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PUBLIC PROCUREMENT AND GOOD GOVERNANCE IN NIGERIA

TRAINING MANUAL

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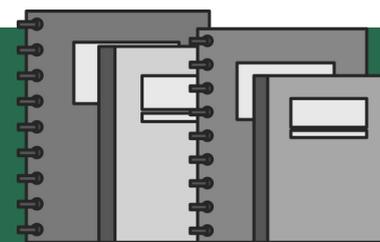
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I. Introduction



This manual is a learning aid for the training component of the “Public procurement and good governance in Nigeria” project undertaken by the Brookings Institution Africa Growth Initiative,[1] Stellenbosch University, South Africa,[2] and the Centre for the Study of the Economies of Africa (CSEA), Nigeria.[3] The manual is not a textbook or workbook but is designed to support the in-person training sessions. The training is intended to facilitate the development of competence, in terms of knowledge and skill, in the field of public procurement.

Public procurement governs the state’s acquisition of goods and services needed to fulfill its public functions through private transactions with commercial suppliers.[4] The training presumes that participants have a basic understanding of the public procurement system, but also includes a module that is an introduction to public procurement in Nigeria.

The training covers **four modules**:

- An introduction to public procurement,
- Transparency in public procurement,
- Gender-responsive procurement, and
- Behavioral insights for public procurement

Each module is designed to provide practical information on the topics under study and includes reading materials, exercises, and additional resources for further learning.

Each module builds on the previous modules and participants’ understanding of public procurement in general. It is assumed that the knowledge and skills developed in prior modules and through work experience are in place. It will thus be expected of participants to rely on such prior knowledge and skills when engaging with the modules.

This training manual incorporates assessments through exercises at the end of each module. Participants are expected to engage with the questions as a means of reflecting on and assessing their own learning.



- **Reading material**
- **Introduction**
- **Module Content**
- **Exercises**
- **Summary**

[1] “Brookings Institution.” <https://www.brookings.edu/>

[2] “Stellenbosch University, South Africa.” <https://www.sun.ac.za/english>

[3] “Centre for the Study of the Economies of Africa.” <https://cseaafrica.org/>

[4] “Public Procurement Act, 2007: A Simplified Version Public Procurement Act, 2007 a Simplified Version PUBLIC and PRIVATE DEVELOPMENT CENTRE with Support from PACT Nigeria ADVANCE Program,” 2007.

<https://library.procurementmonitor.org/backend/files/Simplified%20Version%20OF%20THE%20PUBLIC%20PROCUREMENT%20ACT%202007.pdf>

II. Intended participants



This training is designed to cater to a diverse group of professionals involved in the procurement process at the federal and state levels in Nigeria. The intended participants include, but are not limited to:

Procurement officers:

This training is suitable for procurement officials involved in drafting bid and specification documents, conducting evaluations, negotiating contracts, and ensuring compliance with procurement laws and regulations. This training will provide them with an understanding of the legal framework governing procurement in Nigeria and information on how to address transparency and increase gender considerations in public procurement, whilst understanding how behavioral tools can contribute to improving ethical decisions in public procurement.

Contract managers:

Contract managers oversee the execution and management of public contracts, ensuring that contractual obligations are met and that disputes are resolved efficiently. This training will provide them with an understanding of the legal framework governing procurement in Nigeria, information on transparency issues and manage contracts which include gender considerations whilst understanding how behavioral tools can contribute to improving ethical decisions in public procurement.

Legal advisors:

Legal advisors ensure that procurement activities adhere to legal standards. This training will serve as a valuable resource for these professionals, providing them with insights into the legal framework governing procurement in Nigeria, information on how to address transparency and increase gender considerations in public procurement, whilst understanding how behavioral tools can contribute to improving ethical decisions in public procurement.

Finance and accounting professionals:

These professionals are responsible for managing budgets, processing payments, and ensuring financial accountability in procurement activities. This training will help them understand the financial implications of procurement laws.

Project managers:

Project managers oversee the planning and execution of procurement projects. This training will provide them with the knowledge necessary to manage procurement processes effectively, in compliance with legal requirements.

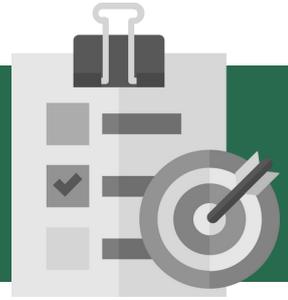
Suppliers:

Suppliers who provide goods and services to public organizations also need to understand procurement laws to ensure that they comply with legal requirements. This training will help them understand the public procurement framework in order to navigate the procurement process effectively.

Public sector employees:

Public sector employees involved in procurement activities must adhere to strict legal and regulatory standards. This training will provide them with an understanding of public procurement laws, helping them to conduct procurement activities transparently, fairly, and efficiently.

III. Learning objectives



At the end of this training, participants should be able to:

1. Understand the fundamentals of public procurement

- Define public procurement and its importance in government operations.
- Explain the legal and regulatory frameworks governing public procurement in Nigeria.
- Ensure compliance with legal and regulatory requirements throughout the procurement process.

2. Identify best practices for improving transparency in public procurement

- Describe the principles of transparency, accountability, and fairness in procurement.
- Understand methods for increasing transparency in public procurement.

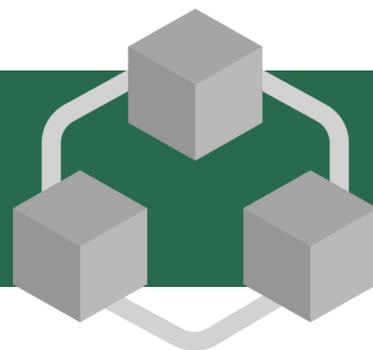
3. Understand the importance of gender-responsive procurement

- Make the case for gender-responsive procurement in Nigeria.
- Understand the measures and steps to increasing gender participation in the procurement process.
- Promote diversity and inclusion by encouraging participation from small, minority-owned, and women-owned businesses.

4. Understand the fundamentals of behavioral tools

- Understand how behavioral insights may be used to address corruption and fraud in public procurement.
- Identify areas in public procurement that could benefit from behavioral tools.

IV. Modules



Module 1: Introduction to Public Procurement

Reading material

- Sope Williams, “The Reform and Regulation of Public Procurement in Nigeria” (2012) 41 (2) *Public Contract Law Journal*, 339.
- Sope Williams, “Nigeria” in S. Williams and J. Tillipman (eds), *Routledge Handbook of Public Procurement Corruption (2024)*.
- Nyeck, S. N. (2016). Public procurement reform and governance in Africa. New York, NY: Palgrave Macmillan.

Introduction

1. What is Public Procurement?

- The term “public procurement” refers to the legal and institutional framework that governs the purchase of the goods, services, and construction that a publicly funded agency requires to function and maximize public welfare.[5]
- Publicly funded agencies include government departments, parastatals, and state-owned companies.
- Public procurement can refer to contractual as well as non-contractual arrangements, i.e., statutory supply of utilities. It should also cover the disposal of public assets.[6]
- Public purchases range from the mundane to the costly and specialized—from paper clips to unmanned combat aerial vehicles. The type of purchase also determines the method/modality of purchase: i.e., public-private partnerships for infrastructure, but not for printer paper.[7]
- Public procurement is an aspect of the public financial management (PFM) framework and cannot be divorced from the PFM framework. PFM includes revenue mobilization (e.g., taxation and customs), budget preparation and resource allocation, budget execution (e.g., procurement and payroll), and the accounting and auditing of government expenditures.[8]

[5] OECD. “Public Procurement.” OECD, n.d. <https://www.oecd.org/en/topics/policy-issues/public-procurement.html>.

