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## **Role of the Access to Government Procurement Opportunities (AGPO) Program in Promoting Inclusion of Women, Youth, and Persons with Disabilities in Public Procurement**

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# Role of the Access to Government Procurement Opportunities (AGPO) Program in Promoting Inclusion of Women, Youth, and Persons with Disabilities in Public Procurement

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## Abstract

Public procurement is a powerful tool for advancing inclusive economic development, particularly in emerging economies like Kenya where state spending accounts for a significant portion of GDP. To address historical exclusion in access to public tenders, the Government of Kenya launched the Access to Government Procurement Opportunities (AGPO) program in 2013. The initiative, grounded in Article 227 of the Constitution and operationalized through the Public Procurement and Asset Disposal Act (2015), reserves 30% of government procurement for enterprises owned by women, youth, and persons with disabilities. This article explores the role of AGPO in enhancing the participation of these special interest groups in public procurement by examining its policy framework, operational mechanisms, and outcomes. Findings indicate that AGPO has led to increased registration of target-group enterprises, improved livelihoods, and notable success stories. However, challenges such as low awareness, limited capacity, delayed payments, corruption, and inadequate access to finance continue to hinder its full realization. The article concludes by offering policy recommendations to strengthen AGPO implementation, including the need for robust monitoring, simplified registration, expanded training, and prompt payment systems. Overall, AGPO remains a vital yet underutilized policy instrument with the potential to significantly transform Kenya's public procurement landscape into a more inclusive and equitable space.

**Keywords:** *Access to Government Procurement Opportunities (AGPO) & Public Procurement*

## I. Introduction

Public procurement in Kenya is one of the government's most powerful tools for delivering public services and stimulating national development, with procurement spending accounting for up to 70% of national and county government expenditures (World Bank, 2020). As a significant contributor to economic activity, the public procurement system not only facilitates infrastructure development and service delivery but also shapes patterns of entrepreneurship, innovation, and employment. However, access to these lucrative procurement contracts has traditionally been

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dominated by established firms and politically connected elites, leaving out marginalized groups such as women, youth, and persons with disabilities (PWDs) (Wandera, 2018). In response to this inequality, the Government of Kenya adopted deliberate measures to open up public procurement as a space for economic inclusion and empowerment.

In 2013, the Government of Kenya introduced the Access to Government Procurement Opportunities (AGPO) program through a presidential directive, which was later codified in the Public Procurement and Asset Disposal Act (PPADA), 2015. AGPO aims to reserve 30% of all government tenders for enterprises owned by women, youth, and PWDs, in recognition of their historical marginalization in public economic affairs (Republic of Kenya, 2015). The initiative is grounded in constitutional provisions such as Article 227, which mandates fair and equitable public procurement practices, and Article 55, which calls for the inclusion of youth in economic development. Additionally, Article 56 of the Constitution supports affirmative action for marginalized groups. The AGPO framework seeks to promote equal opportunity in accessing public contracts by simplifying registration processes, waiving bid bonds, and offering prequalification criteria tailored to special interest groups (National Treasury, 2018).

Inclusive economic participation is increasingly recognized as essential for achieving equitable and sustainable development. Empowering historically excluded populations to access public procurement not only expands the base of economic contributors but also promotes wealth redistribution, entrepreneurship, and social cohesion (UN Women, 2017). Through AGPO, the government envisions a more level playing field where women- and youth-owned businesses, as well as those run by PWDs, are given a fair chance to compete, win contracts, and grow. This approach aligns with global trends that encourage governments to use their purchasing power as a tool for advancing social equity, such as in South Africa's Broad-Based Black Economic Empowerment (BBBEE) model and the U.K.'s Social Value Act (ITC, 2014).

Despite its ambitious policy goals, the implementation of the AGPO program has faced multiple challenges, including low awareness, limited capacity among target groups, delayed payments, and bureaucratic inefficiencies that hinder participation (Kamau & Kivuva, 2021). Moreover, elite capture and corruption in tendering processes continue to undermine the integrity and inclusivity of public procurement. As a result, the intended beneficiaries of AGPO often remain sidelined, and the transformative potential of the initiative is yet to be fully realized. This article critically explores the role of the AGPO program as a public policy tool aimed at promoting the inclusion of women, youth, and PWDs in public procurement, with a focus on evaluating its legal foundations, achievements, challenges, and areas for policy improvement.

