ACCESS TO FINANCE BY SPECIAL GROUPS AND IMPLEMENTATION OF PREFERENCE AND RESERVATION SCHEME IN TERTIARY INSTITUTIONS

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CITATION: Mwangi, T., T., Kiarie, D., Nyaboke, P. (2018). Access to Finance by Special Groups and Implementation of Preference and Reservation Scheme in Tertiary Institutions. *International Journal of Economics and Finance*. Vol. 7 (4) pp 21 – 32.

ABSTRACT

The study's purpose is to examine how access to finance by special groups affects implementation of preference and reservation scheme in Tertiary institutions in Nyeri County. The study was guided by institutional theory and empowerment theory to understand the concept behind preference and reservation scheme in public procurement and its implication in empowering disadvantaged groups. Descriptive study design was adopted for the study. The target population comprised 147 respondents drawn from staff working in the procurement function, finance department, head of departments regularly involved in tender evaluation, registered suppliers, and prequalified tenderers in Tertiary Institutions from whom a census was done. A pilot study was done at Michuki Technical Training Institute to enable refining the research instrument for clarity. Cronbach Alpha coefficient with a value of 0.70 or more than was considered to designate that the instrument is reliable. The study achieved a response rate of 89.8%. Data analysis was conducted using statistical package for social sciences (SPSS) to generate descriptive and inferential statistics. Bivariate regression analysis was done to establish relationship of the independent variables in the study. The study findings revealed that access to finance by special groups had positive and significant effect on implementation of preference and reservation scheme. In addition, most of the special groups face major challenges and constraints in accessing funding to enable them supply goods and services even after being issued with LPO/LSO as the banks takes time to lend this clientele base due to their unique characteristics who pose a high risk of default. These include lack of securities and credibility (for debt financing), lack of existing business, lack of personal savings and resources, low credit-scoring among others. The study recommends that government should develop intervention strategies or policies to ensure easy access to fund by special group to enable them participate in public procurement.

Key words: *Access to Finance, Special Groups, Implementation of Preference and Reservation Scheme and Tertiary Institutions*

INTRODUCTION

Participation of Disadvantaged Groups in Public procurement is a vital function of all governments for a number of reasons (Baker *et al.*, 2011). The first reason is that, the Disadvantaged Groups sheer magnitude in procurement expenditures has an immense impact on the country's economy and necessitates to be managed well. Certainly, in every country globally, financial activities estimates of government procurement by the youth are thought to be in the order of 10 percent to 30 percent of GNP (Routledge & London, 2006). Numerous governments at the present practice mainstreaming of gender during designation of the national budgets (as well-known to as gender responsive budgeting) to ensure national economic planning pays sufficient concentration to the women's economic empowerment distinctive challenges (WB, 2006).

USAID Micro Enterprise Development (2013) reported that in order to make sure that the micro enterprises contribution to national economies and chief sub-sectors is maximized, a conducive allowing environment which helps instead of inhibiting participation in public procurement is vital. One of the strategies is to unlock the potential of the youth, women and PWDs is by empowering and offering them additional opportunities to perform business with the government (PPOA, 2014).
The following groups are considered by World Conference on Youth (2014) as marginalized: indigenous youth, young PWDs, young people from conflict affected areas, marginalized ethnic and cultural groups, young people from low social and economic backgrounds, refugees and migrants and youth from rural communities/young farmers. In Kenya, Article 100 of the Constitution of Kenya refers to marginalized groups which are further elaborated in the two- third gender rule laws (amendment) bill (2015) to include persons with disabilities, women, ethnic, youth and other marginalized communities and minorities. This implies that marginalized communities and special interest groups in Kenya are one and the same. Youth in Kenya defined as those between 18 - 35 years old number around 11.99 million, and account for about thirty one percent of the population (KNBS, 2010).

