

Assessing the Abuse of Professional Practices in the Nigerian Construction Processes

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Abstracts

In order to contain and curtail the harmful and negative consequences posed by abuse of professional practices in the Nigerian Construction Industry, it is important to envisage the construction phase that records the highest frequency of abuse in the Industry. It is presumed that, this can be a step forward in mitigating abuse of professional practices in the Nigerian Construction Industry. This research was carried out to envisage the construction stage that are prone to severe abuse of professional practices among the three phases; Planning & Design Phase (PDP), Pre-qualification & Tendering Phase (PQTP) and Execution & Completion Phase (ECP) in the Nigerian Construction Industry. A quantitative research approach was systematically employed where semi structured questionnaire was design and administered to the major stakeholders (consultants, clients and contractors) in the Nigerian Construction Industry. Ranking was used to determine the phase that are susceptible to abuse of professional practices than others and ANOVA was further deployed to investigate whether there is significant different in the respondents view point. From the findings made, it was concluded that Pre-qualification and Tendering Phase (PQTP) was the most susceptible to abuse of professional practices in the entire construction processes. The respondents were in the view that although dozens of abuse of professional practices are uncovered each year in different construction phases certainly more cases are occurred frequently at bidding/tendering stage than others. In addition, from ANOVA we concluded that there is significant difference in the opinions of the consultants to that of clients and contractors in the context they all view what abuse of professional practices is all about.

Keywords: Construction Industry, Abuse of Practice, Nigeria, Rankings, ANOVA

INTRODUCTION

According to (Ika *et al.*, 2012) Abuse of professional practice is an untruthful for personal acquisition carried out by unethically persons in power who misuse power for their personal benefit. Generally, Lindskog *et al.*, (2010) defined abuse of professional practice as the misuse of delegated responsibility by somebody for his private gain and they further divided it into two (2) categories; business to business corruption and business to government corruption. Business to business occurs between business persons (private sectors) whereas business to government happens between private sectors and government officials. Moreover, abuse of practice practices dented the good vision of a nation and give rise to filthy images of a country. Abuse of practice

practices has eaten so deep and have been found as the stumbling block that deter growth and development to Construction Industry (Adekunle *et al.*, 2019). Due to improper administration and immature legislative system, developing or third world countries have more severe unprofessional practices when compared with the developed countries (Ofori 2000; Ling and Hoang 2010).

They further stated that, Nigerian Construction Industry is highly susceptible to corrupt practices due to the structure and nature of the industry which makes it imperative for construction professionals to exhibit some high level of unethical conducts. Inuwa *et al.*, (2015) observed that in the Nigerian Construction Industry, projects often fail as a result of the menace of corrupt related activities on the part of the professionals whom the management of projects rests upon them. As opined by Ameh and Ogundare (2013), the Nigerian government on assumption of office in 1999 found that the approach in conducting government business was nothing to write home about. It got to a point where public service rules, financial regulations, and the basic norms of public service were left in the lurch, either due to professional negligence or selfish motives. After series of investigations, the findings revealed that Nigerian was losing a whopping over forty (40) billion naira (267 million USD) on the average prior to 1999 annually as a result of various kinds of manipulations in the procedures of awarding public contracts.

According to Ayodele *et al.*, (2010) on the unprofessional practices in the Nigerian Construction Industry, for a particular project the amount ranges from 5% to 15% and sometimes up to 40% of the Contract Sum is often illegally expended in bribery and corruption to officials in government offices during contract award, execution and payment processes. Anigbogu and Shawarka (2011) further stressed that, there is no sector that bears the risk of unprofessional practices more than the procurement sector in Nigeria. They further stated that the award of contracts by the different arms of governments in Nigeria was solely characterized by unprofessional practices.

