

Regulating of Procurement Professionals as a Tool for Promoting Integrity, Skills, Knowledge, and Understanding: A Pragmatic Assessment from Yapi Merkezi Construction's First Phase of the 1,224 Km Total line long Dar Es Salaam-Morogoro Railway

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Abstract: *The study presents that effective procurement practices are essential for the successful execution of large-scale infrastructure projects of Yapi Merkezi, which connects Dar es Salaam to Morogoro railway in Tanzania as a pragmatic review, the role of regulatory mechanisms in enhancing the integrity, skills, knowledge, and understanding of procurement professionals involved in such endeavors. In recent years, the procurement process has become increasingly complex and critical in ensuring project success. This review explores the current regulatory framework governing procurement practices in Tanzania, with a specific focus on the Yapi Merkezi first phase of the 1,224 Km total line-long Dar Es Salaam-Morogoro Railway Project. It examines the challenges faced by these professionals, such as ethical dilemmas, legal compliance, and supply chain management intricacies, and assesses how regulations and oversight mechanisms can mitigate these challenges. Through an analysis of existing regulations, training programs, and professional development opportunities, the study identifies the strengths and weaknesses of the current system. It also offers recommendations for enhancing the regulatory framework to foster the continuous growth of procurement professionals' integrity, skills, knowledge, and understanding. This review contributes to the broader discourse on infrastructure development in Tanzania and serves as a valuable resource for policymakers, project managers, and professionals involved in similar large-scale projects worldwide. Ultimately, measures in nurturing a competent and ethical procurement workforce, are vital for the successful realization of ambitious infrastructure projects of the Yapi Merkezi railway from Dar es Salaam to Morogoro.*

Keywords: *Professionalism Integrity, Skills, Knowledge, and Understanding*

1. Introduction

Researchers explore that integrity, skills, knowledge, and understanding are about doing the right thing. To do the right things in the procurement process, procurement professionals need to among other things adhere to their professionalism. This is because integrity, skills, knowledge, and understanding in procurement and any other undertaking is a function of professionalism within the *Yapi Merkezi* contraction company of the railway from Dar es Salaam to Morogoro have been taken as a pragmatic review of the study.

Integrity, skills, knowledge, and understanding is the quality of being honest and having strong personal and professional promising morals (Yapi Merkezi 2018). Integrity, skills, knowledge, and understandings are the maturity stage or high degree level of adhering to ethics in business activities.

The principle of integrity, skills, knowledge, and understanding imposes an obligation on professionals of all disciplines to be straightforward and honest in professional and business relationships. Integrity, skills, knowledge, and understanding also imply fair dealing and truthfulness. knowledge and understanding cannot be achieved unless in an environment of high cooperation of all professionals to instill an ethical code of conduct.

1.1 What is a profession?

The profession is an occupation requiring special education such as medicine, procurement and supply management, law, accountancy, etc (World Book Dictionary L-Z 2000). A professional finally ends with the particular board after having satisfied and complied with all requirements. A person who enters the profession of procurement and supply is assumed to accept an obligation to uphold its principles, to work for the increase of knowledge in the art for the improvement of methods, and to abide by the profession's ethical and technical standards (America College Dictionary)

Integrity: refers to the quality of being honest, truthful, and having strong moral principles. People with integrity are often seen as trustworthy, reliable, and ethical because they adhere to a set of principles and standards that guide their behavior.

Skills: Skills refer to the abilities, competencies, and expertise that individuals possess in performing specific tasks or functions. In the context of the title, it likely pertains to the skills required in the procurement profession.

Knowledge: Knowledge refers to the information, facts, and understanding that individuals have about a subject or field. Here, it suggests the importance of increasing the knowledge base of procurement professionals.

Understanding: Understanding implies comprehension or insight into a subject, situation, or concept. In this context, it highlights the need for procurement professionals to have a deeper understanding of their field and its complexities.

1.3 Pillars (elements) of a Profession

(i). Philosophy

Professions have their philosophy, which must be articulated in both written and oral form.

(ii). Body of knowledge

Professions must have a body of professional literature of research, study, and comment.

(iii). Guideline for behavior

Professions have codes, guidelines, creates, oaths commitment statements, and belief statements on ethics and professionalism.