A National Survey was conducted on persons having disabilities and the findings showed that 4.6 percent of the population of Kenya go through some form of disability, with physical impairments and visual being the most often (Blome & Schoenherr, 2011). R.o.K (2013) reported that absence of entrepreneurial and employable skills, are among the major critical problems that face communities of people living with disability as well as the society. Consequently, such people are in general excluded from public procurement thus hindering their general economic independence. In 2010, the Government of Kenya (GOK) in its endeavors to support the SMEs required public procuring entities to reserve at least one in every ten country tenders for the SMEs and youth who effectively manage a massive chunk of small businesses giving traders access to a critical market (Ng'ang'a, 2011). This was upgraded to even higher percentage in 2013 after enactment of the Public Procurement and Disposal Amendment Regulations (2013) which requires that thirty percent of tenders in all public procuring entities should be reserved for the disadvantaged groups, that is, the youth, women and PWDs. However, the SMEs participation in government tenders has still been low. Kawino (2014) studied responses of micro and small enterprises to business opportunities in Kenya. The study found out that several internal and external factors in the environment determine the identification and choice of an opportunity to be exploited by an entrepreneur. Further the study recommended that support be given to this sector in form of skills development, culture change programs and financial skills and market opportunities.

The Kenyan government has established policies to make sure that special groups profit from its procurement. Pursuant to public procurement policy (2011) gazetted via legal notice number 58, (2011) the affirmative action of the government reserving ten percent of contracts of the government for the youth as well as the public procurement and regulations of the disposal, procuring bodies were permitted to unbundle works, services and goods in realistic quantities pursuant to PPDA Section 31 (7) (2005) for the aim of guaranteeing maximum involvement of groups that are disadvantaged, small and microenterprises in public procurement. Access to Government Procurement Opportunities (AGPO) is a program geared towards enabling the youth, persons with disabilities and women access to thirty percent of all government procurement opportunities in Kenya. It is an affirmative action program aimed at empowering women, youth and persons with disabilities by giving them more opportunities to do business with Government (R.o.K, 2013). The opportunities are only accessible to a legally registered business in the form of a sole-proprietorship, partnership or registered company. For both the partnership and the registered company, the ownership in form of capital invested or shares owned should be at-least seventy percent for the women, youth or persons with disability and the business should be absolutely led by women, youth or persons with disability.

Further, Article 55 (b) of the Kenyan constitution requires the state to take measures that will provide for affirmative action in programs that will give the youth opportunities to participate in economic development. Pursuant to this constitutional provision, the minister for finance gazetted legal notice No. 58 on the public procurement and disposal (preference and reservations) Regulations, (2011). These regulations provided for preference and reservations in public procurement when soliciting tenders from the prescribed target groups such as; SMEs, disadvantaged groups such as youth, PWDs and the women owned enterprises. This was further entrenched through enactment of the Public Procurement and Asset Disposal Act (PPADA) (2015) that provides how the preference and reservation scheme shall be implemented. Section 155 (5) of PPADA, (2015) stipulates that, an accounting officer of a procuring body shall set aside a prearranged percentage of its procurement budget, which shall not be below thirty percent, to the groups that are disadvantaged and comply with the Acts provisions and the regulations regarding reservations and preferences. For one to qualify for a particular reservation or preference, an individual shall give eligibility evidence as specified.

Statement of the Problem

The youth, women and PWDs have the potential of accelerating growth and productivity, although if left idle may signify a threat to social stability and in the long run a threat to nation’s economy development. Guaranteeing successful integration of these groups into the economy via procurement will advance competitiveness, decrease poverty, increase household incomes and create a circle of growth as well as investment. Youths, women and PWDs make up more than eighty five percent of the population of Kenya yet they contribute below ten percent of public procurement in spite of the advantages which accumulate from their addition (Transparency International, 2013). This hampers economic growth leading to high levels of unemployment. The GOK through its Private Sector Development Strategy is seeking ways to promote innovation, competition and employment opportunities for disadvantaged groups like youths, women and PWDs through reservation and preference scheme in public procurement (Bovis, 2014). The government has set aside thirty percent public procurement opportunities to assist the special interest groups who were in business but did not have the capacity to compete for government tenders with other established suppliers. However, the uptake of reserved procurement opportunities by special groups has not been optimal due to a number of challenges among them lack of funds to finance the supply (Ministry of Finance, 2012). Therefore, this study aim to examine how access to financing by special groups affects the implementation of preference and reservation scheme in tertiary institutions.