Ayangade *et al.*, (2009) opined that, there has been an increase in cases of abuse of public procurement system in Nigeria that has culminated into the loss of huge sums of money and other resources. They further stated that the country may have also lost billions of naira (Nigerian currency) in the past largely due to the abuse of procedures, contract inflation, lack of transparency, lack of a competency based competition which are fundamental ingredients in the award of government contracts. Similarly, Basheka (2009) asserted that unprofessional practices strikes all the nooks and crannies of society by rendering the cultural, political and economic sectors unproductive and useless. The Nigerian Construction Industry accounts for about 70% of the nation's fixed capital formation and 1.4% gross domestic product (GDP). Inuwa *et al.*, (2015) reports that the Nigerian Construction Industry employs approximately 8 million people, which represents approximately 25% of the nation's workforce and the largest employer of construction labour in Africa. This achievement according to them is an indication of the importance of the sector to the nation's economy.

However, despite harmful and negative consequences posed by unprofessional practices to this all important Industry. Literature has obviously divulged that there is dearth of research in the area and most of the existing studies were focused on the causes of unprofessional practices, impacts of corruption and the types of corruption and in the same vein, study by Owusu *et al.*, (2017) reveals that insufficient attention has been given on how to envisage the construction phase that are deemed to be more prone to corrupt practices than others. According to Anigbogu and Shawarka (2011), corrupt practices in relation to construction can manifest in two major areas;

provision and management of project finances and during the project execution and all these have stem from the; planning and design, prequalification and tendering, project execution and completion phases. Therefore this study aims to adopt the three (3) aforementioned thematic construct so as to envisage the construction stage that records the highest frequency of corrupt practices in the Nigeria Construction Industry. It is presumed that, this can be a step forward in mitigating corrupt practices in the Nigerian Construction Industry.

METHODOLOGY

Quantitative research approach was systematically employed for the purposes of this study were semi structured questionnaire was designed and administered to major stakeholders in the Nigerian Construction Industry. The questions were designed to retrieve information on the construction phase that records the highest occurrences of corrupt practices in the Nigeria Construction Industry.

The questionnaire is divided into part A and B; section A comprises total of five (5) questions aimed at providing information about the respondents while section B had fifty five (55) questions which was adopted from Owusu et al. (2017) corrupt practices framework and Shan et al. (2016) research. For each question in section B the respondents had been provided with five options in the form of a Likert Scale ranging from 1 (Frequently occur); 2 (Often occur); 3 (Seldom occur); 4 (Rarely occur) and 5 (Not occur). The interviewees checked and evaluated the fifty five (55) well organized questions based on their objective judgment.

The sample of the study was randomly selected for Consultants and Contractors from directory of the Corporate Affairs Commission (CAC) while that of Clients was selected from the government ministries and agencies. Total of 50 questionnaires were distributed to the entire respondents; 15 each to Clients and Contractors while 20 to Consultants comprises 5 Quantity Surveyors, 5 Architects, 5 Services Engineers and 5 Civil Engineers. 37 questionnaires were successfully retrieved representing (74% of the total), i.e. 15 Consultants (75%), 12 Client (80%) and 10 Contractors (67%) which were valid and used in the analysis. The data obtained in the returned questionnaires was analyzed using the Statistical Package for Social Sciences (SPSS) software.

RESULTS AND DISCUSSION

The figure above present the distribution of the respondents based on the nature of their work. Consultants formed the large group of the respondents with 15 representing (40.54%) out of the total in the entire survey then followed by Clients with 12 (32.43%). It can also be seen that 10 representing (27.03%) of the respondents were Contractors from various contracting firms.

Abuse of Professional Practice in the Nigerian Construction Industry

Fifty five (55) variables were identified based on the reviews of previous related studies that were thought to be the act of unprofessional practices in the Construction Industry, the highlighted factors may not cover all but commenting effort was made to identify the substantial factors. These were subsequently espoused in the section B of the questionnaire and the data retrieved from them was further analyzed. Table (2) below shows the identified corrupt practices as used in the questionnaire.