[6] “Public Procurement Procedure Handbook Volume I Standardized Procurement Procedure” 2013.

http://www.oas.org/juridico/PDFs/mesicic5_biz_resp_annex33.pdf.

[7] Lee, Hojun, and Kiwan Kim. 2018. “Traditional Procurement versus Public–Private Partnership: A Comparison of Procurement Modalities Focusing on Bundling Contract Effects.” SSRN Electronic Journal, 2018. <https://doi.org/10.2139/ssrn.3339138>.

[8] GSDRC. 2016. “PFM and Corruption.” GSDRC - Governance, social development, conflict and humanitarian knowledge services, <https://gsdrc.org/professional-dev/pfm-and-corruption/>.

2. Method of assessing procurement process: MAPS[9][10]

The Methodology for Assessing Procurement Systems (MAPS) is a comprehensive tool for determining the quality and efficacy of a country's public procurement system. Broadly, it has four components or pillars which include:

- **Legal, regulatory, and policy framework:** This component examines the laws, regulations, and policies governing public procurement, guaranteeing they are comprehensive, transparent, and compliant with international standards.
- **Institutional framework and management capacity:** This examines the roles, organizational structures, and capacity of institutions to deal with procurement, focusing on how well they can carry out procurement processes.
- **Accountability, integrity, and transparency:** This pillar assesses current procurement methods, such as process efficiency, competitiveness, and market integrity.
- **Procurement operations and market practices:** This component evaluates methods for oversight, control, and public access to procurement information, ensuring that procurement activities are carried out with high levels of integrity and transparency.

Figure 1: Methodology for Assessing Procurement Systems (MAPS)[11]



[9] "Methodology For Assessing Procurement Systems (MAPS). 2018" Accessed on November 22, 2024.

https://www.mapsinitiative.org/methodology/MAPS-methodology-for-assessing-procurement-systems.pdf?utm_source=chatgpt.com

[10] "Methodology for Assessing Procurement Systems (MAPS)—A Resource Guide. 2020." https://storage.googleapis.com/wb-bid/BID_2020_TPL_MAPS_Methodology.pdf

[11] "Efficiency assessment methods of public procurement." Accessed November 21, 2024.

<https://procurement.intosairussia.org/en/international-regulation-and-approaches-to-evaluation-of-public-procurement-systems/efficiency-assessment-methods-of-public-procurement.html>

3. Procurement regulation in Nigeria

- Procurement is regulated by the Public Procurement Act of 2007 (PPA),^[12] which also created the Bureau of Public Procurement (BPP). BPP is the procurement regulator for procurement at the federal level. Most states in Nigeria have their own procurement laws and procurement regulators.^[13]
- Prior to 2007, Nigeria did not have a procurement system in the sense that procurement was regarded as a support function conducted by non-professional staff and there was no legislation regulating the procurement function.^[14] There was no defined organization of the procurement function and no institution with oversight responsibility over public procurement.
- Procurement reform was initiated in Nigeria after the election of a democratic government in 1999.^[15]
 - The PPA is a comprehensive statute which created new institutions, strengthened new and existing obligations on procuring authorities in relation to the procurement function, provided for the use of competitive procurement procedures, created a system of supplier remedies, created a debarment (disqualification) mechanism, and catalogued several procurement-related offenses.
 - The PPA governs the procurement of goods, construction works, and services, and also applies to the disposal of state assets.
 - The PPA mandated the creation of two new institutions—the National Council on Public Procurement (NCPP) and the Bureau of Public Procurement (BPP).
 - The NCPP was intended to function as the supreme oversight procurement body in Nigeria and is made up of high level politicians and officers such as the Minister of Finance, the Attorney-General, the Secretary to the Government, the Head of the Civil Service, the Economic Adviser to the President, the Director-General of the BPP and representatives of civil society, the media, the Bar, the Chamber of Commerce, the Society of Engineers and the Institute of Purchasing and Supply Management. However, the NCPP was never constituted.
 - The BPP regulates public procurement, assents to federal contracts subject to the relevant financial thresholds, monitors the contract process and keeps a database of contract prices, publicizes details of major contracts, maintains databases of federal contractors, undertakes procurement research and the training of procurement professionals, prepares standard bidding and contract documents, and prevents fraud and corruption in public procurement.
 - The BPP also supervises the procurement function of government agencies by reviewing the procurement and contract award procedures of government agencies, conducting procurement audits of such institutions, and maintaining a central internet portal as a source of all procurement-related information.

[12] Federal Republic of Nigeria Official Gazette. 2007. Public Procurement Act. No 65 Vol 94.

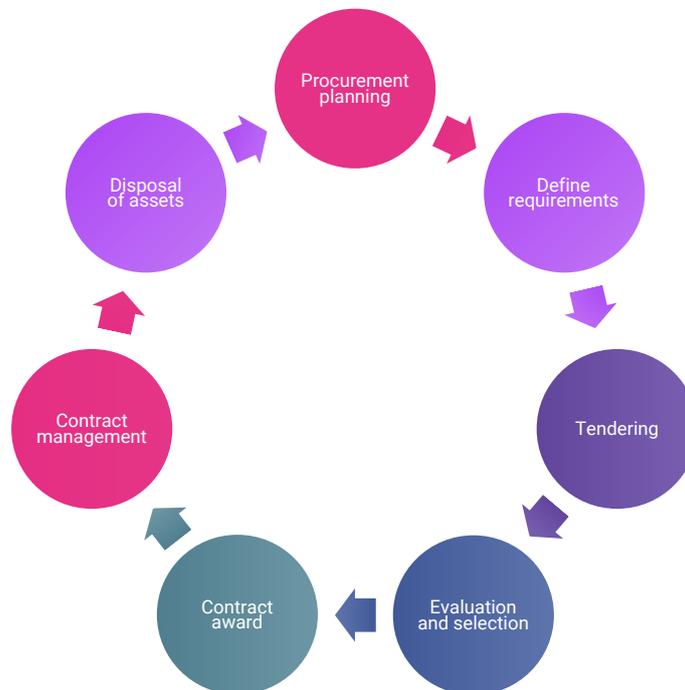
[13] Williams-Elegbe, Sope. 2014. "A Comparative Analysis of the Nigerian Public Procurement Act against International Best Practice." *Journal of African Law* 59, no. 1 (November 24, 2014): 85–98. <https://doi.org/10.1017/s0021855314000187>.

[14] Adeniran, Adedeji, Isiaka Akande Raifu, and Great Nnamani. 2024. "Transparency in the Procurement Process in Nigeria." *Brookings*, November 19. <https://www.brookings.edu/articles/transparency-in-the-procurement-process-in-nigeria/>.

[15] Federal Republic of Nigeria Official Gazette. 2007. Public Procurement Act. No 65 Vol 94.

- Many states have also implemented some version of procurement laws and institutions similar to the PPA and BPP at the federal level.[16][17][18][19] In principle, a given state’s procurement policies should reflect the framework highlighted in the PPA.
- Public procurement is based on the following core principles:[20]
 - Value for money: Acquire the goods/services/works on best possible terms(suitable for requirements, not gold-plated, best available terms incl. life cycle costs, contractor is responsible and can deliver).
 - Efficiency in the procurement process: Procurement process is timely and cost-effective
 - Transparency: Openness as an integral part of the procurement system.
 - Integrity: Actual probity (preventing corruption) and the appearance of probity (avoiding conflicts of interest)
 - Fair treatment of contractors: Include non-discrimination and administrative law requirements (due process)
- Public procurement is carried out through a process (called the procurement process or the procurement cycle), which is defined and regulated by law, and represented by the diagram below:

Figure 2: Procurement cycle



[16] Ekitistate.gov.ng. "Home Page - Ekiti State Bureau of Public Procurement (EKBPB)," 2024. <https://ocds.bpp.ekitistate.gov.ng/>.