LITERATURE REVIEW

Theoretical Literature

The study was guided by institutional theory, according to the theory institutions refers to social structures which have achieved high resiliency degree and they are made up of regulative as well as cultural-cognitive elements that, jointly with linked resources and activities give a meaning to life. It has been reported that institutional theory is usually utilized to study public procurement from a different viewpoint (Obanda, 2011). Access to public procurement opportunities by special groups in Kenya may be improved through the use of laid down procedures of procurement for preference and reservation schemes which takes place within institutions operating under rules and regulations (Scott, 2004). In relation to this theory, Kenyan public procurement bodies and suppliers are directed by regulations and rules as stipulated in the Article 227 of the Constitution of Kenya, (2010) and the Public Procurement and Asset Disposal Act, (2015); Public Private Partnerships Act, (2013); The Public Procurement and Disposal (County Governments) Regulations, (2013) and The Public

Procurement and Disposal (Preference and Reservations) Regulations, (2013). These legislations set have come up with new standards to guide process of public procurement in Kenya and prescribe a framework within which policies that relates to asset disposal and procurement shall be executed and provide for preference as well as the advancement or protection of persons, categories of groups or persons formerly disadvantaged by discrimination or unfair competition which includes youths, women and PWDs who forms the basis of this study.

Empirical Literature Review

Shusman and Narain (2007), argue that small firms and low income individuals often lack credit histories or information on their financial operations. Asymmetries of information and the risk of moral hazard and adverse selection arising from it, reduces incentive to lend to such clients. To secure 'risky' loans, lenders often demand collateral such as land or property that many borrowers lack. This makes the lenders reluctant to lend to small borrowers or to charge them exorbitantly high interest rates or grant them short term loans that may not meet their needs. Most youths, women and PWDs belong to the category of low income making it difficult to secure business loans. As such, the GOK has had an uphill duty for groups of women and youth to play in the big-ticket public procurement leagues as they might not have the financial means (Owino, 2013). Luckily, there are financial tools host being offered by a variety of organizations, including LPO/LSO financing as well as discounting of the invoices. There is as well the youth and women enterprise fund and Uwezo Fund. The problem with supplying the government is that, since the needed quantities are frequently extremely large, the requirement of capital may be high. One of the advantages of getting a contract of the government is that an individual will be paid. However, the disadvantage is that it might take a while (Polo, 2008).
According to Hisrich, *et al.*, (2005) financing SMEs needs creativity. Namusonge (2006) stated that the role of capital has been seen as an important element for small and medium-sized enterprises development. Kimando and Sagwa (2012) reported that smaller enterprises face higher costs of transaction as compared to larger enterprises in attaining credit. Improvement of access as well as building comprehensive financial systems is an objective which is appropriate to economies at all development levels. The sector of Micro and Small Enterprise (MSE) has been projected to account for twenty percent of the overall output and more than twenty percent of the overall personnel within Africa (Kimando & Sagwa, 2012). Small enterprises have huge capability to create these much-required opportunities of employment for a youth population of the country. The researcher as well reported that better access challenge denotes making financial services accessible to everyone, thus distributing opportunity equality as well as tapping the total potential within an economy. Oduol *et al.,* (2013) noted that promoting entrepreneurship and offering sources of sustainable as well as inclusive access to capital is an essential ingredient towards attaining this objective. According to Kilonzo (2012) empirical research proposes that access to capital improves the firm's performance in terms of employment as well as income generation. Therefore, provision of financial capital might be a significant forecaster of the successful SMEs implementation (Kilonzo, 2012). Access to capital is one of the principal challenges facing youth in trying to expand their business or raise their employability because they have been termed as risky when it comes to repayments of loan (Okwany, 2010).

