**Examining the Decision-Making Process of Public Tendering and Acquisition -The case of National Tender Board, Hargeisa, Somaliland****.**

**ABSTRACT**

This study investigates the decision-making processes within the Somaliland National Tender Board (SNTB) concerning public tendering and acquisition. Employing a quantitative approach and a comprehensive questionnaire survey, the research examines the impact of evaluation criteria, decision-making styles, and transparency levels on procurement outcomes. The findings underscore the critical role of transparency and accountability in ensuring equitable and efficient public procurement. Notably, the study identifies specific areas for improvement, including the need for enhanced standardization of evaluation criteria and the promotion of multi-criteria decision-making techniques.

Given Somaliland's unique socio-political context and its ongoing efforts to build robust public institutions, this research holds significant implications for strengthening governance and promoting sustainable development. By providing empirical evidence on the factors influencing procurement outcomes, this study offers valuable guidance for policymakers seeking to optimize resource allocation, enhance transparency, and foster public trust. Ultimately, the findings contribute to the broader goal of improving public service delivery and promoting responsible fiscal management within Somaliland.

**Keywords*:*** *Public Procurement, Decision-Making, Evaluation Criteria, Transparency, Accountability, Multi-Criteria Decision Making (MCDM), Somaliland National Tender Board,*

**1.1 INTRODUCTION**

Public procurement, the process by which governments acquire goods, works, and services, is a cornerstone of public administration and fiscal management (Johnson et al., 2003). It's not merely a transactional activity; it's a strategic function that significantly influences the efficient delivery of public services and the overall economic health of a nation (Hughes, 2005). Governments, as major economic actors, are responsible for substantial public expenditures, making effective procurement practices paramount (Knight et al., 2003).

The complexities of public procurement extend beyond simple purchasing. It involves a multifaceted decision-making process, often requiring the balancing of competing objectives, such as cost-effectiveness, quality, sustainability, and social responsibility (Neely et al., 2018). Moreover, public procurement operates within a framework of legal and regulatory constraints designed to ensure transparency, fairness, and accountability. For instance, the European Union has established directives (EC, 2004a and 2004b) that set standards for member states' procurement procedures, highlighting the importance of standardized and regulated practices.

However, the implementation of these regulations can pose challenges for procurement professionals (Krüger, 2006; Lian and Laing, 2004; Harland et al., 2000). Decision-makers must navigate complex legal requirements while striving to achieve value for money and meet the needs of their communities. This necessitates a deep understanding of procurement principles, market dynamics, and the specific context in which they operate.

Furthermore, the advent of e-procurement systems (McManus, 2002; Knight et al., 2003; Thai, 2005; Vaidya et al., 2009) has transformed procurement practices, offering opportunities for increased efficiency and transparency. However, these systems primarily focus on administrative and transactional aspects, leaving a gap in comprehensive decision support for procurement professionals.

The absence of a robust decision support system is partly attributed to the lack of a comprehensive model of the public procurement decision-making process (de Boer et al., 20011). This deficiency hinders the development of tools that can effectively guide decision-makers in navigating the complexities of procurement regulations and achieving optimal outcomes. Moreover, the recognition that public agencies are subject to the same cognitive biases as individuals (Rajala & Tidström, 2017) further underscores the need for a more nuanced understanding of the decision-making process in public procurement.

**1.2 Statement of the Problem: Decision-Making in Somaliland's Public Procurement**

The study then narrows its focus to the specific problem being addressed by the research: the need for a deeper understanding of the decision-making process within public tendering and acquisition in Somaliland. While international research provides valuable context (Csáki, 2006; Forssberg & Erdmark, 2018), the unique political, economic, and social environment of Somaliland necessitates a dedicated investigation. The absence of such research creates a critical knowledge gap, hindering the development of tailored solutions to improve public procurement practices in the country. Somaliland's lack of international recognition and a yet-to-be-passed procurement law (SNTB, 2018) further underscores the need for this study. This study aims to address this gap by examining the factors influencing decision-making in Somaliland's public tendering and acquisition processes, including transparency, evaluation criteria, and decision-making styles. By focusing on Somaliland, the research seeks to offer concrete recommendations for enhancing transparency, efficiency, and equity in public procurement, contributing to responsible fiscal management and public trust.