## II. Policy and Legal Framework of AGPO

The Access to Government Procurement Opportunities (AGPO) program is firmly anchored in Kenya's constitutional and legislative framework, reflecting a deliberate state policy to mainstream inclusivity and equity in public procurement. The Constitution of Kenya (2010) lays the foundation for fair and transparent procurement through Article 227, which requires that procurement by public entities be done in accordance with a system that is fair, equitable, transparent, competitive, and cost-effective. Crucially, Article 227(2) empowers Parliament to prescribe preference and protection for disadvantaged groups in public procurement. This provision opened the door for the institutionalization of affirmative action mechanisms like AGPO, which were formally operationalized through legal instruments, including the Public Procurement and Asset Disposal Act (PPADA), 2015. The Act codifies preference and reservation schemes,

particularly under Sections 155 and 157, which mandate that at least 30% of public procurement opportunities be allocated to youth, women, and persons with disabilities, without the requirement for competitive bidding.

To reinforce the constitutional and legislative provisions, a series of presidential directives were issued from 2013 onward, tasking ministries, departments, and agencies (MDAs) with setting aside a minimum of 30% of their procurement budgets for these groups. These directives were supported by National Treasury circulars and guidelines, which outlined implementation procedures, including registration criteria, tender documentation waivers, and monitoring responsibilities. The National Treasury also created the AGPO online portal to streamline registration and facilitate access to procurement opportunities for eligible enterprises. Additionally, the Public Procurement Regulatory Authority (PPRA) was mandated to ensure compliance and provide oversight. Collectively, these instruments form a multi-tiered policy framework that integrates constitutional intent with enforceable procurement practices aimed at dismantling systemic barriers for marginalized groups.

Eligibility for the AGPO program is determined based on ownership, control, and registration status. According to the National Treasury (2018), for a business to qualify under AGPO, it must be at least 70% owned and managed by individuals from one of the designated special interest groups. Furthermore, the business must be legally registered, possess a valid tax compliance certificate, and obtain AGPO certification from the National Treasury via the AGPO portal. For youth-owned businesses, the age requirement is between 18 and 35 years, while women-owned businesses must demonstrate majority female ownership and control. Enterprises owned by persons with disabilities must show that the business is managed by individuals who are registered with the National Council for Persons with Disabilities (NCPWD). These criteria ensure that only genuine businesses benefiting the targeted groups access the reserved procurement quotas.

The process of registration is relatively straightforward but often underutilized due to awareness and capacity gaps. Applicants must first register their business with relevant authorities such as the Registrar of Companies or the Business Registration Service, after which they must acquire the necessary supporting documents, including a certificate of incorporation or business name, CR12 form (for companies), and identity cards of the directors or proprietors. The next step involves applying for AGPO certification through the official AGPO website ([www.agpo.go.ke](http://www.agpo.go.ke)), where documents are uploaded for review. Once approved, businesses can access tenders reserved for their respective group. Despite efforts to simplify this process, studies have shown that bureaucratic delays and lack of technical support continue to discourage some eligible applicants, particularly in rural areas (Wandera, 2018).

The target groups defined under AGPO—women, youth, and persons with disabilities (PWDs)—are recognized in Kenyan law as vulnerable or historically marginalized populations. Youth are defined under the National Youth Policy (2019) and the PPADA as persons aged between 18 and 35 years. Women refers to female entrepreneurs or business owners who hold a majority stake in the enterprise and exercise control over its operations. PWDs, as defined under the Persons with Disabilities Act, 2003, include individuals with physical, sensory, mental, or other forms of disability that substantially limit one or more major life activities. The AGPO framework intentionally targets these groups to address structural inequalities in access to economic opportunities. Through this legal recognition and targeted support, the government aims to not



only promote fairness but also unlock the economic potential of marginalized populations that have historically been excluded from mainstream procurement systems.