It has been noted that young entrepreneurs face major challenges and constraints in accessing financial support for their business enterprises. They consist of lack of securities and credibility (for debt financing), lack of resources and personal savings, stern credit-scoring regulations and methodologies, lack of skills and business experience (for debt financing), long waiting periods, complex documentation procedures, lack of understanding, knowledge, awareness of start-up financing possibilities, adverse characteristics of the firm and industry and legal form/status of enterprise (Chigunta, 2012). Saving finance for start-up is as well frequently emphasized as being difficult chiefly for young people to attain owing to their comparatively lower securities, for example collateral or guarantees, adequate credit history and lack of credibility because of inadequate experience as compared to 'older' entrepreneurs (WB, 2008). Frequently youth obtain access to capital via a range of informal sources, for instance friends, family, informal money lenders and selling labour. Despite the government support in reducing several documentation requirements, financial support through Uwezo, Youth Funds and the introduction of e-procurement to motivate youth, women and PWDs to participate in public procurement there are still significant challenges that need to be tackled and this study intends to examine how access to financing by special groups affects the implementation of preference and reservation scheme in tertiary institutions.

Operational framework

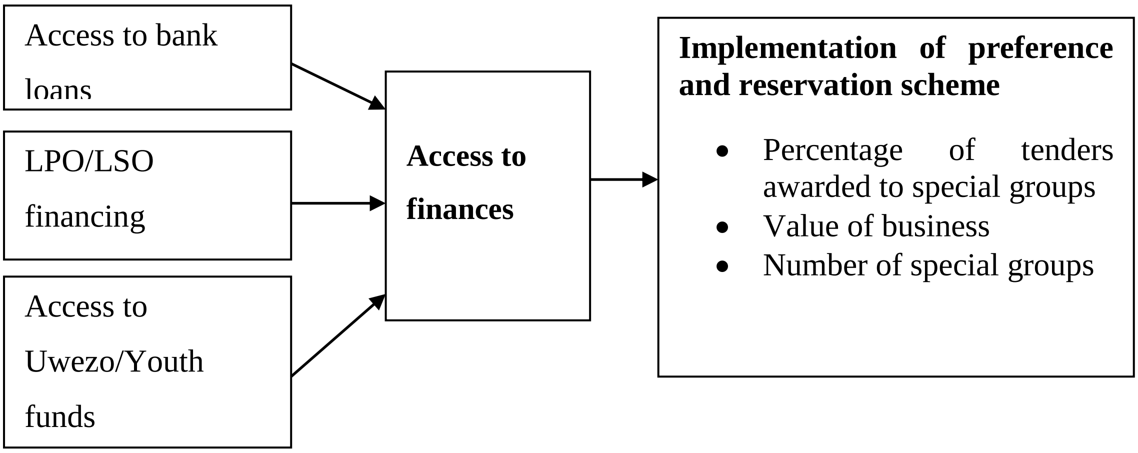

Figure 1.1: Operational Framework

RESEARCH METHODOLOGY

Research Design

The current study adopted a descriptive research design to examine how access to financing by special groups affects the implementation of preference and reservation scheme in tertiary institutions. Descriptive survey is conducted to describe the present phenomenon status with regard to conditions or variables in various circumstances (Baumgartner, 2002). According to Kothari (2004) descriptive survey design is useful in obtaining information and the descriptive research design main purpose is the situation description as it exists at present. This technique is also appropriate for analysis of both quantitative and qualitative data to address the problem.

Target Population

The target population of the study comprised 147 respondents drawn from staff working in the procurement function, finance department, head of departments regularly involved in tender evaluation, registered suppliers, and prequalified tenderers in Tertiary Institutions within Nyeri County. The study employed a census research method whereby data was to be collected from all members of the target population. According to Mugenda and Mugenda, (2009) a census is recommended when the target population is small.