**1.3 Research Objectives**

This outlines the research objectives and questions, which are designed to guide the investigation. The general objective is to examine the decision-making process in public tendering and acquisition at the Somaliland National Tender Board (SNTB) in Hargeisa.

**1.3.1 Specific Objectives**

* + To examine whether public procurement decision-making practice is in line with the evaluation criteria attribute.
	+ To identify the level of Multi-Criteria Decision Making (MCDM) techniques employed.
	+ To examine whether public procurement decision-making practice is done within the transparency attribute.
	+ To assess the association between the variables with Public Tendering and Acquisition.

**1.4 Scope and Limitations**

Finally, this is to define the scope and limitations of the study. The research focuses on the level of the decision-making process related to public tendering and acquisition at the SNTB in Hargeisa between March and August 2024. Limitations of the study include potential information bias, the lack of appropriate secondary data, and the absence of quantitative analysis. However, the researcher notes efforts to mitigate these limitations through the use of secondary data and assurances of the research's educational purpose. Key terms, such as decision-making process (Simon, H. A. 1960), public tendering (Rotich, Muma and Waruguru, 2015), and procurement (Hughes, 20015), are operationally defined.

**2. REVIEW OF LITERATURE**

Public procurement, the process by which public sector entities acquire goods, services, works, and other supplies, is a critical function that ensures the efficient use of public funds (Odhiambo & Kamau, 2013). This process encompasses a broad range of activities, from identifying needs and developing specifications to contract administration and performance evaluation (United Nations Development Program, 2007). The strategic importance of public procurement lies in its ability to influence not only the cost-effectiveness of government operations but also the broader economic and social outcomes. Public procurement can be conducted through various methods, each with its own advantages and disadvantages. Open procedures, which invite all interested suppliers to bid, promote transparency and competition, but can be time-consuming and resource-intensive. Restricted procedures, which involve pre-qualification and shortlisting of suppliers (Domberger and Rimmer, 2014), can streamline the process but may limit competition. Competitive dialogue, used for complex procurements where solutions are not readily defined (Dzuke and Naude, 2015), allows for iterative engagement with potential suppliers but requires careful management. Negotiated procedures, which are typically used in exceptional circumstances (Rasheed, 2015), offer flexibility but may raise concerns about transparency and fairness.

At the core of effective public procurement are several key principles that guide decision-making and ensure accountability. Value for money (VFM) is paramount, requiring that procurement decisions consider not only the initial cost but also the whole-life cost, quality, and associated risks (Chapman and Rainey, 2020). This holistic approach ensures that public funds are used efficiently and that the procured goods and services meet the intended objectives. Ethical conduct is also essential, demanding that procurement professionals avoid conflicts of interest and make fair and impartial decisions (International Chamber of Commerce, 2023). This principle is crucial for maintaining public trust and preventing corruption. Fairness and competition are crucial for ensuring that all qualified suppliers have equal opportunities, fostering innovation, and securing the best possible value (The Chartered Institute of Procurement & Supply (CIPS), 2023). This principle promotes a level playing field and encourages suppliers to offer competitive prices and innovative solutions. Transparency, involving clear communication and readily accessible information, is vital for building trust and accountability (World Bank's "Open Contracting Data Standard," 2023). This principle enables stakeholders to monitor the procurement process and hold public entities accountable. Finally, accountability ensures that public resources are used responsibly, with mechanisms like internal controls, audits, and public reporting (International Organization for Standardization (ISO) 2014). This principle is fundamental for ensuring that procurement activities are conducted in a manner that is consistent with public interest.

Historically, tendering practices have evolved from a primary focus on cost reduction to a more comprehensive approach that considers quality, long-term partnerships, and performance standards (Abdullahi, Ibrahim, Ibrahim and Bala, 2019; Khan and Khan, 2015). This evolution reflects a growing recognition that the lowest bid does not always represent the best value. Globally, the use of public tendering and acquisition has been subject to various debates, particularly concerning transparency and market access. International organizations like the World Trade Organization (WTO) have played a significant role in shaping these discussions, with varying perspectives from developed and developing nations (World Trade Organization, 1996, 1999, 2003, 2012; Linarelli, 2013). The tension between promoting open markets and protecting domestic industries has been a recurring theme in these debates.