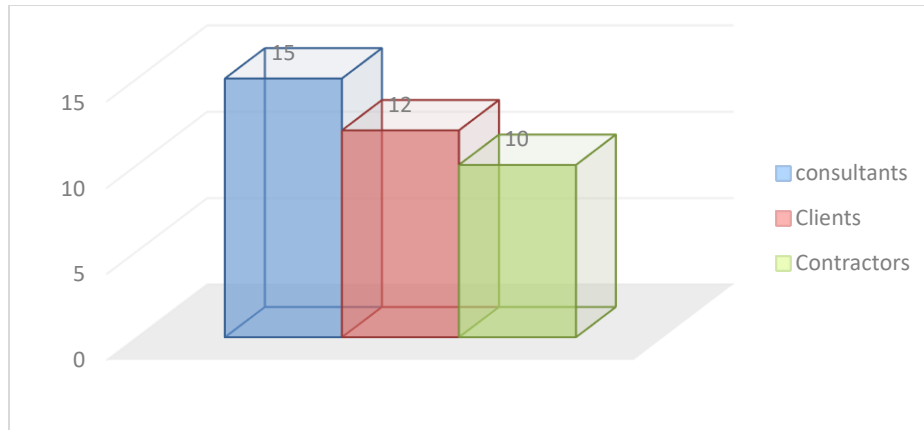


Figure 1: Nature of Respondents' Work

Table 1: Abuse of Practice in Planning & Design Phase (Group A)

S/N	Factors	Abuse of Practice	Mean Score	Categories Mean	Ranking
1	PDP	Fraudulent employment of consultants for execution of pre tender activities	4.88	4.53	2
2		changing project time to fit selfish interest	4.17		
3		Bribing official to fine tune unsatisfactory environmental impact assessment/planning proposal	4.76		
4		Manipulating project design to favour specific parties	4.73		
5		Exaggerating project price to increase possible fraudulent remunerations in the course of execution	4.87		
6		Avoiding necessary taxes and fees	4.89		
7		Failure to observe land utilization condition	4.17		
8		Illegal alteration of project scope	3.76		

Table 2: Abuse of Practice in Pre-qualification & Tendering Phase (Group B)

S/N	Factors	Abuse of Practice	Mean Score	Categories Mean	Ranking
1	PQTP	Influencing pre- qualification processes	4.65	4.66	1
2		Tampering with designs to favour particular bidder	4.64		
3		Act of inducing consultants purposeful	4.80		
4		Giving inducement to gain contract award	4.78		
5		Gaining a quotation solely for the comparison of price	4.53		
6		Dishonestly negotiating contract	4.41		
7		Citing wrong quotation	4.70		
8		Circumventing tender examination by splitting a larger project into smaller parts	4.78		

Table 3: Abuse of Practice in Execution & Completion Phase (Group C)

S/N	Factors	Abuse of Practice	Mean Score	Categories Mean	Ranking
1		Dishonesty in procuring equipment and spare parts	4.33	3.99	
2		Unavailability of funds for O&M due to proliferation in cost as a result of corruption	3.12		
3		Obtaining O&M contracts through payment of bribe	4.01		
4		Obtaining personnel appointment through some inducement	2.83		
5	ECP	Payment of costly reparation and maintenance when sub-standards of construction are adopted	3.33		3
6		Arbiters or lawyers billing disproportionately	3.62		
7		Factually incorrect information with respect to financial standing	4.12		
8		Provision of fabricated expert evidence	4.53		

RESULTS AND DISCUSSION

Ranking of Responses

The ranking was done based on the mean values of the responses in order to envisage the construction phase that are deemed to be more prone to corruption than others. However, despite the fact that construction sector has been identified severally as the most corrupt Industry and almost all phases of construction projects have become problem areas. However, from the respondents’ view point *Pre-qualification and Tendering Phase (PQTP)* was ranked highest with 4.66 mean score as it tends toward high and extremely high. This emanated as a result of the respondents perception that tendering process is the most susceptible to unprofessional practice in the entire construction processes

However, they are in the view that although dozens of unprofessional practices are uncovered each year in different construction phases certainly more cases are occurred frequently at bidding/tendering stage than others. In addition, most clients’ representatives often disclose project information to assist a specific bidder/tenderer to win the tender. These views concurred with the National Bureau of Corruption Prevention Report of China that out of the 21,766 corrupt cases recorded in the country between 2009 and 2012 of which 3,305 occurred in the Tendering/Bidding stage of construction projects accounting for almost 15.2% of all reported cases as in (Xinhua Net, 2012).