### **III. Role of AGPO in Promoting Inclusion**

One of the most notable features of the AGPO program is its commitment to empowerment through reserved procurement, which is operationalized through the mandatory allocation of at least 30% of government procurement opportunities to enterprises owned by youth, women, and persons with disabilities. This reservation, anchored in Section 155 of the Public Procurement and Asset Disposal Act (PPADA, 2015), is intended to provide a direct economic entry point for historically marginalized groups that have long been excluded from state tenders due to structural and financial disadvantages. These reserved tenders are often categorized under simplified, low-capital threshold contracts such as supply of stationery, construction services, catering, cleaning, ICT support, and small-scale logistics. By ring-fencing specific categories of public procurement, AGPO creates a more equitable competitive environment where target groups do not have to contend with well-established firms that typically dominate the public procurement space (National Treasury, 2018). This direct access to procurement contracts has the potential to expand income generation, stimulate enterprise development, and reduce dependency, particularly among young people and women in underserved regions.

Beyond procurement allocation, AGPO incorporates a capacity building and training component aimed at equipping beneficiaries with the skills and knowledge necessary to navigate the public procurement system effectively. The Kenyan government, in collaboration with development partners such as UN Women, World Bank, and USAID, has initiated several training programs tailored for AGPO-registered groups. These trainings focus on topics such as bid preparation, financial management, procurement law, tender documentation, and enterprise growth strategies (UN Women, 2017). Furthermore, county governments have increasingly taken up the responsibility of sensitizing local youth, women, and PWD groups about AGPO opportunities and supporting them through mentorship programs. Institutions such as the Kenya Institute of Supplies Management (KISM) and Youth Enterprise Development Fund (YEDF) have also developed resource materials and held workshops to demystify public procurement processes. However, studies indicate that the effectiveness of training remains uneven across regions, with rural and remote areas still experiencing significant information and capacity gaps (Wandera, 2018).

Another essential pillar of AGPO is its facilitation of access to finance and credit facilities for eligible groups. One of the longstanding barriers to participation in public procurement has been the lack of access to affordable and timely credit, especially for small and informal enterprises owned by youth and women. In response, the AGPO program promotes collaboration between the government and financial institutions to ease access to working capital. Financial institutions such as KCB Bank, Equity Bank, Family Bank, and the Women Enterprise Fund have rolled out customized financial products—including LPO financing (Local Purchase Order loans)—to support AGPO-certified businesses in fulfilling awarded contracts. The Uwezo Fund and National Government Affirmative Action Fund (NGAAF) also play a crucial role in offering credit to AGPO target groups at subsidized interest rates or with favorable repayment conditions. In addition, the government has proposed credit guarantee schemes and risk-sharing arrangements to incentivize lending to youth- and women-owned SMEs. Despite these innovations, uptake remains modest due to complex application procedures, high rejection rates, and low financial literacy among target beneficiaries (Kamau & Kivuva, 2021).

AGPO has also been instrumental in promoting an entrepreneurial culture among marginalized populations by encouraging formalization, competitiveness, and long-term business development. Before the introduction of AGPO, a significant number of businesses owned by youth and women operated informally and were largely invisible in state-level procurement systems. The requirement for business registration, tax compliance, and AGPO certification has nudged these enterprises to formalize their operations, opening up new opportunities for funding, partnerships, and scaling. This formalization not only helps participants to comply with procurement rules but also fosters a mindset shift toward strategic entrepreneurship and growth-oriented enterprise management. Moreover, repeated engagement with public procurement processes has pushed AGPO-certified enterprises to build stronger operational systems, improve their service delivery, and innovate to remain competitive (ITC, 2014). As a result, AGPO has served not just as a procurement tool but as a platform for fostering enterprise resilience and business discipline among special interest groups.

While the AGPO program was initially designed to level the playing field for underrepresented groups in public procurement, its broader role in stimulating inclusive economic growth and entrepreneurship cannot be understated. The program acts as a launchpad for local entrepreneurs to gain market experience, build financial records, and enhance business credibility, which are crucial assets for long-term economic participation. Additionally, AGPO has contributed to the creation of employment, especially for young people and women-led enterprises that typically reinvest earnings into community-based job creation. The cumulative effect of these interventions is not only the redistribution of state resources but also the reconfiguration of power and opportunity within the Kenyan economy. Nonetheless, realizing AGPO's full potential will depend on continuous investment in institutional support, robust monitoring and evaluation, and deliberate policy adjustments to address implementation challenges and scale up success stories.