In developing countries, particularly in Africa, the reform of public procurement systems is crucial for ensuring value for money and combating corruption (Hodge & Gregson, 2020; Mbabazi et al. 2009). Efforts have been made to align procurement practices with international standards and improve transparency and accountability. These reforms are essential for attracting investment, promoting economic development, and improving public service delivery. In the Somaliland context, specific procurement methods are preferred, including International Competitive Bidding (ICB) for goods, works, and non-consulting services, and Quality and Cost-Based Selection (QCBS) for consultants (Somaliland Public Procurement Manual, 2024). Provisions exist for waiving competitive procurement in exceptional cases, subject to rigorous justification and oversight (World Bank - Open Contracting Data Standard, 2023). These specific practices are put in place to ensure fair, transparent, and efficient processes in the Somaliland public sector, addressing the unique challenges and opportunities of its socio-economic and political landscape. The lack of international recognition adds an additional layer of complexity to the Somaliland procurement system.

3.**RESEARCH** **METHODOLOGY**

This section outlines the methodology used to study the decision-making process in public tendering and acquisition at the Somaliland National Tender Board (SNTB) in Hargeisa. The study was conducted in Hargeisa, the capital of Somaliland, between March 15th and August 1st, 2024. A descriptive research design, employing quantitative data collection and analysis, was chosen to explore the relationships between variables. This design was deemed appropriate due to time and cost constraints, allowing for the measurement of independent and dependent variables (decision-making process, transparency, evaluation criteria, and public tendering/acquisition) at a single point in time using a questionnaire. Multi-regression and Chi-square tests were used as statistical tools to analyze the relationships.

The study population consisted of 101 individuals involved in the SNTB's procurement system, including employees in the tender office and suppliers closely involved in bid offers and awards. Specific inclusion criteria were defined (concerned suppliers, tender committee members, and SNTB employees), while lower-level employees and suppliers who did not receive offer awards were excluded. A sample size of 81 participants was determined using Slovene's formula with a 5% margin of error. Simple random sampling, a probability sampling method, ensured that each member of the target population had an equal chance of being selected.

A structured questionnaire, translated from English to Somali and back to English for consistency, was used to collect data on socio-demographic characteristics and research objectives. Data quality was assured through pretesting the questionnaire with 5% of the participants, training data collectors, and daily review of completed questionnaires. Data was then processed, cleaned, coded, and analyzed using SPSS version 20. Descriptive analysis summarized information on the level of the decision-making process, while regression analysis and Chi-square tests assessed the associations between variables. A p-value of less than 0.05 was considered statistically significant. Ethical considerations were addressed by obtaining ethical clearance and informed consent from participants, and maintaining privacy and confidentiality. The study results were disseminated through presentations to the University of Hargeisa and the SNTB, a report to the School of Post-Graduate Studies, and efforts to publish in national and international journals.

**4. RESULTS AND DISCUSSION**

This chapter presents the analysis and details of the findings from the study. The results were based on the responses of 81 of respondents from Somaliland National Tender Board “SNTB” at district Hargeisa Somaliland to assess their Decision-making process towards public tendering and acquisition among the sample employees. The chapter also presents the characteristics of the sample that was used in the collection of the primary data. Furthermore, the presentation has been done in line with the study objectives. The result was illustrated in by Statistical package for social sciences (SPSS) and Microsoft Excel. A table was used to aggregate and analyze the data presented in this chapter.

**Socio demographic characteristics of the respondents**

The study reveals significant socio-demographic characteristics among respondents, with a notable gender disparity: 57 males (70.4%) and 24 females (29.6%). This imbalance highlights the need for targeted recruitment strategies in future research to achieve better gender representation. The age distribution shows that the majority of respondents are within working-age brackets, particularly 40.7% aged 25-35 and 38% aged 36-45, reflecting views primarily from actively employed individuals. Educationally, the sample is well-educated, with 53.1% holding a bachelor's degree and 33.3% a master's degree, providing a solid foundation for insights into public procurement perspectives.