[17] "Ekiti State Public Procurement Law Ekiti State Public Procurement Law," 2010. http://bpp.ekitistate.gov.ng/wp-content/uploads/2019/10/ekiti_state_public_procurement_law_9.pdf.

[18] "KADPPA – Kaduna State Public Procurement Authority – Due Process," 2024. <http://web.kadppa.ng/>.

[19] "A Law to Establish a Public Procurement Authority for Kaduna State and For Connected Purposes." Accessed November 21, 2024. <https://policyvault.africa/wp-content/uploads/policy/NGA2081.pdf>.

[20] "What are the core principles of public procurement?" 2022. <https://pagabo.co.uk/news/what-are-the-core-principles-of-public-procurement/#:~:text=Public%20procurement%20is%20fundamentally%20based,the%20goods%20or%20services%20bought%E2%80%9D>.

[21] Central Procurement Office. "Principles of Procurement." <https://www.procure.gov.ky/principles-of-procurement>.

[22] Iowe, Bolland, and Joe Stevenson. "A Guide to the Principles of Public Sector Procurement." Procure Partnerships Framework, May 31, 2024. <https://procurepartnerships.co.uk/news/a-guide-to-the-principles-of-public-sector-procurement/>.

Module Content

4. Why is public procurement regulated by law?

<ul style="list-style-type: none"> • Procurement law arises in relation to two needs: [23][24] 	To ensure that public money is efficiently and properly incurred in fulfilling public needs, and
	To ensure that the government as the custodian of public funds uses these funds in a way that supports public agendas, which can range from sustainability concerns to the liberalization of procurement markets.

<ul style="list-style-type: none"> • Procurement regulation does the following: [25][26] 	It defines the public agencies that are bound by procurement regulations (contracting entities);
	Establishes the procedures for obtaining public requirements (the tender process/methods);
	Defines the conditions for the participation of the private sector in a tender process (qualification requirements);
	Determines how procurement processes can be challenged and subject to administrative/judicial review;
	Creates the institutional framework for procurement such as regulators and review bodies (e.g. BPP)
	Sets the conditions for integrity in the procurement process, through requirements for transparency, competition, fairness, and prohibitions against unethical conduct, and
	Designs the process to ensure that other public agendas can be met through procurement, such as human rights, sustainability, economic stimulation, and innovation.

[23] World Bank. "The Public Procurement Law." Accessed November 21, 2024. <https://ppp.worldbank.org/public-private-partnership/sites/ppp.worldbank.org/files/2024-09/Law%20No.%20124-2012%2C%2014-2015%20and%2068-2015%20on%20Public%20Procurement.pdf>.

[24] Williams-Elegbe, Sope. 2014. "A Comparative Analysis of the Nigerian Public Procurement Act against International Best Practice." *Journal of African Law* 59, no. 1 (November 24, 2014): 85–98. <https://doi.org/10.1017/s0021855314000187>.

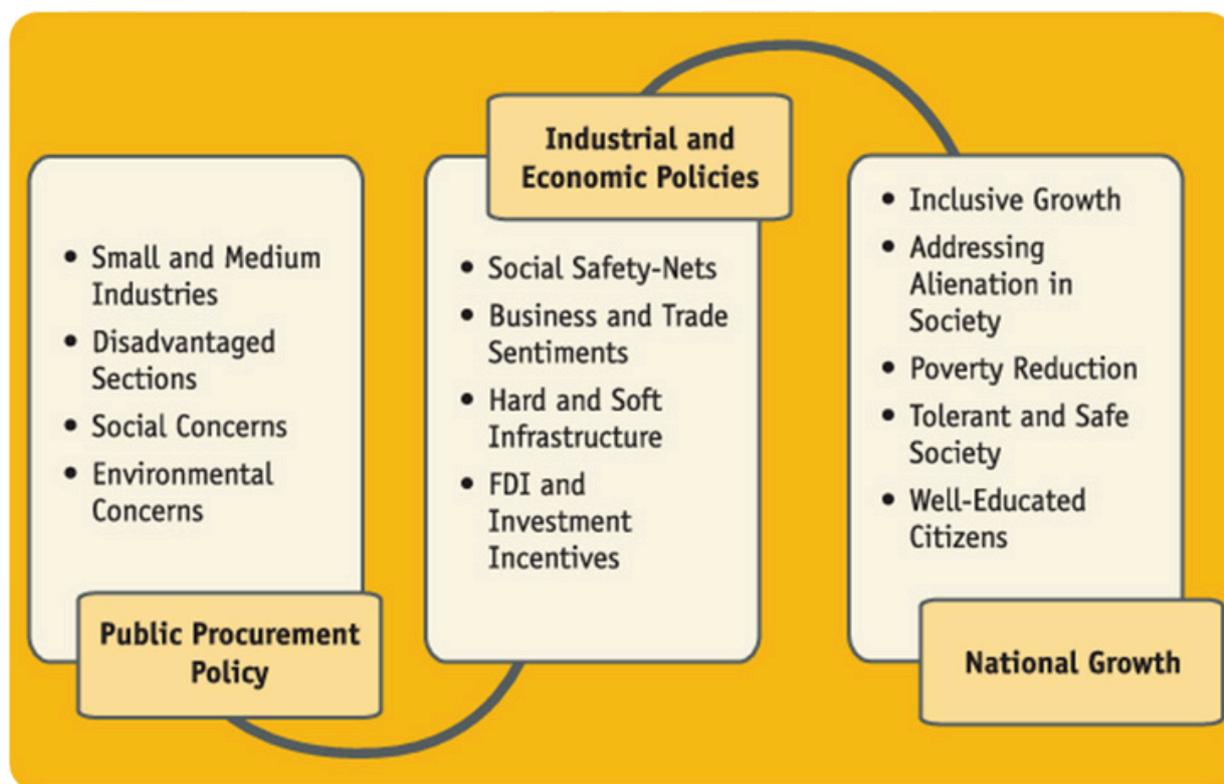
[25] Federal Republic of Nigeria Official Gazette. 2007. Public Procurement Act. No 65 Vol 94.

[26] World Bank. 2020. "THE WORLD BANK Procurement Regulations for IPF Borrowers." <https://thedocs.worldbank.org/en/doc/178331533065871195-0290022020/original/ProcurementRegulations.pdf>.

5. Why is public procurement important?

- Public procurement is important because of the large sums of money involved (12-40% of GDP).[27][28]
- The large sums spent on procurement means it can be used to support public agendas such as sustainable development, small businesses, and gender quality.
- Public procurement can be described as the delivery mechanism for development. In developing countries where the government is responsible for the provision of basic infrastructure, which may be underdeveloped, the procurement system is the main way by which development may occur.[29]
- Public procurement can be a strategic tool for achieving key policy objectives: from buying green and improving outcomes in health to tackling global challenges such as climate change and promoting socially responsible suppliers in the global value chain. [30][31]

Figure 3: Socioeconomic importance of public procurement[32]



[27] OECD. "Public Procurement." OECD, n.d. <https://www.oecd.org/en/topics/policy-issues/public-procurement.html>.

[28] Fazekas, Mihály, and Jürgen Blum. 2021. "Improving Public Procurement Outcomes Review of Tools and the State of the Evidence Base."

<https://documents1.worldbank.org/curated/en/656521623167062285/pdf/Improving-Public-Procurement-Outcomes-Review-of-Tools-and-the-State-of-the-Evidence-Base.pdf#page=4.09>.

[29] Wittig, Wayne. "Public Procurement and the Development Agenda Senior Adviser for Public Sector Procurement Table of Contents," n.d. Accessed on November 21, 2024

https://www.wto.org/english/tratop_e/gproc_e/wkshop_tanz_jan03/itcdemo1_e.pdf.