Data Collection Instrument

Primary data was collected through a self-administered questionnaire which was composed of closed ended questions. The questionnaires were distributed through a drop and pick method whereby the researcher allowed the respondents to answer the questions at their own pace. The data collection instrument was first piloted in Michuki Technical Training Institute with 10 respondents to ascertain the appropriateness of the questions to enable refining the research instrument for clarity. Cronbach's alpha coefficient was used to measure instruments reliability. An Alpha values of 0.7 and above was considered to indicate that the instrument is reliable.

Data Analysis

The collected data was checked thoroughly and carefully to make sure that only accurate, relevant and complete data was coded. This was attained by counter-checking all the documented responses from the instruments so as to detect and eliminate any inconsistencies and irrelevances. The data was tabulated and analyzed using descriptive and inferential statistics with the help of statistical package for social sciences (SPSS version 20) which is a tool among others for data analysis. Bivariate linear regression analysis was used to test the associations between dependent and independent variable. The study adopted the following linear regression equation $Y= \beta_o + \beta_1 X_1 + e$. Where $Y=$ Implementation of preference and reservation scheme in public procurement, $\beta_o=$ Intercept, $X_{1=}$ Access to finance, $\beta_{1=}$ Coefficients while e= error term

FINDINGS

Response Rate

Data that was analyzed was obtained from one hundred and thirty two (132) respondents out of the targeted one hundred and forty seven (147) received giving a response rate of 89.8%.

Respondents Involvement in Tendering Process

The study sought to establish for how long the respondents had been involved in the tendering process.

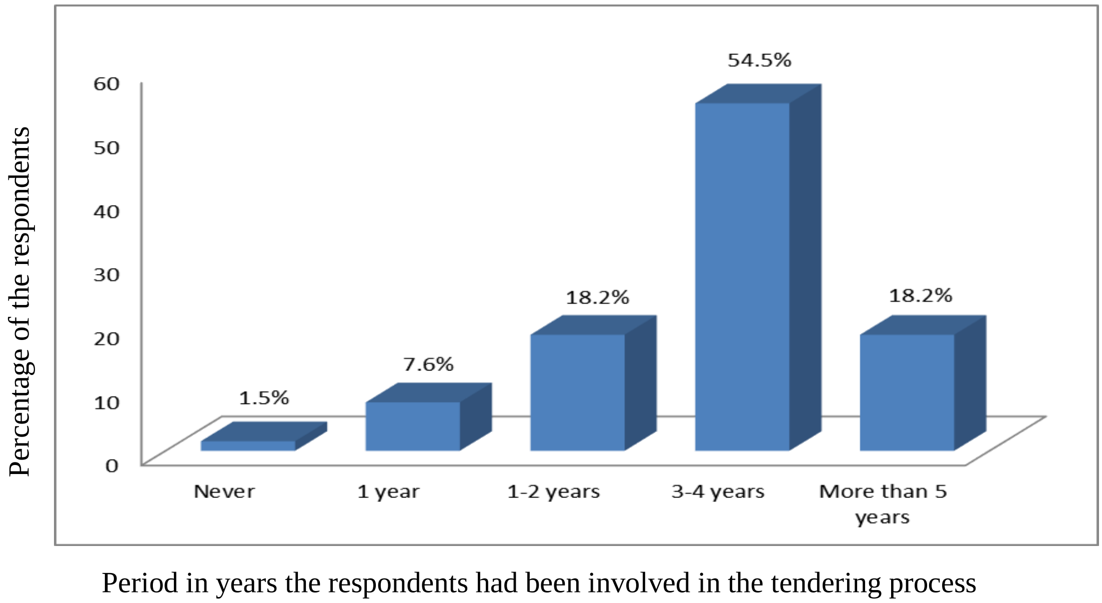

Figure 1.2: Respondents Involvement in Tendering Process

The finding indicates that majority of the respondents which accounted for 72.7% had been involved in the tendering process for more than three year. This is a clear indication that the respondents could be able to identify the challenges affecting the implementation of preference and reservation scheme to special groups in tertiary institutions.

