

**KIBABII UNIVERSITY**



**UNIVERSITY EXAMINATIONS**

**2021/2022 ACADEMIC YEAR  
FOURTH YEAR SECOND SEMESTER  
MAIN EXAMINATION**

**FOR THE DEGREE OF BACHELOR OF COMMERCE  
COURSE CODE: BCP 422  
COURSE TITLE: PROCUREMENT LAW AND ETHICS**

**DATE: 05/09/2022**

**TIME: 2.00 – 4.00PM**

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**INSTRUCTION TO CANDIDATES**

- 1) The paper contains **FIVE** questions
- 2) Attempt **THREE** questions
- 3) Question **ONE** is Compulsory

**TIME: 2 Hours**

**KIBU observes ZERO tolerance to examination cheating**

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## **QUESTION ONE**

### **CASE STUDY**

Public sector procurement has developed in Kenya from the colonial period to the present day with the enactment of the public procurement and asset disposal ACT, 2015. The passing of the act was expected to usher in new dispensation in procurement processes and operations in Kenya aimed at eliminating underhand dealings in the systems. However, the sheer size and spend on public sector procurement makes it attractive to manipulations and exploitative tendencies especially during tendering process. The officials involved in decision making are faced with ethical dilemmas especially from relatives and politically connected bidders who want decisions made in their favour. Despite the undue pressure exerted on them, many heads of supply chain are still convinced that a properly developed and managed tendering process can deliver value for money through quality and good workmanship in line with the technical specifications.

- i) As a professional procurement practitioner justify the enactment of public procurement law in Kenya **(10 marks).**
- ii) Cite one ethical dilemma in the case study and explain how the supply managed officer can handle it **(5 marks).**
- iii) Explain the purpose of a bid bond in the tendering process **(5 marks).**
- iv) Examine the concept of Public sector procurement **(10 marks)**

## **QUESTION TWO**

- i) Open tender is the preferred method of acquisition in the public sector. Explain when this method can be used. **(10 marks).**
- ii) Discuss the legal position of a tender advertisement **(10 marks).**

## **QUESTION THREE**

- i) Examine the various stages in evaluation process in the criteria at each stage **(10 marks).**
- ii) Explain the functions of public procurement regulatory board **(10 marks)**

## **QUESTION FOUR**

- i) Evaluate the necessity for prequalification of contractors **(10 marks).**
- ii) Discuss the principles of procurement **(10 marks).**

## **QUESTION FIVE**

- i) Access the concept of public private partnership in procurement **(10 marks).**
- ii) Explain the concept of purchasing professional code of ethics **(10 mark).**