[30] Fritchie, William. 2024. "The Importance of Effective Public Procurement." Newable, September 19, 2024. <https://www.newable.co.uk/the-importance-of-effective-public-procurement/>.

[31] Krause, Philipp, and Lina Tutunji. 2014. "Three Reasons Procurement Is Essential for Development." World Bank Blogs, <https://blogs.worldbank.org/en/governance/three-reasons-procurement-essential-development>.

[32] "Professional Diploma in Public Procurement." Accessed on November 21, 2024. <https://www.ipscm.org/wp-content/uploads/2021/02/Introduction-to-Procurement-and-Public-Procurement.pdf>.

6. Corruption in the procurement process[33]

- Public procurement cannot be divorced from the environment and procurement is an integral part of the public financial management environment.
- Public Financial Management (PFM) processes include revenue mobilization (e.g., taxation and customs), budget preparation and resource allocation, and budget execution (e.g., procurement and payroll).
- The nature and quality of a country's PFM system to a considerable extent determines the ease with which public corruption can occur.[34]
- Weak regulatory and control environments offer the best opportunities for corruption in public spending. The challenge is creating a robust public finance system that maximizes detection and remediation of corruption, thereby minimizing opportunities for corruption.[35][36]
- Corruption in PFM can directly affect a range of different development outcomes, such as pro-poor growth, or the quality and availability of public services.
- Corruption in PFM diverts scarce resources away from public purposes, jeopardizes the ability of governments to achieve their agenda, directly affects spending on priority sectors such as education and health, and can have a particularly damaging impact on growth.[37]

7. Phases of the procurement process

- The public procurement cycle starts with planning. There ought to be procurement planning and needs identification which occurs with the public sector budgeting cycle. Most procurement regulations do not address this phase.[38]
- The planning phase includes defining public sector requirements, ensuring budget and approvals are in place, and determining how and when the procurement process will occur.
- Poor planning may lead to a waste of resources on unsuitable projects and a reliance on emergency contracting.
- The tendering stage includes advertisements/invitations to bidders and identifying the type of competition i.e., open or limited bidding or single source procurement.[39]
- Evaluation is the stage at which the procuring entity determines the actual cost and the merits of offers to determine which offer is accepted for a contract award.

[33] Søreide, Tina. 2002. "Corruption in public procurement. Causes, consequences and cures." Chr. Michelsen Institute. <https://gsdrc.org/document-library/corruption-in-public-procurement-causes-consequences-and-cures/#:~:text=Corruption%20in%20procurement%20occurs%20when,recognisable%20benefit%20from%20the%20act.https://www.adb.org/sites/default/files/publication/27900/governance-corruption-public-financial-management.pdf>

[34] Tanzi, Vito, Francesco Forte, Clay Wescott, Salvatore Schiavo-Campo, Daniel Tommasi, and Benjamin Diokno. "Governance, Corruption, and Public Financial Management," n.d. <https://www.adb.org/sites/default/files/publication/27900/governance-corruption-public-financial-management.pdf>

[35] Prakash, Tej, and Ezequiel R. Cabezon. 2008. "Public Financial Management and Fiscal Outcomes in Sub-Saharan African Heavily-Indebted Poor Countries." SSRN Electronic Journal. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1278428.

[36] Schaeffer, Michael. "Corruption and Public Finance," 2002. https://pdf.usaid.gov/pdf_docs/PNACT881.pdf

[37] Sallaku, Julia, David Clarke, Sanjeev Gupta, Sheila O'Dougherty, Jennifer Asman, Danielle Serebro, and Hélène Barroy. 2024. "Corruption—Standing in the Way of Effective Public Financial Management for Health?" Center For Global Development.

[38] The Procurement Cycle - Planning Phase | NIGP." n.d. Accessed November 18, 2024. <https://www.nigp.org/learning/all-courses/nigp-courses/procurement-cycle-planning-phase>.

[39] Federal Republic of Nigeria Official Gazette. 2007. Public Procurement Act. No 65 Vol 94.

- Evaluation is done by relying on evaluation criteria. Evaluation criteria assess the technical merits or quality of offers received and those that relate to the price. Such criteria can include cost, including life cycle costs; quality of goods; extent to which quality meets bid specifications; and horizontal issues. A winning bid will be responsive to the bid specifications of the goods or services required and scores highly on the evaluation criteria.[40][41]
- Evaluation criteria will be assigned different weights and these weights are aggregated to determine the winner.[42]
- The contract ought to be awarded to the most responsive bidder. The contract award decision should be publicized, and unsuccessful bidders should also be notified and given reasons for their failure to secure the contract.
- Most jurisdictions have a “standstill” period, giving bidders a period of time to complain about the process before a contract is signed.[43]
- Contract management phase is not often regulated by law, but is crucial to the success of the project.
- There should be a contract management plan that delineates key roles, key contractual dates and delivery milestones, budget and payment milestones, contract risk areas, etc. Poor contract administration will undermine the competitive process and frustrate the basis for supplier selection e.g., if excessive cost increases are allowed or contractual variations.[44][45]

8. Challenges with public procurement

- Public procurement is highly susceptible to fraud and corruption.[46][47]
 - This arises for several reasons, including the large sums of money involved, the discretion granted to procurement officials, and the lack of compliance with the rules.
 - Many procurement systems prioritize the publication of procurement information to imply transparency but ignore the holistic processes that are needed to ensure full compliance with procurement principles.
 - Political interference can happen in procurement processes either through recruitment of procurement officials or selection of contractors.
 - Public procurement in Nigeria has been less deployed to achieve stronger developmental agendas such as gender inclusion.

[40] Tendium. 2024. "Understanding the Bid Evaluation Process in Public Procurement – Tendium," <https://tendium.ai/learn/bid-evaluation-process-in-public-procurement/>.

[41] Cholopray, Aaron K.D. 2019. "The Bid Evaluation Process." The Procurement Classroom. <https://www.procurementclassroom.com/the-bid-evaluation-process/>.

[42] Lorentziadis, Panos L. "Post-Objective Determination of Weights of the Evaluation Factors in Public Procurement Tenders." European Journal of Operational Research 200, no. 1 (January 2010): 261–67. <https://doi.org/10.1016/j.ejor.2008.12.013>.

[43] Kuugongelwa, Ester Ndapepwa. 2016. "A Critical Analysis of Namibia's Public Procurement Supplier Remedies Regulatory Framework: Introducing the Standstill Period." AFRICAN PUBLIC PROCUREMENT LAW JOURNAL 2, no. 1. <https://doi.org/10.14803/2-1-14>.

[44] Cutright, Elizabeth. 2021. "7 Essential Stages of Contract Management." www.contractworks.com, <https://www.contractworks.com/blog/7-essential-stages-of-contract-management/>.

[45] World Bank. 2024 "Contract Management Practice Procurement Guidance," <https://thedocs.worldbank.org/en/doc/91fb360c22051e5c09809215cb32f117-0290012024/original/Contract-Management-Practice-Procurement-Guidance-June-2024.pdf>.

[46] Adeniran, Adedeji, and Isiaka Akande Raifu. 2024. "Public Procurement in Nigeria: How to Reform the Unreformable." March 21, 2024. <https://www.brookings.edu/articles/public-procurement-in-nigeria-how-to-reform-the-unreformable/>.

[47] Rowland, Steve. 2022. "Procurement Challenges in the Public Sector | eXceeding." What Are the Major Procurement Challenges Confronting Local Governments? (blog). November 21, 2022. <https://www.exceeding.co.uk/blog/what-are-the-major-procurement-challenges-confronting-local-governments/>.

Figure 4: Challenges of public procurement[48]



Exercises

1. Review the Public Procurement Act and think about whether it is properly implemented in your organisation.
2. What kinds of purchases does the Public Procurement Act 2007 cover?
3. Does the Public Procurement Act 2007 cover the disposal of assets?