Most respondents (80.2%) are part-time employees, suggesting a potential influence of employment type on responses, particularly within the context of the Somaliland government agency. This prevalence of part-time work and the gender gap indicate critical factors for future research, which should aim for improved gender balance and explore the high percentage of part-time workers. Addressing these elements can lead to a deeper understanding of public opinions and perceptions of the SNTB's procurement procedures, ultimately strengthening the study's findings.Top of Form

**Table 1: Socio demographic characteristics of the respondents.**

|  |  |  |  |
| --- | --- | --- | --- |
| Variables | Category | Frequency | Percentage |
| Gender | Male | 57 | 70.4% |
| Female | 24 | 29.6% |
| Total | 81 | 100% |
| Age | 25-35 | 33 | 40.7% |
| 36-45 | 31 | 38% |
| 46-55 | 13 | 16% |
| 56-above | 4 | 4.9% |
| Total | 81 | 100% |
| Education | Diploma | 9 | 11% |
| Certificate | 2 | 2.5% |
| Bachelor’s degree | 43 | 53.1% |
| Master | 27 | 33.3% |
| Total | 81 | 100% |
| Occupation | Full employment | 15 | 18.5% |
| Part-time employment | 65 | 80.2% |
| Other | 1 | 1.2% |
| Total | 81 | 100% |

**The evaluation Criteria of Public Tendering and acquisition.**

Table 1 provides valuable insights into public perceptions of the National Tender Board's (SNTB) evaluation criteria attribute for public tenders and acquisitions in Hargeisa, Somaliland. The data is based on responses from 81 participants (n=81) using a Likert scale (1= Strongly Agree, 5= Strongly Disagree). Here's a breakdown of key findings for each statement:

Public perception of the Somaliland National Tender Board's (SNTB) evaluation criteria in Hargeisa suggests a generally positive view of its processes, though some concerns remain. While price is considered a significant factor in awarding tenders, respondents largely believe (low mean scores of 1.73 and 1.91 for related statements) that it is not the *only* factor, with technical competence also playing a role (mean score of 1.86). A strong majority (mean score of 1.75) agrees that the SNTB adheres to legal processes and formalities. However, the data indicates a perception that the SNTB may give special consideration to minimum passing marks during prequalification (mean score of 3.72), a point of concern for some.

While most respondents disagree with the notion that high officials exert undue influence on contractor selection or that abnormally low bids are accepted (higher mean scores of 3.47 and 4.06, respectively), a notable minority remained neutral, highlighting the need for continued transparency. Similarly, while the majority believes the SNTB avoids selecting incapable contractors (mean score of 2.43), a sizable portion still agreed, suggesting room for improvement in public confidence regarding contractor capability. Overall, the mean score of 2.62 across all criteria indicates a generally positive, but not entirely unblemished, view of the SNTB's evaluation processes.

*Table 2: Whether public procurement decision making practice is done and in line within the evaluation criteria attribute, SNTB at Hargeisa City, Somaliland. (n=81)*

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Statements  | Mean | Std. Deviation | SA | A | Neutral | DA | SDA |
| Tenders are always awarded to the bidder who quotes lower than the selling price set by client. | 1.73 | .707 | 33 | 39 | 9 | 1 | o |
| Public tenders follow strict legal processes and formalities in the tendering and procurement. | 1.75 | .623 | 28 | 45 | 8 | 0 | 0 |
| Your organization selects contractors based on the lowest bid price. | 1.91 | .728 | 23 | 44 | 12 | 2 | 0 |
| Your organization selects contractors based on the technical and price criteria | 1.86 | .720 | 25 | 44 | 10 | 2 | 0 |
| There is no special consideration for setting minimum passing marks during the prequalification stage | 3.72 | .869 | 2 | 3 | 24 | 39 | 13 |
| Contractors are sometimes rejected due to the influence of high officials. | 3.47 | .963 | 1 | 16 | 16 | 40 | 8 |
| The SNTB committee accepts abnormally low bids from contractors. | 4.06 | .747 | 0 | 3 | 11 | 45 | 22 |
| Public tenders fail due to the selection of incapable contractors. | 2.43 | .865 | 5 | 48 | 19 | 6 | 3 |
| Overall mean | 2.62 |  |  |  |  |  |  |

Table 2

 **The decision-making style of Public Tendering and acquisition**.

Public perception of the Somaliland National Tender Board's (SNTB) decision-making process reveals both strengths and areas for potential improvement. A key finding is the perceived lack of public influence on procurement decisions (mean score of 3.70), raising questions about transparency and public engagement. Conversely, the SNTB is seen as strongly adhering to national regulations (mean score of 4.25), suggesting a robust legal framework. The data also indicates a generally competitive tendering process, with most respondents believing multiple suppliers are considered (mean score of 1.98).