#### **IV. Achievements and Impact**

Since its inception in 2013, the Access to Government Procurement Opportunities (AGPO) program has registered notable progress in creating economic openings for special interest groups. According to data from the National Treasury (2023), over 160,000 enterprises had been registered under the AGPO program by the end of 2022, with women-owned businesses accounting for approximately 60%, youth-owned enterprises making up 35%, and PWD-owned businesses contributing the remaining 5%. This growth in registration reflects a growing awareness of the program and an increased willingness among marginalized groups to formalize their enterprises and engage with public procurement systems. Additionally, procurement records indicate that between 2016 and 2021, an estimated KES 85 billion worth of tenders were awarded to AGPO-certified groups, with the education, health, agriculture, and infrastructure sectors recording the highest levels of participation (PPRA, 2022). While not yet at the 30% target across all ministries, departments, and agencies (MDAs), these figures represent important strides toward inclusivity.

AGPO has also generated a range of success stories that demonstrate the potential of affirmative procurement policies to catalyze business development. For instance, *Jirani Foods Ltd*, a youth-owned enterprise based in Kisumu County, reported exponential growth after winning a catering services contract under AGPO in 2018. The business scaled from five employees to over 30 within two years and expanded to supply local hospitals and government schools. Similarly, *Keziah Cleaners*, a women-led cleaning and maintenance company in Nairobi, accessed working capital through an AGPO-linked loan from a local bank and went on to secure multiple contracts with

county governments, enabling the founder to reinvest in equipment and hire other women from her community. These examples underscore the importance of linking procurement opportunities with access to training and finance to ensure sustainability and scaling among beneficiaries.

The social and economic empowerment outcomes of the AGPO program have been increasingly evident, particularly in terms of livelihood improvement and employment generation. Participation in public procurement has allowed many previously marginalized individuals to transition from informal, low-income activities into more stable, structured business ventures. This transition has not only provided them with a more predictable income but has also enabled them to invest in education, health, and improved living standards for their families. A study by UN Women (2019) found that 61% of women entrepreneurs who accessed AGPO contracts reported improvements in household income, with 38% indicating they had employed at least one other person after securing tenders. Youth participants also noted increased confidence, improved creditworthiness, and greater willingness to reinvest in their businesses due to the market stability that AGPO-related contracts provided.

In addition to these direct financial benefits, AGPO has had wider community-level ripple effects. As women, youth, and PWD-owned enterprises grow, they often reinvest in their communities through employment creation and mentorship. Several AGPO beneficiaries have gone on to mentor peers, offer training in tender application processes, and create networks that build procurement literacy at the grassroots. County-level data from Nakuru and Mombasa, for example, show that AGPO beneficiaries have launched procurement information hubs and WhatsApp groups to help others understand how to navigate bidding platforms and meet compliance standards. This form of peer-led empowerment enhances the program's reach and fosters a culture of collective growth, especially in regions with limited access to formal training institutions or support infrastructure.

However, while AGPO's impact is undeniable, it is important to interpret its achievements in light of existing disparities and implementation gaps. The distribution of benefits remains uneven across regions, with urban centers disproportionately represented in successful tender awards compared to rural counties. Moreover, persons with disabilities continue to face steep barriers in both registration and execution of contracts, often due to infrastructural limitations and persistent stigma. Nevertheless, the achievements to date confirm that AGPO is a critical policy instrument capable of advancing inclusive development, provided its mechanisms are strengthened and better supported through continuous reform and capacity building.

## **V. Challenges Facing AGPO Implementation**

Despite the progress made since its rollout, the AGPO program continues to face several implementation challenges that undermine its potential to fully empower marginalized groups. One of the most persistent issues is limited awareness and uptake of the program, particularly in rural areas and among persons with disabilities. Many eligible entrepreneurs are either unaware of AGPO or lack clear understanding of how it operates, including the steps required for registration, documentation, and bidding (Wandera, 2018). According to a survey by the Kenya Institute of Public Policy Research and Analysis (KIPPRA, 2021), only 43% of youth entrepreneurs in selected counties had heard of AGPO, and fewer than half of them had attempted to register. The low level of awareness is compounded by minimal outreach and public sensitization by county governments and procurement authorities, resulting in a continued dominance of tenders by more informed or better-connected applicants.