Access to Financing by Special Groups

The first objective of the study sought to assess how access to financing by special groups affects the implementation of preference and reservation scheme in tertiary institutions.

Table 1.1: Access to Financing by Special Groups

Factors of Customer Perspective	SA (%)	A (%)	N (%)	D (%)	SD (%)	Mean	Std. Dev
Access to finances is a major challenge slowing the uptake of 30% tenders reserved for Youths, Women and Persons with Disability (PWDs)	89.4	10.6	0	0	0	4.8939	.30909

Lack of collateral by special groups makes banks hesitant from extending loans to them to participate in public procurement	71.2	28.8	0	0	0	4.7121	.45450
LPO/LSO financing by banks is a hectic and lengthy process and special groups cannot rely on it as a source of capital to honour LPO/LSOs issued by public entities	50.8	44.7	4.5	0	0	4.46212	.58486
Uwezo funds and Youth funds provided by the government to enhance the capacity women, Youths and PWDs are easily accessible	24.2	50.0	12.1	13.6	0	3.8485	.94493
Banks provide LPO/LSO financing to AGPO supplier in good time to facilitate timely supply of goods.	7.6	24.2	15.2	21.2	31.8	2.5455	1.35559

The findings of the study revealed that majority of the respondents 89.4% strongly agreed that access to finances is a major challenge slowing the uptake of 30% tenders reserved for youths, women and PWDs with a mean score of 4.8939 and standard deviation of 0.30909. A high percentage 71.2% strongly agreed that lack of collateral by special groups makes financial institutions i.e. banks hesitant from extending loans to them to participate in public procurement. It was evident that LPO/LSO financing by these financial institutions is a hectic and lengthy process and special groups cannot rely on it as a source of capital. Shusman and Narain (2007) argued that small firms and low income individuals often lack credit histories or information on their financial operations. From the analysis, findings showed that access of financing to special groups is a major challenge.

Implementation of Preference and Reservation Scheme to Special Groups

The study sought to establish whether special groups are considered during tendering process and the level of uptake of the various projects reserved for them. Figure 4.4, shows that the percentage of the tenders reserved for special groups in the procurement budget was on the increasing trend in tertiary institutions. In addition, tenders awarded to special groups in the procurement budget were also on the increasing trend in tertiary institutions. The study also revealed that most special groups could not qualify the tenders.