(iv). Leaders or philosophers

The profession has, both historically and currently those who write about and research the profession. Leaders can be writers 'doers, role models, and those active in service, particularly in the profession.

(v). Admission requirements

Professionals in many professions are licensed, certified, and have specific initial used advanced education, as well as requirements for ongoing education. In addition, many professions require both initial and ongoing testing for admission and maintaining membership in a particular profession to which they belong.

(vi). Support

Many professions require support and or professional development opportunities outside the work environment such as associations or professional organizations and professional bodies, for example, construction departments. Figure 1: shows the pillars of professional development according to Yapi Merkezi.



Traits of a Professional

- Flexibility
- Patience
- Integrity
- Perseverance
- Pride
- Resourcefulness
- Common Sense
- Cooperation
- Courage
- Tolerance
- Directness of Purpose
- Responsibility
- Initiative
- Friendship
- Curiosity
- Sense of Humor

Source: *Yapi Merkezi action Plan (2015/2020)*

Professionalism should therefore be exhibited by one of the professional character, spirit, or methods or the standing, practice, or methods of a professional as distinguished from an amateur.

Figure 2: shows the quality of professionalism development in general.

Qualities	Median > 6	Median <6
Humanistic	Integrity Confidentiality Adherence to ethical and legal codes Respect for the patient's point of view, dignity and privacy Respect for colleagues and coworkers Responsibility for their personal actions with the patient and society Reliability Maturity Empathy	Unbiased Altruism
Personal development	Self-awareness Commitment to continuing education Acceptance of uncertainty and error Acceptance of criticism Maintenance of the personal and professional dimension	Motivation Orientation Capacity
Metacompetencies	Surveillance Response speed Teamwork Flexibility Decision-making capacity Style Confidence Communication Experience in pattern recognition	Resourcefulness Assertiveness Conflict resolution Fluency Administrative skills Leadership

Source: Own elaboration based on Kearney. (18)

2.0 Ethical codes of conduct

Any profession ought to have norms of leaving and controlling the behavior of professional members. A professional body is obliged to develop an ethical code of conduct and improve to keep pace with changes to cater to the legal framework and society's demands. The ethical codes of conduct guide and spell out the dos and don'ts of the profession.

In the context of professionalism – Ethics are moral boundaries or values that guide officials in all aspects of their work.

Ethical behavior encompasses the concepts of Integrity, skills, knowledge and understanding, probity, diligence, fairness, trust, respect, and consistency. Ethical behavior includes avoiding conflict of interest and not making improper use of an individual's position. A procurement conducted ethically will enable purchasers and potential suppliers to deal with each other based on mutual trust and respect. Ethical behavior is important in public procurement as it involves the expenditure of public money is subject to public scrutiny and is part of public sector governance which covers how public sector entities are controlled at the highest levels.

Procurement and Supplies Professional and Technician Board (PSPTB) National Board of Accountants and Auditors (NBAA) Engineers Registration Board (ERB) Contractors Registration Board (CRB, etc ought to instill their formulated ethical codes to maintain standards of conduct and regulate activities of professionals in their respective Board to achieve high Integrity, skills, knowledge, and understanding.

According to Dr. Clarence Walton, a professor of ethics and the professions at the American college, found, “studies and research have indicated that companies which adhere to a set of ethical standards are healthier in the long run. 1

The executive director of the ethics resource center of Washington, D.C. (Gary Edwards) came up with the “Survey which showed that corporations are paying more attention to the institutionalization of ethics within their organizations. This is happening, in part because they ‘ve become aware and understand the enormous costs of unethical activity - in fines and penalties, increased government regulations, and damage to their public image. But they also believe that ethical behavior is good business.”2

They both came up with two inescapable conclusions.

- (i). Our society is genuinely concerned about individual and organizational ethical behavior
- (ii). We have a long way to go as a society, to achieve what many think is an acceptable goal in the profession's arena.

3.0. Principles and standards of purchasing and supply professional ethical code of conduct practice

3.1 Professional ethical

Professional ethics covers the myriad practical ethical problems and phenomena that arise out of specific functional areas of companies or about recognized business professions professional ethics are guidelines or best practices that embody ideals and responsibilities that inform practitioners as to the principles and conduct they should adopt in a certain situation (Keneth Lyson 2012) revision edition.