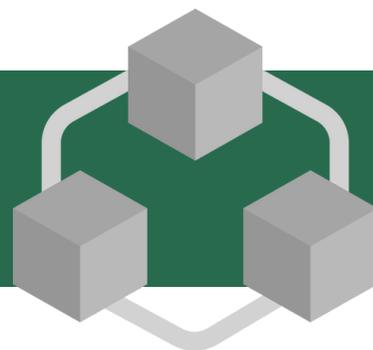
Summary

Public procurement is an important part of the PFM framework that enables the government to obtain the requirements it needs to function and maximize public welfare. It is regulated at the federal level by the Public Procurement Act 2007, which created new institutions, strengthened obligations on procuring authorities in relation to the procurement function, provides for competitive procurement procedures, created a system of supplier remedies, created a debarment mechanism and outlined several procurement related offences. [49]

[48] Common Challenges In Public Procurement." n.d. FasterCapital. Accessed November 18, 2024. <https://fastercapital.com/keyword/common-challenges-in-public-procurement.html>.

[49] "Public Procurement Act Federal Republic of Nigeria Official Gazette," 2007. <https://www.bpp.gov.ng/wp-content/uploads/2019/01/Public-Procurement-Act-2007.pdf>.

IV. Modules



Module 2: Transparency in public procurement

Reading material

- Transparency, accountability, and integrity of public procurement systems. Available at https://knowledgehub.transparency.org/assets/uploads/helpdesk/Transparency-accountability-and-integrity-of-public-procurement-systems_2024-English-Version.pdf#:~:text=Contents.%20Public%20procurement%20systems%20and%20anti-corruption.%20Public%20procurement%20as%20a
- Kofi Osei-Afoakwa, How Relevant is the Principle of Transparency in Public Procurement? Available at <https://core.ac.uk/download/pdf/234681599.pdf>

Introduction

1. What is transparency in public procurement?

- Transparency refers to the idea of a procurement system and processes based on open procedures and full information.[50] It is necessary for there to be fairness and accountability in a procurement system.
- Fairness refers to the idea of a level playing field, giving people equal access to procurement opportunities.[51]
- Fairness also requires that bidders (such as small businesses and women-owned businesses) that face barriers in accessing procurement should be supported to eliminate those barriers.
- Accountability implies that officials provide information based on which selection decisions were taken and that the process is subjected to independent evaluation.[52]

[50] "Supplement to the 2011 Annual Statistical Report on United Nations Procurement Transparency and Public Procurement," n.d. https://content.unops.org/publications/ASR/ASR-supplement-2011_EN.pdf.

[51] OECD. 2013, "Fair Competition in Public Procurement and SMEs." Government at a Glance, 136–37. https://doi.org/10.1787/gov_glance-2013-47-en.

[52] Menitta, Tadewos, and Mata Maldaye. 2020 "ACCOUNTABILITY in PUBLIC PROCUREMENT: THE CASE of FEDERAL PUBLIC ORGANIZATIONS of ETHIOPIA." International Journal of Advanced Research 8, no. 10 1179–90. <https://doi.org/10.21474/ijar01/11951>.

Module Content

2. The elements of transparency in public procurement [53][54]

- Publication of rules governing the bidding process i.e., standard bidding documents and general contract clauses includes:
 - Publicity for the rules of the award procedure i.e., details of technical and economic requirements, statements of all non-price criteria i.e., preferences under the Preferential Procurement Policy Framework Act (PPPFA)
 - Clarity on the nature of the competition i.e., open or limited and whether negotiations are possible.
- Publicity of contract opportunities including invitations to bid, requests for proposals, requests for quotations, and pre-qualification invitations.
- Publicity for deviations from a competitive process.
- Rules limiting discretion of organs of state through:
 - Formal competitive procedures
 - Procedures governing the conduct of negotiations where permissible
 - Public opening of tenders
 - Rules governing the evaluation of tenders
- Accountability through monitoring, verification, and enforcement of procurement decisions through
 - Publication of information on all contracts awarded on the open contracting portal
 - Dissemination of reasons for contract decisions to participants
 - Record keeping
 - Opportunities for dispute resolution (internal with the ministry, department, or agency and external through the BPP and the courts).

3. What are the elements of fairness in public procurement? [55][56]

- No bias in decisionmaking i.e., no preferential treatment unless in accordance with the law.
- Decisions not made on basis of corruption, favoritism (nepotism, cronyism, clientelism), or abuse of office.
- Offers from bidders must only be considered on the basis of compliance and not for extraneous factors.
- No one must be denied the right to challenge a procurement procedure.
- Procurement rules must be clear and not create obstacles for bidders.

[53] OECD. 2011. "Transparency in Public Procurement." www.oecd-ilibrary.org, 150–51. https://doi.org/10.1787/gov_glance-2011-47-en.

[54] Supplement to the 2011 Annual Statistical Report on United Nations Procurement Transparency and Public Procurement," n.d. https://content.unops.org/publications/ASR/ASR-supplement-2011_EN.pdf.

[55] "THE ROLE/IMPORTANCE OF ETHICS AND INTEGRITY IN PUBLIC PROCUREMENT Presented at the Association of Public Procurement Practitioners of Nigeria 5th June 2024 by Bola Adeniran MCIPS, FCICPFM," 2024. <https://www.appon.ng/box/THE-%20ROLE-IMPORTANCE-OF-ETHICS-AND-INTEGRITY-IN-PUBLIC-%20PROCUREMENT.pdf>.

[56] "PUBLIC PROCUREMENT PROCEDURES HANDBOOK VOLUME I STANDARDISED PROCUREMENT PROCEDURES," 2013. http://www.oas.org/juridico/PDFs/mesicic5_blz_resp_annex33.pdf.

4. How do you increase transparency in public procurement?[57][58]

- Ministries, departments, and agencies can increase transparency in their procurement processes through publishing procurement data in accessible formats online, including contract details, bidding documents, and award decisions. This allows for public scrutiny and analysis.
- Public participation: Involving stakeholders, including civil society organizations as monitors in the procurement process.
- Use of technology: Implement e-procurement systems that automate and streamline the procurement process, making it easier to track and monitor transactions in real time and reduce the human interaction in procurement evaluations.
- Regular audits: Conduct independent audits of procurement processes and publish the results. This helps identify irregularities and reinforces accountability.

5. Challenges to effective transparency [59]

- Insufficient political will to fully implement the provisions of PPA such as the proposal for establishment of the National Council on Public Procurement (NCP) to provide checks on the abuses.
- Uneven implementation of e-procurement across the federation and poor infrastructural networks to modernize the procurement system.
- Inadequate training and retraining of procurement officers on modalities to improve transparency.

Table 1: Approved thresholds for procurement projects[60]

Approving authority	Goods	Works	Services
BPP Certificate of "No Objection to Contract Award"	N300 million and above	N1.5 billion and above	N300 million and above
Ministerial Tender Board	N20 million and above but less than N300 million	N30 million and above but less than N1.5 billion	N20 million and above but less than N300 million
Parastatal Tenders Board	N10 million and above but less than N100 million	N20 million and above but less than N100 million	N10 million and above but less than N100 million

[57] OECD. "COMPENDIUM of GOOD PRACTICES for INTEGRITY in PUBLIC PROCUREMENT PREPARED by the OECD," 2014. https://www.unodc.org/documents/corruption/G20-Anti-Corruption-Resources/Thematic-Areas/Public-Sector-Integrity-and-Transparency/OECD_Compndium_of_Good_Practices_for_Integrity_in_Public_Procurement_2014.pdf.

