs instead of high-value contracts. The average size of a loan for contracts awarded under the Reserve scheme was KES 17.2 million in 2019/2020 (KNBS, 2020). Even though Kenya’s budgets have grown substantially in the last decade, what has been considered reserved procurement has not grown at the same rate. This phenomenon has been caused primarily by barriers of entry which come in the form of fees, and information asymmetry.

Challenges from the Procurement Law

Procurement procedures and criteria are complex, burdensome, and costly for new entities, too technical, requiring specialised bidding skills and limiting compliance costs.

Challenges Arising from Information Asymmetry

There is inadequate awareness and a lack of information on the preferences and reservations. This can largely be attributed to inadequate resources within the public procuring entities, the Public Procurement Regulatory Authority and the National Treasury Secretariat on preferences and reservations to undertake extensive nationwide capacity building on the available opportunities and reservations under the Act.

Challenges Faced by the AGPO Secretariat

AGPO staff are unable to support the vendors because they have inadequate capacities in business knowledge and skills to assist those interested in bidding. Customer experience and support from the AGPO Secretariat and other structures such as Huduma Centres has been reported to operate with

significant delays on inquiries about application approvals, certification, and others.

Financial Challenges Faced by AGPO firms

Financial inclusion and access to credit remains a challenge and out of reach to some members of these groups. In addition, the delay in payment by procuring institutions makes the AGPO contractors incur accrued interest charges by financial institutions on loans taken to meet the tendering requirements. This erodes the profit margins (if any) from the AGPO opportunities.

Lack of Experience in Undertaking Larger Projects

As a result of systematic exclusion since independence, the majority of women, persons with disabilities and youth lack experience even though they may have the capacity to deliver on complex, complicated and high-ticket projects and contracts which continue to remain the preserve of large infrastructure or consultancy companies some of which are foreign-owned. One pre-requisite is to show experience, e.g. how many projects has the applicant undertaken.

Corruption and Nepotism

Lack of response from government offices regarding procurement under the affirmative action initiative or payment after completion of contractual obligations and numerous allegations of rampant corruption which can be classified as procurement fraud where the award of contracts has been skewed to benefit certain actors, leaving out deserving groups have been reported. Another issue is nepotism in the award of tenders where procurement officers' benefit directly

Recommendations for Improvement of the AGPO Program

Recommendations for the improvement of the AGPO Program are in the areas of legislation and administration.

Legislative Proposals

Some recommendations regarding legislation include:

- The three disadvantaged groups identified in the AGPO legislation should be included as members in the various Tender Evaluation Committees to ensure they address the interests of their specific categories.
- Reports should indicate both the tenders and percentage of total funds a procuring agency has awarded and paid to each of the disadvantaged groups. The

reporting on tenders allocated to youth and PLWDs should also take the gender dimension.

- The regulations should be amended to make it mandatory to provide disaggregated data reporting for affirmative action. A revision of the reporting tools to help in the generation of disaggregated data on AGPO beneficiaries to help programmatic action should be made.
- Ensure that the Public Procurement staff demonstrate
 - understanding of the legal framework governing preference and reservation schemes in Kenya;

- understand the objectives and purposes of preferences and reservations;
- apply the general principles of preferences; and
 - categorise procurement for allocation to targeted groups per the Constitution, the procurement law, and regulations. The law should be revised to make this an obligation to accounting officer.
- Create an enforcement mechanism for compliance with the Public Procurement and Asset Disposal Act, 2015; the Public Procurement and Asset Disposal Regulations 2020; and more specifically with the provisions bearing on reservations and preferences by the procuring public entities; the Public Procurement Regulatory Authority; the Parliament and

...allow for women, persons with disabilities and youth to compete fairly with other categories... barriers to their entry in the field should be considered and acted upon



the relevant Parliamentary Committee so as to give effect to and ensure full compliance with all the sections and regulations.