We live and work in a highly competitive market economy with an emphasis on results where there is pressure for sales, pressure to compromise, pressure to succeed in an environment of both internal and external competition, and pressure resulting from government mandates. The pressures that the marketplace exerts on purchasing and supply departments and individual buyers make it essential that top management, purchasing and supply managers, buyers, and all other members of the procurement system recognize and understand both the professional and ethical standards required in the performance of their duties. Some of the basic ethical issues in public procurement are.

- Loyalty to your organization
- Justice to those with whom you deal
- Faith in your profession (Dobler, et al 2016)

From these fundamental principles the Chartered Institute of Purchasing and Supply in the UK, and the National Board for Materials Management practice for effective procurement practices.

3.2 Qualities of procurement professionals

Nevertheless, Procurement professionals should be capable of translating the goals and policies of an organization. Thought more critically than they are today. As the economy grows, its procurement requirements also grow and become more complex. If procurement is to adequately support this growth, procurement professionals must know to make judgments about the best sources in the global market to satisfy requirements within the procurement frameworks.

- The principle of professional competence and due care should impose the following obligations on procurement professionals.
- Professionals have knowledge and skills at the level required to ensure that clients or employers receive competent professional services. And
- Professionals should act diligently with applicable technical and professional services.
- Competent professional service should possess the character of sound judgment in applying professional knowledge and skills in the performance of such service to attain and maintain professional competence.
- Professionals should update their knowledge through continuing professional development (CPD) that will develop and maintain capabilities that will enable a procurement professional to perform with high skills, knowledge, and understanding competently within the professional environment.
- The procurement profession should take steps to ensure that those working under the professional authority in a professional capacity have appropriate training and supervision.
- Where appropriate a procurement professional should make clients, employers, or other users of the professional services aware of limitations inherent in the services to avoid the misinterpretation of an expression of opinion as an assertion of fact.

However many scholars and professionals alike, advance some arguments regarding the quality of procurement and supplies professional and technician body (PSPTB) in the country as listed below that professionals are incompetent to handle today's procurement functions

- They possess mixed grills or high breeds covering a lot of subjects but masters of none. This is to say they are jackals of all trades but masters of none.
- They possess qualifications, but truly they can't deliver to show employers their potential for cost reduction and value improvement.
- They are not prepared to work in the new environment as they are very slow in adapting to challenges, either due to cultural reluctance or failure to adapt themselves to changes taking place in the information technology industry.
- Not flexible enough to adapt to changing conditions which require a multi-skills/displines approach and continuous education through CPD for the better performance of their duties.

These arguments and many more try to concretize the fact that procurement and material management professionals in Tanzania lack public confidence that they to be recognized as professionals in Tanzania lack public confidence that will ensure them to be recognized as professionals.

A qualified professional ought to provide a guarantee and a license by expertly practicing professional activities. Laffin et al, (2000), assert that professionals should profess – what they are entitled to profess in that way they show to know more about certain things than lay people. It is this possession of a unique and experienced knowledge base - That is unchallengeable, objective, and unquestionable.

4.0 Current development of public procurement in Tanzania.

The enactment of The Public Procurement Act No.7 of 2011 as amended 2016 brought about the following major challenge to professionals.

- (i). Basic public procurement values
- (ii). Procurement planning and implementation
- (iii). Professionals' capacity and capabilities

The role of Procurement Professionals in the Public sector is to control the use of public financial resources through managed interactions with suppliers or contractors by professionally understanding their roles and developing a proper culture of conducting

procurement responsibility, with accountability, transparency integrity, skills, knowledge, and understanding which are the basic procurement values.

The Public Procurement Act (PPA), No.7 of 2011 as amended with its Regulations 2016 requires the need to make the best possible use of public funds, whilst conducting procurements with honesty and fairness. Basic procurement values are among the challenges brought about by the legislation Public Procurement Act (PPA) to professionals because, on one hand, the Act calls for the promotion of such values in procurement without failure. Some professionals, on the other hand, are still traditionally practicing procurement. (Cosima 2000)

5.0 Challenges and the way forward in enforcing procurement professionalism in Tanzania public procurement.

5.1 Challenges

Despite professional Boards' ethical code of conduct and standards, monitoring, and control from Regulatory Authorities, the Procurement profession still faces a lot of challenges as some have been listed below.

