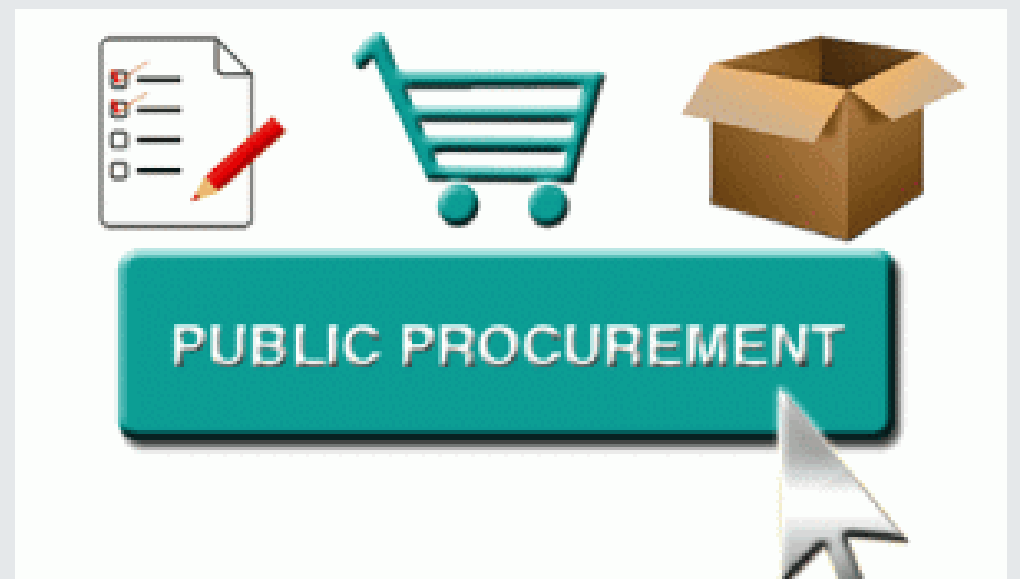
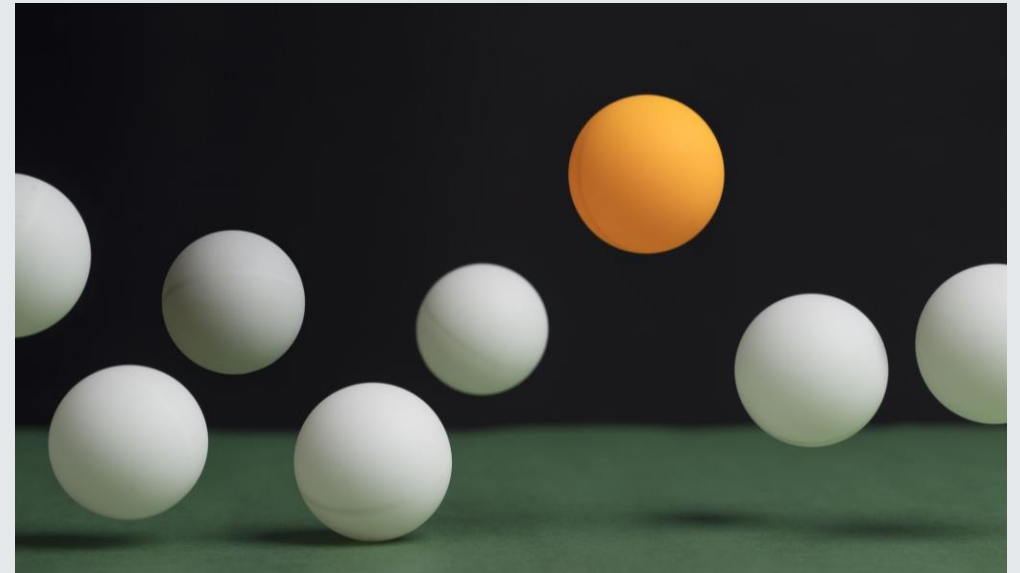


Public Procurement:

- **This is procurement by procuring entities using public funds.**
- **Procurement:** the acquisition by purchase, rental, lease, hire purchase, license, tenancy, franchise, or by any other contractual means of any type of works, assets, services or goods including livestock or any combination and includes advisory, planning and processing in the supply chain system.