However, some concerns emerge regarding post-award transparency, as a portion of respondents were unsure about the fairness and transparency perceived by unsuccessful bidders (mean score of 2.40). Additionally, the data suggests potential challenges faced by the SNTB committee during the final decision-making stage (mean score of 2.41), indicating a need to investigate and address these difficulties.

Table 3: Identifying the level of Multi-Criteria Decision Making (MCDM) techniques for Public Procurement in the attribute of decision-making style, SNTB at Hargeisa City, Somaliland. (n=81).

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Descriptive Statistics |  |  |  |  |  |
| Statements - 2 | N | Mean | Std. Deviation | SA | A | Neutral | DA | SDA |
| The beneficiaries have an influence on public procurement decisions. |  81 | 3.70 | .928 | 2 | 6 | 20 | 39 | 14 |
| The decision-making style of your institution contradicts the national rules. | 81 | 4.25 | .662 | 0 | 1 | 7 | 44 | 29 |
| Some of the public beneficiaries believe that there is a one potential supplier/contractor for a particular contract. | 81 | 1.98 | .570 | 13 | 58 | 9 | 1 | 0 |
| After contract awards, unawarded competitors feel the process was fair and transparency. | 81 | 2.40 | .876 | 11 | 36 | 26 | 7 | 1 |

**The Transparency attribute of Public Tendering and acquisition.**

Table 4: offers insightful information about how the public views the National Tender Board's (SNTB) transparency for open tenders and acquisitions in Hargeisa, Somaliland, in terms of openness. A showing of public trust in the SNTB's transparency promise is provided by the data, which was gathered from a sample of 81 people (n = 81) using a Likert scale (1 = Strongly Agree to 5 = Strongly Disagree).

Public perception of the Somaliland National Tender Board's (SNTB) transparency in public tendering and acquisition is generally positive, though some areas require attention. Respondents largely agree (mean score of 1.88) that the SNTB handles complaints from potential suppliers/contractors fairly, transparently, and in a timely manner. While there is also agreement (mean score of 2.01) that the SNTB provides mechanisms for monitoring public procurement and sanctioning misconduct, a sizable portion of respondents remained neutral, suggesting a need for greater visibility and communication regarding these mechanisms.

Transparency itself is highly valued by the public (mean score of 1.80), with a strong belief that it is essential for meeting public expectations and responsibility. Concerns about the potential negative economic and social consequences of a lack of transparency exist (mean score of 2.12), highlighting the importance of the SNTB's commitment to open processes. Finally, a majority of respondents (mean score of 1.96) agree that prequalified suppliers have equal access to public tenders, indicating confidence in the fairness of the bidding process. The overall mean score of 1.95 across all transparency indicators suggests a generally positive view of the SNTB's efforts in this area.

*Table 4: Examining whether public procurement decision making practice is done within the transparency attribute, SNTB at Hargeisa City, Somaliland. (n=81).*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Descriptive Statistics |  |  |  |  |  |
| Statements - 3 | N | Mean | Std. Deviation | SA | A | Neutral | DA | SDA |
| Complaints from potential suppliers/contractors are handled fairly, transparently and timely manner. | 81 | 1.88 | .659 | 22 | 48 | 10 | 1 | 0 |
| The SNTB Provides mechanisms for monitoring public procurement and sanctioning misconduct. | 81 | 2.01 | .733 | 21 | 38 | 22 | 0 | 0 |
| Transparency is essential for meeting public expectations and responsibility | 81 | 1.80 | .714 | 29 | 40 | 11 | 1 | 0 |
| A lack of transparency in the public contributes to economic issues and inequalities. . | 81 | 2.12 | .812 | 15 | 47 | 14 | 4 | 1 |
| Prequalified suppliers have equal access to public tenders | 81 | 1.96 | 1.066 | 33 | 29 | 11 | 5 | 3 |
| Overall mean | 81 | 1.95 |  |  |  |  |  |  |

**4.6 Regression Analysis**

Regression analysis is utilized to assess the extent to which it can effectively explain the dependent variable. Additionally, it is employed to assess the extent to which the independent variables (Evaluation criteria attribute, decision making style attribute and Transparency attribute) accurately explain the dependent variable, namely acquisition.