5.1.1 Good Environment

Professional ethics can effectively work in an environment where there is good governance, transparency, skills, knowledge and understanding, accountability, and governing laws.

Despite the Procurement Professional and Technician Body (PSPTB) teaching professionalism, reforms, and monitoring enforced by the Public Procurement and Regulatory Authority (PPRA) in public procurement in the United Republic of Tanzania, the application and compliance with Public Procurement Act (PPA) in Ministries, Government Departments, institutions, and Local Government Authorities (LGA) has not been achieved. This can be verified in Controller and Auditor General (CAG's) financial year reports, where a lot of money is lost due to a lack of skills, knowledge, and understanding of using public funds.

5.1.2 Abuse of Profession

The abuse of professionalism should be stopped, the use of power, profession, or knowledge unfairly is the major cause of misconduct in procurement profession practices. Each profession's philosophy should be respected and instilled. Managers, administrators, and other stakeholders should not mislead society by abusing professions e.g. an accountant cannot become a doctor because he has been working in the hospital for a long time, No, he will remain an accountant. practicing both accountancy and medicine at a time is an abuse of both professionals. Engineers, accountants, lawyers, etc cannot become procurement professionals without the philosophy and comprehensive knowledge of procurement as well as registration recognition. Training institutions, Regulatory authorities (PPRA), and stakeholders have a role to educate society that the abuse of professions is not only misconduct, going against the ethics and laws of our country but also sabotaging the country's economy. See an example of Richmond and the way it costs taxpayers.

5.2 Way forward

5.2.1 Responsibilities of Professions

Any profession's major responsibility is to develop a set of written standards that will enable practicing professionals to adopt and apply them in their workplaces.

In the current situation in Tanzania, we have only public sector regulations as issued by PPRA yet procurement is being practiced. Supply management properly be guided in Tanzania and hence a need for regulatory authorities, professional bodies, and higher learning institutes to come up with standards that are practical for Tanzania's situation. For example, a standard on fuel management would reduce the current haphazard situation of fuel management in both the public and private sectors.

5.2.2 Ethics Training

Professional purchasing and supply managers, with the assistance of top management and their colleagues in other functional areas, should ensure that appropriate personnel receive periodic training concerning the organization's ethical standards. This should also apply to other professions because the procurement process operates and comprises a comprehensive number of organs from other disciplines.

5.2.3 Separation of Procurement and Supply Sections

According to Yapi Merkezi Manager, state that bolstering the size and skill of the procurement workforce should be the motive of every organization/ministry since one man in the procurement and supply department is not conducive to integrity, skills, knowledge, and understanding of promotion in both public and private procurement system especially in construction industry like Yapi Merkezi.

5.2.4 Working Environment

Departmental policy should make it clear that buying personnel engage in any unethical activity at the risk of not only losing their jobs but also legal action to be considered for such misconduct. The age-old adage “Monkey see, monkey do” is certainly applicable in the matter of ethical conduct. Departmental management and supervisory officers must live to the letter of the department’s policies and ideals.

Numerous studies have confirmed beyond doubt that the actions and attitudes of supervisors are the most influential single factor in determining the attitudes of a workgroup.

6. Conclusions and Way Forward

Each day we must strive to find new and better ways to add to our organizations (employers) and the public we serve through the application of acceptable standards and ethics, as a result of promoting high skills, knowledge, and understanding. If we fail to change, our respective employers and the public at large, driven by the inevitable forces of change in this global economy, will move on without us. As procurement professionals, we must establish ourselves as promoters and leaders of integrity, skills, knowledge, and understanding as a corps of discovery on the edge of the management frontier.

We have a long way to go as a profession to achieve what many think is an acceptable goal in the procurement profession arena and build confidence in the public interest.

7. Acknowledgment

Yapi Merkezi is constructing the fastest railway in East Africa. The first phase of the 1,224 km total line, the 202 km long Dar Es Salaam-Morogoro Railway Project, is the most critical part of the project. When the 5-part line is completed, it will connect Uganda, Rwanda, the Democratic Republic of Congo, and Tanzania, and provide access to the Indian Ocean for all related countries.