[58] Transparency International. 2014. "PUBLIC PROCUREMENT TOPIC GUIDE COMPILED by the ANTI-CORRUPTION HELPDESK," <https://knowledgehub.transparency.org/assets/uploads/topic-guides/Public-procurement-topic-guide.pdf>.

[59] Soyulu, Ahmet, Oscar Corcho, Brian Elvæsæter, Carlos Badenes-Olmedo, Francisco Yedro-Martínez, Matej Kovacic, Matej Posinkovic, et al. 2022. "Data Quality Barriers for Transparency in Public Procurement." Information 13, no. 2: 99. <https://doi.org/10.3390/info13020099>.

[60] Approval for the Revision of the Subsisting Service-Wide Prior Review Threshold and Monetary Threshold. 2022. Vol. PROC/OSGF/BPP/709/85.

Approving authority	Goods	Works	Services
Accounting Officer: Permanent Secretary	Less than N20 million	Less than N30 million	Less than N20 million
Accounting Officer: Director General/CEO	Less than N10 million	Less than N20 million	Less than N10 million

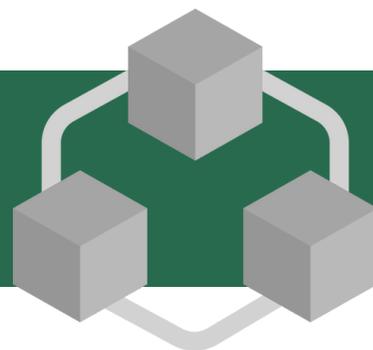
Exercises

1. Consider the procurement cycle in your organization. What portions of this cycle can benefit from greater transparency?
2. Write a memorandum to the accounting officer of your organization sharing your ideas and explaining how your ideas can be implemented within the organization.

Summary

Transparency in public procurement is a means of fostering fairness and accountability in the procurement system. A transparent system reduces the opportunities for corruption and fraud, makes it easier to monitor the system, and makes it easier for businesses owned by women and smaller businesses to benefit from procurement opportunities.

IV. Modules



Module 3: Gender-responsive procurement

Reading material

- Sope Williams, “Promoting gender equality in Africa through gender responsive procurement”. Available at <https://www.brookings.edu/articles/promoting-gender-equality-in-africa-through-gender-responsive-procurement/>
- Sope Williams, Landry Signé “Addressing public procurement barriers will empower women-owned businesses in Africa”. Available at <https://www.brookings.edu/articles/addressing-public-procurement-barriers-will-empower-women-owned-businesses-in-africa/>
- Sope Williams, “The state of gender responsive public procurement in Nigeria”. Available at <https://www.brookings.edu/articles/the-state-of-gender-responsive-public-procurement-in-nigeria/>

Introduction

1. What is gender-responsive public procurement? [61][62]

- Gender-responsive procurement (GRP) is the sustainable selection of services, goods, or civil works that considers the impact on gender equality and women’s empowerment.
- Implementing GRP can drive significant social and economic benefits and is a lever towards achieving women’s economic empowerment and gender equality.
- Gender-responsive procurement can be used to increase the number and value of contracts awarded to women-owned businesses (WOBs) and gender-responsive businesses, ensure that publicly delivered services are designed and delivered in a way that reduces gender inequalities, and ensure that men and women can benefit equally from public services.

[61] European Institute for Gender Equality, 2022. “Gender-Responsive Public Procurement,” https://eige.europa.eu/gender-mainstreaming/tools-methods/gender-responsive-public-procurement?language_content_entity=en.

[62] Williams, Sope, 2024. “The State of Gender-Responsive Public Procurement in Nigeria.” Brookings, <https://www.brookings.edu/articles/the-state-of-gender-responsive-public-procurement-in-nigeria/>.

Module content

2. Why is gender-responsive procurement important? [63][64][65]

- Women have a human right to realize their economic rights and there is evidence suggesting that economies thrive when women's capacities are fully utilized.
- There is a positive relationship between gender equality and domestic economic competitiveness.
- For women in African countries where formal employment opportunities are limited, entrepreneurship offers one of the only paths to economic empowerment, and it is necessary for countries to do everything possible to support and stimulate this activity.
- The inclusion and prioritization of women in public procurement is a way of including women into a sphere of economic activity that they are often locked out of and ensures they can participate meaningfully in the economy.
- Gender-responsive procurement is important for sustainable development, as there can be no sustainable development without women's economic empowerment (WEE) and gender equality.
- WEE supports several of the SDGs including ending poverty, ending hunger, decent work, improved health, and education outcomes.

3. What are the barriers to gender-responsive procurement?[66]

- **Absence of gender-responsive procurement planning:** Public procurement includes a planning phase, and procurement planning does not often contain a gender dimension.
- **Lack of information:** Public procurement is fraught with an information asymmetry, and this is worse for women-owned businesses (WOBs). WOBs are sometimes not aware of procurement opportunities and the services available to assist them in accessing those opportunities.
- **Technology and complexity:** The procurement system is notoriously difficult to navigate. Bidding for public contracts is time- and resource-intensive, has high transaction costs, and can be extremely burdensome, even for large companies. These factors have a dissuasive effect on WOBs seeking to access procurement markets.
- **Demand aggregation:** Many procurement systems are moving towards demand aggregation or contract "bundling" to increase economies of scale and efficiency. This aggregation reduces the size and frequency of procurement opportunities and makes it harder for smaller businesses to tender for public contracts.
- **Legal and policy barriers:** These include the absence of a legal framework, opacity and lack of integration of gender policies, and approaches for gender-responsive procurement.

[63] eige.europa.eu. "Five Reasons Why Gender-Responsive Public Procurement Is Crucial in the EU Context" European Institute for Gender Equality, June 19, 2024. https://eige.europa.eu/gender-mainstreaming/toolkits/grpp/five-reasons-why-gender-responsive-public-procurement-crucial-eu-context?language_content_entity=en

[64] She Supplies. 2022. "Why Is Gender Responsive Procurement (GRP) Important?" She Supplies. <https://shesupplies.org/gender-responsive-procurement-grp/>

[65] Williams, Sope. 2024. "The State of Gender-Responsive Public Procurement in Nigeria." Brookings, <https://www.brookings.edu/articles/the-state-of-gender-responsive-public-procurement-in-nigeria/>

[66] Williams, Sope. 2024. "The State of Gender-Responsive Public Procurement in Nigeria." Brookings, <https://www.brookings.edu/articles/the-state-of-gender-responsive-public-procurement-in-nigeria/>

- **Cultural and social barriers:** These include gender-based discrimination against women by procurement officials, discriminatory customary and inheritance practices, and household dynamics that put the burden of unpaid care work on women, reducing the time available to build a business.
- **Financial barriers:** Low levels of business loans are granted to women entrepreneurs, which keeps their businesses small and unfavorable financial terms in public procurement.
- **Corruption:** This can occur in the form of bribery, sexual corruption, and/or tokenism.

4. How can we increase women's participation in public procurement?[67][68]

- Procurement planning can be utilized to increase gender-responsive procurement: Procurement plans should consider how to integrate gender considerations into the procurement process—such as what stage of the process is best suited to gender considerations, what types of purchases and what kinds of support might be required, for instance, set-asides for women-owned businesses.
- Defining requirements/specifications: Defining the goods and services required can include gender considerations such as ensuring that public facilities are suitable for use by women and ensuring that contractors can prove a commitment to gender equality.
- Tendering: In cases where enhancing gender-responsivity is needed, disqualification of businesses that do not qualify as women-owned or do not meet other specified gender criteria.
- Evaluation and selection: This may include price or point preferences for women-owned businesses or gender-responsive businesses. Using gender as a tie-breaker when two businesses obtain equal scores in the bid evaluation process.
- Contract award and contract conditions: Training women or sub-contracting to women-owned businesses as a condition of the contract.
- Addressing the barriers to the gender-responsive ecosystem: These include corruption, ensuring financial support and training to women entrepreneurs, addressing gender discrimination, and addressing procurement criteria that adversely impact women-owned and small businesses.