Table 5- Model summary -.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model | R | R square | Adjusted R square | Std. error estimate |
|  | 0.685 | 0.535 | 0.605 | 0.556 |

**Source: own survey, 2024 – Table 1**

The table shows a value of 0.685 for R. The R values mean that an independent variable Decision-Making Process of Public Tendering will estimate 68.5 percent of the variance in acquisition. A minimum variance of at least 60 per cent is considered a best fit for the model.

**ANOVA**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Model  |  | Sum of Squares  | Df  | Mean Square  | F  | Sig.  |
|  | Regression Residual Total  | 7.299  | 3 | 2.433  | 7.884  | .000b  |
| 23.763 | 77  | 0.309  |   |   |
| 31.062 | 80  |   |   |   |

**Table 6 ANOVA**

Since the significant value of F statistics indicated a value of 7.884 and a value of p (.000), which is less than p<0.05, the model is fit and significant. This means that the variability displayed by the model is not due to chance.

**table 7- Coefficients:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Model | Unstandardized Coefficients | Standardized Coefficients | T | Sig. |
|  | B | Std. Error | Beta |  |
| (Constant)Evaluation criteriaDecision making styleTransparency attribute  | -1.289.074.049.079 | .801.029.040.033 | .284.125.269 | -1.6082.5241.2472.390 | .112.014.216.019 |

Dependent variable: Public Tendering and acquisition

**Source: Own survey, 2024**

According to Table above, the regression standardized coefficients of these independent variables, i.e., component of Evaluation criteria variable, decision making style attribute and transparency attribute with beta value 0.284, 0.125 and 0.269 respectively. Their significance levels are 0.014, 0.216 & 0.019 respectively, which two of them are under 0.05. The only variable that is insignificant is decision making style attribute. This means that they have a positive interaction with the dependent variable.

**5. CONCLUSION**.

This study examined the decision-making process in public tendering and acquisition at the Somaliland National Tender Board (SNTB), focusing on evaluation criteria, decision-making styles, and transparency. Demographic analysis revealed a predominantly young and well-educated workforce, suggesting strong potential for effective decision-making. While respondents generally perceived the SNTB as adhering to legal processes (mean score of 1.75), this aligns only partially with other research, such as Oplew's (2017) work in the Gambella region, which found agreement on the *existence* of legal frameworks but also implied gaps in their *effective implementation*. This suggests that while the SNTB *may* have the necessary legal framework in place, there's room for improvement in ensuring consistent and comprehensive application of these procedures. Transparency emerged as a crucial factor, with a positive correlation between transparency and successful tendering outcomes. However, concerns about post-award transparency (mean score of 2.40) and the potential negative impacts of a lack of transparency (mean score of 2.12) highlight the need for enhanced communication and public engagement.

The study found a statistically significant relationship between public tendering success and both well-defined evaluation criteria and transparency. While evaluation criteria and transparency significantly predicted positive outcomes, the influence of decision-making styles, particularly the application of Multi-Criteria Decision Making (MCDM) techniques, was less clear. This suggests that while the SNTB *may* be using MCDM, its impact on tender success requires further investigation. The research underscores the importance of clearly defined evaluation criteria, transparent processes, and continuous improvement for effective public tendering.

Recommendations for future research include a deeper examination of evaluation criteria, including the development of standardized methodologies and KPIs. Further exploration of the potential benefits and challenges of MCDM techniques in public procurement is also warranted. To enhance transparency and accountability, research should focus on developing effective communication strategies and platforms, such as dedicated procurement portals. Capacity building initiatives for public officials and ongoing stakeholder engagement are also crucial for optimizing public procurement practices and ensuring they remain responsive to evolving needs.

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