- The AGPO should be tweaked to factor in caregivers of persons with disabilities. This will allow them to attend well to PLWD, who cannot access the tenders

Reducing Barriers of Entry

To allow for women, persons with disabilities and youth to compete fairly with other categories, it is recommended that barriers to their entry in the field should be considered and acted upon as follows:

- Disadvantaged groups should get a waiver on the KES 50,000 registration fee or the fee be made a one-off payment.
- To allow for women, persons with disabilities and youth to compete fairly with other categories, all other fees such as the NCA registration fee should be phased out once a firm has registered for AGPO.
- Increase the capacities of potential applicants outside and within Nairobi to accurately interpret procurement

requirements and documents. A specific public education program should be designed at the sub-county level across the Country.

- Create a secured credit access system such as the credit guarantee scheme proposed by the National Treasury for the SMEs to address the effects of the COVID-19 pandemic and enforce the provisions on penalties for delayed payments under the Public Procurement & Asset Disposal Act, 2015 and the Public Procurement and Asset Disposal Regulations, 2020 and ringfence the funds reserved in tenders to make sure that these funds are not reallocated to other activities.
- To build capacity and experience for the high-value contracts, the Ministry of Gender and Public Service can convene a peer learning group together with other stakeholders such as women groups, development partners and leading firms in their respective fields. One example of such peer learning groups is the Women in Manufacturing groups of the Kenya Association of Manufacturers. This will create a networking effect where firms under the affirmative action



initiative can build knowledge and networks. Some of the learning areas that would benefit firms under affirmative action groups include taxation, finance, export markets, value chains, standards, company law landscape amongst other things.

- The Existing Affirmative Action Funds should be better coordinated, operated, and run under good corporate governance principles to maximise AGPO benefits and minimise silo operations.
- Stakeholders should petition the Parliament to consider the pattern-or-practise probe with the intent to show systematic discriminatory practices and

Disadvantaged groups should get a waiver on the KES

50,000 registration fee



violations of the law in the government procurement process, especially with regards to the higher value contracts. A pattern-or-practise probe is an intense evaluation of a program to improve its efficiency. The probe can address issues ranging from law, inactions or omissions by accounting officers (including claims of demanding sex for contracts), and other emerging issues.



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Administrative Reforms



The following administrative reforms are recommended:

- The Ministry of Gender and Public Service should endeavour to create a Tender Board (website) where all tenders under the reservation scheme are updated in real-time once each entity has advertised them. This is necessary to solve the issue of lack of information when entities advertise in the newspapers. Each entity must also update the same advertisement on its website.
- The Ministry of Public Service and Gender should be given the evaluation role of the AGPO program on a half-year basis. The findings by the Ministry should be published in a Gazette notice to allow actors and stakeholders in different fields such as Manufacturing, Law, accounting and engineering to follow up with those entities and ensure they meet the goals of the program.
- The Kenya National Bureau of Statistics should publish firm data that follows the affirmative action paradigm. Firm data, in



The Ministry of Gender and Public Service should endeavour to create a Tender Board (website) where all tenders under the reservation scheme are updated in real-time

this case, would entail: the size of the firm, the value of contracts, the number of employees, taxes paid, the new output generated and fiscal multipliers of the program and other important parameters that show the economic output of the program. This will complement the data published annually by the Public Procurement Regulatory Authority Kenya (PPRA).

- The Ministry of Gender and Public Service and National Treasury should:
 - Strengthen the capacities of AGPO staff to enable them to guide the applicants effectively;
- Train applicants on procedures of application to enhance the AGPO uptake;
- Strengthen the coordination among key government ministries and departments involved in the implementation of AGPO. These should include all government institutions highlighted in the legislation.
- The Ministry of Gender and Public Service and the National Treasury should approach financial institutions for



customized financial products such as credit facilities that would help women compete in the 30% category. This effort would increase the Local Purchase/ Service Order Financing.