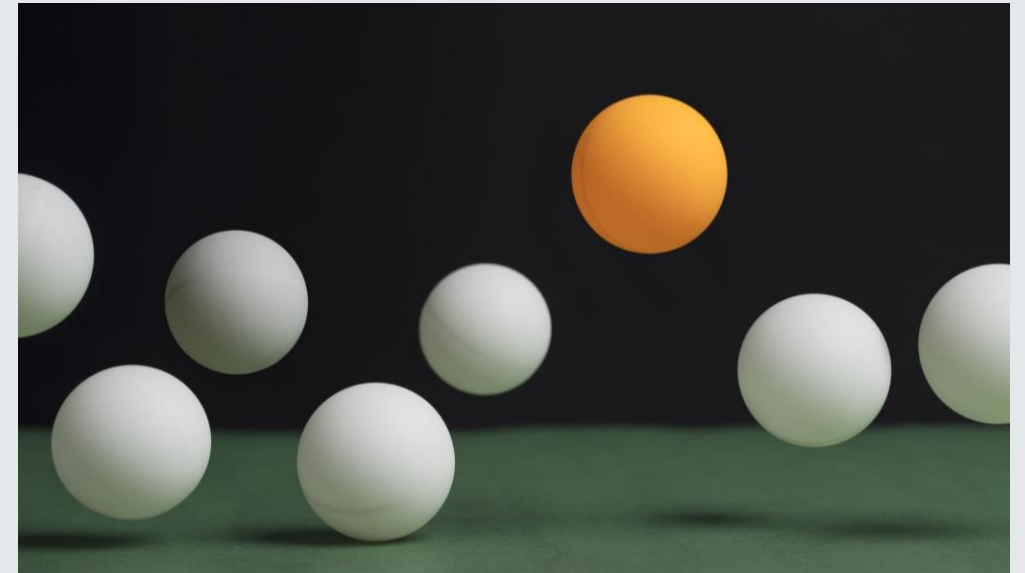
[1]Public procurement and Asset Disposal Act, 2015



Open contracting:

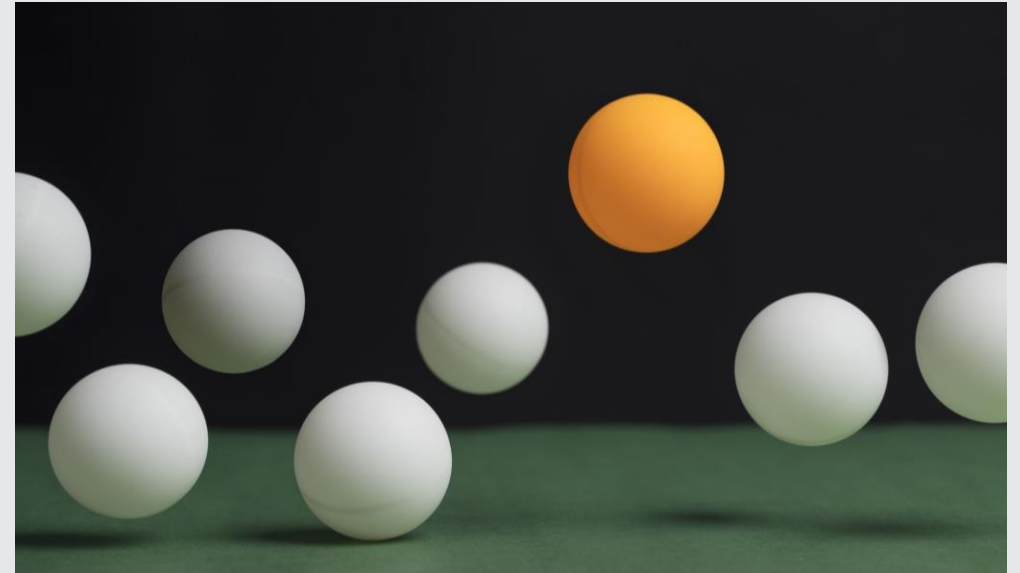
- Is an approach to making entire procurement cycle more efficient, transparent and accountable.

Planning, initiation (tender), Awarding, contracting and implementation



Public Procurement Role:

- plays a fundamental role in economic, social and political development of any given country.
- Every year, both the National and County governments, spend an estimate of 50% of their budgets on public procurement (World Bank, 2015).
- Procurement is the bricks and mortar of public benefit, where taxpayers' money gets converted into schools, roads and hospitals, into things that ordinary people really care about.
- In Kenya, public procurement is the means through which government spends the revenue raised annually, for the implementation of public service delivery.
- As such, a public procurement system that is economically inefficient invariably undermines the government programs for economic growth.



The Constitution of Kenya 2010:

• under Article 227 it is required that:

When a State organ or any other public entity contracts for goods or services, it shall do so in accordance with a system that is fair, equitable, transparent, competitive and cost-effective' and provides for preference in the allocation of contracts.

• The government of Kenya in 2016 committed to the Open Government Partnership (2016):

• toward restoring the integrity of systems of government through the protection of values among others;

• Transparency in contractual processes of Government for the benefit of **women and youth, and persons living with disability**; peeling the mask behind beneficiaries of companies that engage with government.

• Re-invigorating active citizenship that engages in co-creating Government at all levels.

• Improve quality of measurement of development and data for decision making for all .

• Curating a resilient and sustainable culture of Open Government.

In addition, in 2013, the Government of Kenya launched **Access to Government Procurement Opportunities (AGPO)** legitimately providing an opportunity for **women, youth and persons living with disability**.

• ***The National Action Plan III***