[67] UN Women. "Empowering Women through Public Procurement and Enabling Inclusive Growth." UN Women – Headquarters, March 8, 2019.

<https://www.unwomen.org/en/digital-library/publications/2021/11/empowering-women-through-public-procurement-and-enabling-inclusive-growth>.

[68] Namara, Ruth, Bo Rosenfelt Clausen, and Gilbert Sendugwa. 2021. "Overcoming Women's Barriers to Participating in Entrepreneurship and Public Procurement in Africa." Open Government Partnership, <https://www.opengovpartnership.org/stories/overcoming-womens-barriers-to-participating-in-entrepreneurship-and-public-procurement-in-africa/>.

Box 1: Sector-specific recommendations[69]

ACTOR	CHALLENGES	INTERVENTIONS
Federal and state ministries of justice and the legislature	Absence of legal framework	Passage of amendment to the Public Procurement Act of 2007 and state procurement laws
Ministry of Women Affairs	Omission of procurement in federal gender policy	Amend gender policy to include procurement as a lever for women's economic empowerment and include measurement indicators.
Federal and state procurement regulators	Procurement complexity, information asymmetry, lack of data	Pass guidelines to simplify procurement for WOBS, and guidelines on the collection of gender-disaggregated data. Implement wider dissemination of procurement information.
Government ministries. (specifically Ministry of Women Affairs), departments, and agencies	Technology challenges, bias, and corruption	Creation of public procurement hub with a gender expert in every department for procurement access and training and reporting on corrupt practices.
Women-owned businesses	Gender risk appetite	Utilize the opportunities presented by the change in the legal and policy framework, attend training and registration events as required.
Ministry of Education	Patriarchal assumptions and bias against women	Include information on gender equality in basic education curriculums.

Exercises

1. What are some of the barriers that women-owned businesses face in your experience?
2. What suggestions do you propose for addressing the barriers you have mentioned?
3. Are there any ways you can think of increasing the participation of women-owned businesses in your organization's procurement?

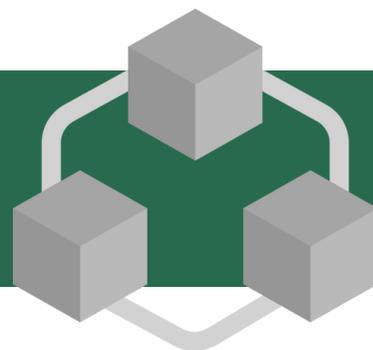
IV. Modules



Summary

Gender-responsive procurement is an important lever towards women's economic empowerment, gender equality, and meeting the sustainable development goals. There is a moral and financial case for increasing the award of public contracts to gender-responsive businesses and women-owned businesses. This can be done through procurement planning, defining requirements/specifications, evaluation, and selection and contract conditions.

IV. Modules



Module 4: Behavioral insights for public procurement

Reading material

- Sope Williams, “Leveraging behavioral insights to mitigate public procurement corruption in Nigeria”. Available at <https://www.brookings.edu/articles/leveraging-behavioral-insights-to-mitigate-public-procurement-corruption-in-nigeria/#:~:text=Introduction.%20Behavioral%20science%20is%20concerned%20with%20understanding%20how%20humans%20act>
- Frédéric Boehm and Alexandra Liedtke, “How Behavioural Insights can Enrich Anti-Corruption Measures in Public Procurement” in S. Williams and J. Tillipman (eds), Routledge Handbook of Public Procurement Corruption.

Introduction

1. What are behavioral insights?[70]

- Behavioral science is concerned with understanding how humans act in different fields, providing insight into the way people make decisions.
- These insights may be used to design and implement public policy tools to (positively) influence human behavior.
- Behavioral insights may inform effective anti-corruption interventions that encourage ethical decisions and practices.
- These interventions may include “nudges,” which are small manipulations in the way choices are presented that can inspire people to make better choices.
- The OECD defines a nudge as “a subtle change in the way a decision presents itself to help individuals make a better choice for their own benefit.”
- The concept behind nudges is that they account for the biases, contestations, dissonance, and ambiguities in human decisionmaking, denying the idea that human decisionmaking is a rational process.
- Nudges can therefore be effective in achieving social goals, based on knowledge about human motivations and how humans behave in different situations.

[70] OECD. 2017. “Behavioural Insights and Public Policy: Lessons from Around the World.” OECD. <https://doi.org/10.1787/9789264270480-en>.

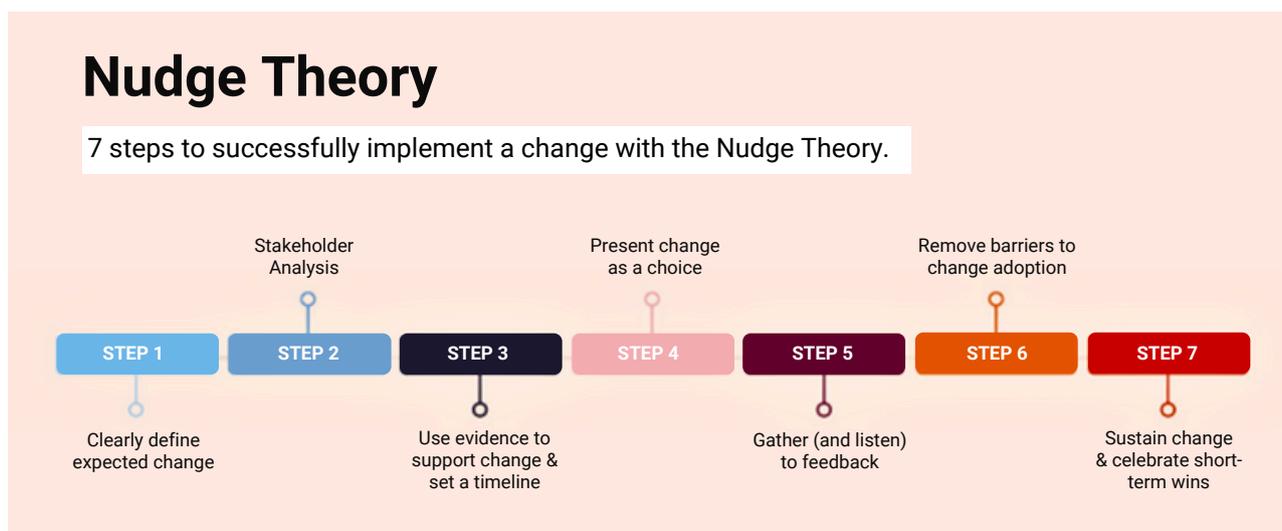
[71] OECD. 2018. Behavioural Insights for Public Integrity: Harnessing the Human Factor to Counter Corruption. OECD Public Governance Reviews. OECD. <https://doi.org/10.1787/9789264297067-en>.

Module content

2. Can nudges be used as an anti-corruption tool?[72][73]

- Nudges have been used as part of the design of public policy choices for over a decade.
- In different contexts, nudges have been useful in improving decisionmaking, addressing fraud and corruption, and instilling integrity. Nudges can be designed in a way that creates little resistance from individuals to make the preferred choice.
- The use of nudges to motivate for ethical decisionmaking is premised on the idea that people generally want to behave ethically, and targeting this desire may increase the chances that individuals will behave ethically.
- Research highlights that nudge tools such as text messages, brief pre-work quizzes, and other low-touch interventions have been effective in different contexts to promote the public interest and can also support integrity, inspire ethical decisionmaking, and discourage bribery.

Figure 5: Steps in nudging [74]



[72] Williams, Sope. 2024. "Leveraging behavioral insights to mitigate public procurement corruption in Nigeria." Brookings.