- The National Treasury should:
 - revamp and continuously enhance the staffing and resources at the AGPO Secretariat established under Section 157 (17) of the Act to effectively deliver on its mandate;
 - Strengthen the transparency in the registration of AGPO
- related firms to curb the exploitation of the genuine disadvantaged groups by men who may have the financial resources to bid for the tenders;
- Create a solid communication plan every fiscal year that will allow for information to reach all women in urban and rural areas, a plan which is actionable and mandatory for Accounting Officers to undertake;
- In addition to the above, the AGPO Secretariat should

work closely with the Ministry of Public Service and Gender and the various women networks and institutions towards the optimal realisation of the AGPO program benefits;

- Other public procurement (which is not reserved) especially with those relating to technical services, the firms bidding should demonstrate gender diversity, which is a constitutional imperative. The unintended effect of that is that it would force those firms to take onboard women to be competitive in the bidding process and eventually thus solve the issue of women having no experience.



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Conclusion

The AGPO Program has to a large extent empowered the special groups that had been targeted since its formation. However, the challenges still exist and need to be addressed for the Program to achieve its full potential. A way forward would be to implement the recommendations given in this Report and to incorporate a monitoring and reporting system that will collect information based on disaggregated data that can be used to further streamline the procurement and contracting processes.

In addition, assess what has been achieved since the existing studies were conducted. The evidence available suggests that there is political goodwill to ensure that AGPO succeeds. This, however, should be backed up by enforcement and accountability measures that will lead not only to the success of the program but also to the achievement of its purpose.

References

- Fairlie, R., & Marion, J. (2012). Affirmative Action Programs and Business Ownership among Minorities and Women. *Small Business Economics*, 39(2), 319–339. <https://doi.org/10.1007/s11187-010-9305-4>
- Fullinwider, R. (2018). Affirmative Action. *The Stanford Encyclopedia of Philosophy* (Summer 2018) Edition.
- Jenkins, L. D., & Moses, M. S. (2014). Affirmative Action Initiatives around the World. *International Higher Education*, 77, 5–6. <https://doi.org/10.6017/ihe.2014.77.5672>
- Justin, M. (2011). Affirmative Action and the Utilization of Minority- and Women-Owned Businesses in Highway Procurement.html. *Economic Enquiry*.
- Kiriti-Ngang'a, Tabitha (2017). Kenya Assessment of Access to Government Public Procurement Opportunities for Women, Youth and Persons with Disabilities.pdf. UN Women.
- Kiriti Nganga, Tabitha (2018). Government Procurement and Affirmative Action: Access to Government Public Procurement Opportunities for Women, Youth and Persons with Disabilities. <http://wtochairs.org/sites/default/files/Public%20Procurement%20in%20Kenya-AGPO.pdf>
- Leonard, A. (2005). Affirmative Action in South Africa: Development Approaches and Legislative Requirements. <https://repository.up.ac.za/bitstream/handle/2263/28248/03chapter3.pdf?sequence=4&isAllowed=y>
- Leonard, J. S. (1989). Women and Affirmative Action. *Journal of Economic Perspectives*, 3(1), 61–75. <https://doi.org/10.1257/jep.3.1.61>

Ochieng, J., & Muehle, M. (2014). Development and Reform of the Kenyan Public Procurement System. 21.

OECD. (2007). Assessment of the Procurement System in Kenya.pdf.

Otieno, A. O. (2015). Factors Affecting Implementation of Public Procurement Reforms in County Governments in Kenya. UON, 68.

Ratuva, S. (2013). Politics of Preferential Development Trans-Global Study of Affirmative Action and Ethnic Conflict in Fiji, Malaysia and South Africa. Australian National University Press.

Weisskopf, T. E. (2004). Affirmative Action in the United States and India (0 ed.). Routledge. <https://doi.org/10.4324/9780203799970>

Xavier, G., & Xavier, J., Anthony. (2016). Public Procurement in Malaysia: Is there a Need for Reform? A Look at the Objectives of Public Procurement Principles with Particular Emphasis on Transparency and Accountability. 20.