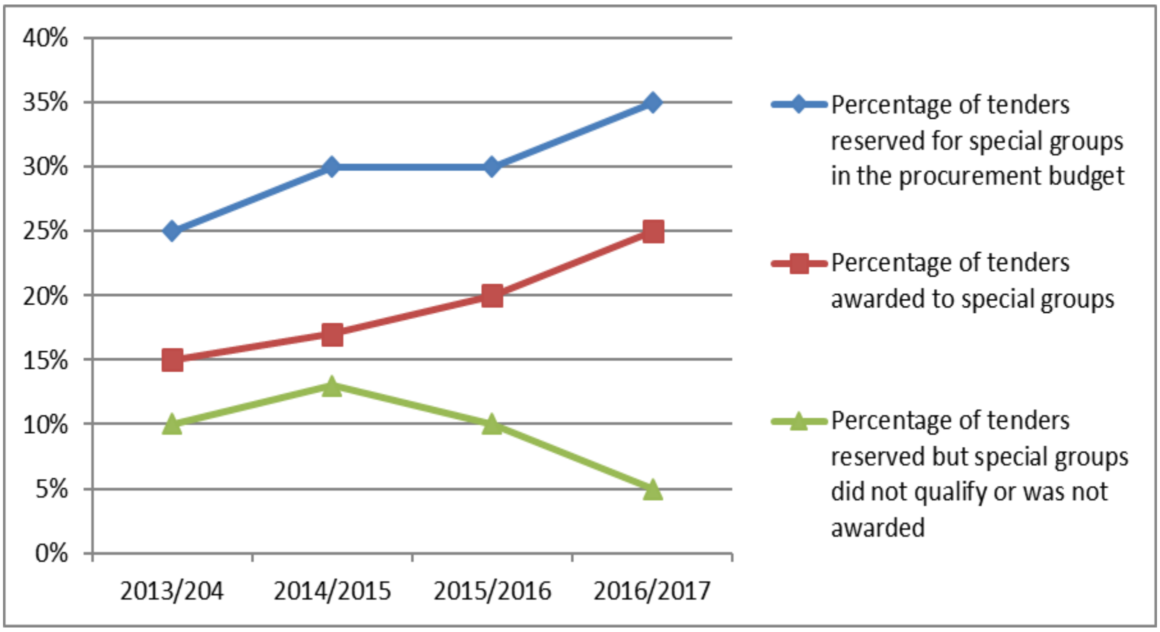

Figure 1.3: Implementation of Preference and Reservation to Special Groups

Influence of Access to Financing by Special Groups

Bivariate linear regression analysis was done to examine the effect of access to financing by special groups on implementation of preference and reservation scheme in tertiary institutions. The R value was 0.803 indicating that there is a relationship between access to financing by special groups on implementation of preference and reservation scheme in tertiary institutions. The R squared (R^2) value of 0.645 shows that 64.5 percent of the implementation of preference and reservation scheme is explained by access to finance by special groups The study accentuates that at 5% level of significance the regression results indicated a positive and significant relationship between access to financing by special groups and implementation of preference and reservation scheme in tertiary institutions with $\beta = 0.736$ at p value 0.000 which is less than 0.05.

Access to Finances by Special Groups Model Coefficients

Model		Unstandardized Coefficients B	Unstandardized Coefficients Std. Error	Standardized Coefficients Beta	t	Sig.
1	(Constant)	1.077	.166		6.500	.000
	Access to finances by special groups	.736	.048	.803	15.369	.000
$R= 0.803$, $R^2= 0.645$, Adjusted $R^2= 0.642$, Std Error = 1.289, F =236.204 and Sig =0.000						

a. Dependent Variable: implementation of preference and reservation scheme

DISCUSSION

The study examined the effect of access to financing by special groups on implementation of preference and reservation scheme in tertiary institutions. From the bivariate linear regression, the model equation fitted using unstandardized coefficients is; $Y= 1.077 + 0.736X_1 + e$. Where 1.077 is the constant while X_1 is access to financing by special groups' index. This means that access to financing by special groups positively and significantly influences the implementation of preference and reservation scheme. It also means that an increase of one unit of X_1 increases Y by 0.736. The indication was that access to finances by the special groups is a major factor that affects implementation of preference and reservation scheme. The study noted that young entrepreneurs face key constraints and challenges in accessing funding for their business ventures. They consist of lack of securities and credibility (for debt financing), lack of resources and personal savings, stern credit-scoring regulations and methodologies, lack of skills and business experience (for debt financing), long waiting periods, complex documentation procedures, lack of understanding, knowledge, awareness of start-up financing possibilities, adverse characteristics of the firm and industry and legal form/status of enterprise (Chigunta, 2012).

CONCLUSIONS

This study concludes that deliberate effort needs to be initiated through government interventions to ensure that special groups are given preferential treatment when accessing financial support from financial institutions. To achieve intended objective of enabling the youth, persons with disabilities and women access to 30% of all government procurement opportunities in Kenya, a deliberate effort must be put in place to develop training programs aimed at empowering women, youth and persons with disabilities to enable them acquire prerequisite skill to enable them identify opportunities to do business with Government.

RECOMMENDATIONS

The finding revealed that access to financing by special groups had positive and significant effect on implementation of preference and reservation scheme in tertiary institutions. Following this finding, this study recommends that government should develop intervention strategies or policies to ensure easy access to fund by special group to enable them participate in public procurement. There is need to undertake comparative studies covering other counties in order to validate whether the findings can be generalized.

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