All construction works about the design, manufacture, assembly, and operation startup of the track superstructure, electrification, signaling, telecommunication, and central control systems are being carried out by *Yapi Merkezi* 202 km-long single line will be constructed at a design speed of 160 km/h between Dar Es Salaam and Morogoro. During the 30-month project, a total of 33 million cubic meters of excavation work will be undertaken; 96 pieces of 6,500-meter-long bridge and overpasses, 460 culverts, 6 stations, and repair and maintenance workshops will be constructed Dar Es Salaam-Morogoro railway.

Phase 1: Dar es Salaam–Morogoro Section

The first phase was completed in April 2022 currently in the live testing phase. It covers a distance of 300 kilometers (186 mi), from the city of Dar es Salaam to Morogoro.

This section, measuring 300 kilometers (186 mi), was contracted to a 50/50 consortium comprising Yapi Merkezi of Turkey and Mota-Engil of Portugal. Construction began in April 2017 and Yapi Merkezi has been showing the progress of construction with monthly video reports on Partial funding for this section, amounting to US\$1.2 billion, which was borrowed from the Export Credit Bank of Turkey. There are six stations: Dar es Salaam, Pugu, Soga, Ruvu, Ngerengere, and Morogoro. Three trains will make daily round trips. With infrastructure complete electrical tests, and live train trials began in late April 2022.

Phase 2: Morogoro–Makutupora Section

The second phase covers a distance of approximately 426 kilometers (265 mi) from Morogoro via Dodoma to Makutupora in Manyoni District, Singida Region. In September 2018, the government of Tanzania secured a soft loan from Standard Chartered Bank, amounting to US\$1.46 billion, for the funding of this section of the country’s SGR. This section was also contracted to the consortium that is constructing the Dar es Salaam–Morogoro Section. The stations after Morogoro will be Mkata, Kilosa, Kidete, Gulwe, Igunda, Dodoma, Bahi, and Makutupora. At the end of July 2022, the work was reported as having reached 90 percent and would be completed by Dec 2022. In February 2023 the monthly filming by the main contractor showed work unfinished but good progress made from the previous month.

References

Abbey Brown (2022) "Is Ethical Good Business "The Personnel Administrator's Report as Picked from Lyson et al

Controller and Auditor General Report of 2021/22 as published in Government Printers

Dornard w. Dobler and David N. Burt (2012) Purchasing and supply chain Management. Tata McGraw Hill.

John Cosima (2020), Procurement and Supplies Professional and Technician Board (PSPTB) 45th Anniversary at Mwalimu Nyerere Conference Hall. Unpublished Report.

Keneth Lyson And Brian Farrington (2016) Purchasing and Supply Chain Management. Person Education (PSPTB) Act 9 of 2001. Government Printers Procurement and Supplies Professional and Technicians Board

Public Procurement Act No. 7 of 2011 as amended in 2016 with its Regulations. Government Printers (PSPB).

Olingo, Allan (29 April 2018). "Tanzania turns to World Bank to fund its modern railway project". The EastAfrican. Nairobi. Retrieved 16 September 2018.

TanzaniaInvest.com (14 April 2017). "Dar Es Salaam-Morogoro Standard Gauge Railway Works Start". Dar es Salaam: TanzaniaInvest.com. Retrieved 16 September 2018.

"Tanzania's SGR set to start operations end of April". The East African. 13 April 2022.

"Morogoro-Makutupora Railway".

"JIWE LA MSINGI MRADI WA SGR MAKUTUPORA - TABORA". Shirika la Reli Tanzania. Retrieved 2 May 2022.

"Tabora – Isaka standard gauge railway contract signed". Railway Gazette International. Archived from the original on 20 July 2022. Retrieved 15 January 2023.

The Citizen Reporter (7 January 2021). "Two Chinese companies to construct Tanzania's fifth lot of SGR". The Citizen (Tanzania). Dar es Salaam. Retrieved 7 January 2021.

Wayne A. Writing (2000) Building Value Through Public Procurement. A focus On Africa.

World Book Dictionary L-Z Of 2000 version (World Book Inc)

Yapı Merkezi (2015) Construction Forum Presentation held in Dar es Salaam April 2019 and Action plan of 2015/2020.

Xinhua (15 March 2018). "Tanzanian president launches construction of new phase of standard gauge railway". Beijing: Xinhua. Archived from the original on 15 March 2018. Retrieved 16 September 2018.