<https://www.brookings.edu/articles/leveraging-behavioral-insights-to-mitigate-public-procurement-corruption-in-nigeria/>.

[73] Köbis, Nils C., Marleen Troost, Cyril O. Brandt, And Ivan Soraperra. 2019. "Social Norms of Corruption in the Field: Social Nudges on Posters Can Help to Reduce Bribery." Behavioral Public Policy, December 20, 2019, 1–28. <https://doi.org/10.1017/bpp.2019.37>.

[74]Olmstead, Levi. "What Is Nudge Theory? How to Apply It in the Workplace - Whatfix." The Whatfix Blog | Drive Digital Adoption, 2023.

<https://whatfix.com/blog/nudge-theory/>.

3. Test cases on the uses of nudges

- Nudges have been used in different context to motivate individuals to pick choices preferred by the “choice architects.” They have been tested with varying degrees of success.
- In relation to the pursuit of ethics and integrity, nudges have been used in Rwanda and South Africa to address tax fraud and bribery respectively.
- In Rwanda, nudges were implemented in 2016 by the Rwanda Revenue Authority by sending corporate taxpayers messages to improve tax compliance.[75]
 - The messages varied: Some had a deterrent message highlighting the risk of audit and detection, other messages emphasized the fiscal exchange between public services and taxpayer compliance, whilst other messages were a reminder of filing deadlines. Different taxpayers received different messages, and there was a control group that did not receive any message.
 - To evaluate the efficacy of the messages, the tax self-declarations of the companies were compared with their historical data. It was found that the messages in the form of reminders about deadlines and information on the fiscal exchange were more effective in boosting compliance than the deterrent messaging.
 - A taxpayer who received a message about filing reminders declared about RWF 2 million more than a taxpayer in the control group who did not receive any message, representing a 55% increase in tax payments.
- In 2018 in South Africa, researchers conducted a field experiment to determine if nudges in the form of a poster could reduce bribery in South Africa.[76]
 - The researchers distributed posters with descriptive messages about bribery in a town in the KwaZulu Natal province. This province was chosen as there had been a decrease in self-reported bribery incidents between 2013 and 2017. The researchers displayed posters with descriptive information about the decreasing levels of bribery in the area. The efficacy of the posters was evaluated through an incentivized laboratory bribery game in which participants received financial rewards if their assessments about bribery matched that of another randomly selected participant.
 - The incentives revealed participants’ beliefs about collectively shared views on the frequency and acceptability of bribery as opposed to the participants’ personal judgement.
 - The poster intervention and the incentivized laboratory bribery game affected participants’ belief about the frequency and acceptability of bribery and also affected participants’ willingness to accept bribes in the incentivized bribery game.
 - The experiment revealed that verifiable social information about bribery could change beliefs and act as a counterinfluence to people’s own experiences. [77]

[75] Mascagni, Giulia, and Christopher Nell. 2021. “Tax Compliance in Rwanda: Evidence from a Message Field Experiment.” *Economic Development and Cultural Change*. <https://doi.org/10.1086/713929>.

[76] Köbis, Nils C., Marleen Troost, Cyril O. Brandt, and Ivan Soraperra. 2019. “Social Norms of Corruption in the Field: Social Nudges on Posters Can Help to Reduce Bribery.” *Behavioral Public Policy*, 1–28. <https://doi.org/10.1017/bpp.2019.37>.

[77] Williams, Sope. 2024. “Leveraging Behavioral Insights to Mitigate Public Procurement Corruption in Nigeria.” *Brookings* <https://www.brookings.edu/articles/leveraging-behavioral-insights-to-mitigate-public-procurement-corruption-in-nigeria/>.

4. Challenges with the implementation of nudges [78][79]

- Nudges do not always succeed and may fail where there are strong contrary preferences on the part of the chooser, who will therefore opt out of being nudged, as well as the existence of “counter-nudges,” which may move choosers in the opposite (or an unwanted) direction.
- Nudges will also fail where the challenges that nudges seek to overcome are structural and not behavioral.
- In relation to corruption in public procurement, the challenges are both structural (cartelization, political interference, manual systems, capacity challenges, regulatory burdens) and behavioral (lack of accountability, low morale, complacency, low standard of integrity, poor leadership).
- Nudges can support better decisionmaking in relation to behavioral challenges.
- Systemic corruption, which creates structural barriers to anti-corruption enforcement, may also act as a contrary preference.
- In addition, the high levels of poverty and wage deflation and stagnation may operate as a counter-nudge, motivating people towards unethical behaviors.
- Nudges may fail because they are not well-targeted or specific and do not account for other social influences. Without due regard to the framing of nudges, they could backfire or have adverse unintended consequences.
- For instance, in relation to anti-corruption nudges, there is evidence suggesting that in Nigeria, untargeted anti-corruption messaging may have unintended consequences—motivating individuals to “go with the corrupt grain” and making it harder for other anti-corruption strategies to succeed.

Exercises

1. Think about the ways in which nudges are used in your organization, such as anti-corruption posters, log in reminders etc. Write down the kinds of nudges used in your organization.
2. Do you think these nudges are effective?
3. In your current workflows, think of what kinds of nudges could support ethical decisionmaking in your team.

Summary

Nudges have been used in the public sector within African and other developing countries in different contexts. It is important to understand the opportunities that nudges might present for improving decisionmaking, addressing fraud and corruption, and instilling integrity in public procurement in Nigeria. Nudges provide a useful tool to influence behaviour in a way that may mitigate fraud, corruption, and non-compliance in various spheres. The use of nudges in other countries provides lessons that Nigeria can learn from, should there be interest in adopting nudges to address corruption in the public procurement context.

[78] Mullett, Tim. 2022. “What Are the Advantages and Disadvantages of Nudging?” News | Warwick Business School. Warwick Business School. <https://www.wbs.ac.uk/news/what-are-the-advantages-and-disadvantages-of-nudging/>.

[79] Williams, Sope. 2024. “Leveraging Behavioral Insights to Mitigate Public Procurement Corruption in Nigeria.” Brookings. <https://www.brookings.edu/articles/leveraging-behavioral-insights-to-mitigate-public-procurement-corruption-in-nigeria/>.

V. Additional resources



Books

1. S Williams and J Tillipman (eds) Routledge Handbook of Public Procurement Corruption (Routledge, 2024).
2. Irena Georgieva, Using Transparency Against Corruption in Public Procurement (Springer, 2017).
3. G Quinot and S Williams-Elegbe (eds), Public Procurement Regulation in Africa: Development in uncertain times (Lexis Nexis 2020).
4. S. Williams-Elegbe and G. Quinot (eds), Public Procurement Regulation for 21st Century Africa (Juta Publishing, 2018).

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1. S. Williams-Elegbe, "The Reform and Regulation of Public Procurement in Nigeria" (2012) 41 (2) Public Contract Law Journal, 339.
2. S. Williams-Elegbe, "Systemic Corruption and Public Procurement in Developing Countries: Are there any solutions?" (2018) 18 (2) Journal of Public Procurement 131-147.

Reports

1. Report on Public Procurement and Women's Economic Empowerment in East Africa: Challenges and Opportunities prepared for International Development Research Centre, Canada, February 2023 <https://idl-bnc-idrc.dspacedirect.org/handle/10625/61768>
2. OECD, Behavioural Insights and Public Policy: Lessons from around the world (2017). Available at https://www.oecd-ilibrary.org/governance/behavioural-insights-and-public-policy_9789264270480-en
3. OECD, Transparency in Public Procurement (2011). Available at https://www.oecd-ilibrary.org/docserver/gov_glance-2011-47-en.pdf?expires=1728299110&id=id&accname=guest&checksum=0406063AE10DAB2CC71E9EA4B9A330A0