Furthermore, the analysis revealed that, *Planning and Design Phase (PDP)* was ranked second with 4.53 mean score value and the means of this category too is tends toward high and extremely high. The respondents opined that it is at this stage the design team often alter project scope, exaggerating project price all with the hope to favour and as well to connive with the contractor in the course of contract execution. Similarly, they are also with the perception that it is at this stage that some enterprises violate the land utilization condition and also avoid payment of necessary authority taxes and fees among others which is often consider as a gross misconduct and a corrupt practices globally.

Execution and Completion Phase (ECP) was ranked least with 3.99 mean score value and the mean is tends toward moderate and high. At this category, the respondent asserted that despite numerous corrupt practices posed at this stage such as facilitation of payment by contractors, holding back payment purposely by client representatives, increase variation claims among others their impact is not huge as in tendering/bidding phase this is because if at the inception a transparent bidder/tenderer is selected the remaining phases would not experiences frequent occurrences of corrupt practices.

Analysis of variance (ANOVA)

Further analysis was also carried out to find out if there is any significant differences on the opinion of the respondents based on their categories in the Construction Industry (consultants, clients and contractors). Analysis of variance (ANOVA) was used in carrying out the test because the significant difference to be identified is among more than two variables, with ANOVA the question of whether or not the occurrence or means scores of different samples vary significantly from one another is answered.

The following tables show the result of a one – way ANOVA comparing the means scores of responses to test if they are significantly different from each other.

Table 2.2: Descriptive Statistics of ANOVA based on Respondents' Category

	N	Mean	Std. Deviation	Std. Error	95% Confidence Interval for Mean		Minimum	Maximum
					Lower Bound	Upper Bound		
Consultants	15	3.724	0.4694647	0.121215	3.46401909	3.983981	2.94	4.44
Clients	12	3.989167	0.2208438	0.063752	3.84884923	4.129484	3.55	4.44
Contractors	10	3.438	0.4047715	0.128	3.14844388	3.727556	2.94	3.94
Total	37	3.732703	0.43319	0.071216	3.58826996	3.877135	2.94	4.44

Table 2.3: ANOVA based on Respondents' Category

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	1.658918	2	0.829459	5.533403	0.008
Within Groups	5.096612	34	0.1499		
Total	6.75553	36			

The Analysis of Variance (ANOVA) statistics in the tables (2.2 and 2.3) above shows that there is significant difference among the three categories of the respondents (consultants, clients and contractors) in their view on the questions investigated in the table (2.1) above. This is because the

calculated F ratio values of the issues under investigation are greater than the F critical value of 2.60, $F(2,111) = 5.533$ and the calculated sig. (p) is less than 0.05 level of tolerance (0.008). For statistically significant difference to occur the F critical value must be greater than 2.60 and the significance value (p) of one – way ANOVA should be less than 0.05.

As appeared in the above analysis, we can conclude that there is significant difference in the opinions of the consultants to that of clients and contractors in the context they all view what unprofessional practices is all about and this was aptly agreed with the means of the three categories in table (2.2) as there is significant difference among all of them.

Conclusion

From the respondents' perception and the analysis made, it can be concluded that *Pre-qualification and Tendering Phase (PQTP)* which was ranked highest with 4.66 mean score is the most prone to unprofessional practices in the entire construction processes as it tends toward high and extremely high. This emanated as a result of the respondents' views that although dozens of unprofessional practices are uncovered each year in different construction phases certainly more cases are occurred frequently at bidding/tendering stage than others. Similarly, one way Anova analysis further stressed that there is significant difference in the opinions of the consultants to that of clients and contractors in the context they all view what unprofessional practices is in the Nigerian Construction Industry.

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