Another major obstacle is the capacity gap among target groups, particularly in terms of technical knowledge, procurement literacy, and administrative compliance. Many youth- and women-owned enterprises lack familiarity with procurement regulations, bidding document preparation, and contract execution requirements. This often results in disqualification at early stages of the procurement process or inability to fulfill awarded tenders. Additionally, some enterprises struggle with maintaining the documentation needed for AGPO certification, such as up-to-date tax compliance certificates, company registration records, and proof of ownership. Studies have shown that lack of mentorship and institutional support limits the competitiveness of these enterprises, leading to a high attrition rate among registered AGPO suppliers (Kamau & Kivuva, 2021). The digital divide further worsens the situation, as most application procedures are now conducted online through e-procurement platforms that many rural entrepreneurs find difficult to access or navigate.

Delays in payments for completed contracts represent a critical operational challenge that directly affects the sustainability of AGPO-registered businesses. Despite successfully fulfilling procurement contracts, many small enterprises report waiting several months—sometimes over a year—for payment from government entities. These payment delays disrupt cash flow, lead to loan defaults, and discourage reinvestment, especially for financially fragile businesses run by women and youth. The Office of the Auditor General has repeatedly highlighted the problem of pending bills in government departments, which reached over KES 400 billion by 2022, a significant portion of which is owed to AGPO beneficiaries (OAG, 2022). The bureaucratic and often opaque payment processes leave many businesses stranded, eroding trust in the system and undermining the very empowerment the AGPO program is designed to promote.

Furthermore, corruption, favoritism, and elite capture continue to weaken the credibility of the AGPO program. Despite being a pro-poor initiative, AGPO is frequently criticized for being exploited by politically connected individuals who register proxy companies under the names of women, youth, or PWDs to access reserved tenders. This practice not only defeats the purpose of affirmative action but also fuels inequality by diverting opportunities away from genuine beneficiaries. Investigations by the Ethics and Anti-Corruption Commission (EACC) have revealed cases of manipulation in the prequalification process, falsification of documents, and collusion between suppliers and procurement officials. In the absence of strong verification systems and accountability mechanisms, such malpractices persist and create disillusionment among honest applicants. The lack of transparency in tender evaluations and award decisions further exacerbates perceptions of unfairness and exclusion (PPRA, 2022).

Finally, while the AGPO framework includes provisions to support access to finance, uptake of financial products remains limited. Despite partnerships with banks and affirmative action funds, most AGPO-certified businesses are unable to meet collateral requirements, navigate complex loan application processes, or absorb the risks associated with short-term credit. In rural and marginalized regions, the presence of formal financial institutions is often sparse, and alternative financing models such as credit guarantee schemes are still underdeveloped. Even where financing is available, many entrepreneurs lack the financial literacy to manage borrowed funds effectively or to maintain financial records needed for loan approvals. Without reliable access to capital, AGPO-registered businesses are unable to fulfill large contracts, invest in equipment, or scale up operations—factors that limit long-term competitiveness and sustainability (UN Women, 2019).



## VI. Policy Recommendations

To enhance the effectiveness and impact of the AGPO program, it is crucial to strengthen awareness and outreach campaigns targeting eligible women, youth, and persons with disabilities across all counties. Current uptake is disproportionately concentrated in urban and peri-urban areas, leaving rural entrepreneurs and marginalized communities underrepresented. To address this, the government—through the National Treasury, county governments, and agencies such as the Youth Enterprise Development Fund—should invest in sustained, multi-channel sensitization efforts. These campaigns should include community forums, radio programs, vernacular media, roadshows, and social media outreach to ensure wide access to AGPO information. Public institutions should also collaborate with civil society organizations and local leaders to reach vulnerable populations who may not engage with formal information systems. Increased awareness will not only improve registration but also restore confidence in the fairness of the procurement system among underrepresented groups.

Second, there is a need to simplify and digitalize the AGPO registration and application processes. Many eligible entrepreneurs, especially those in remote areas or with limited formal education, find the current registration process complex and resource-intensive. Streamlining the procedure through a user-friendly digital portal—complete with mobile accessibility, step-by-step video guides, multilingual support, and automated notifications—would reduce barriers to entry. Furthermore, integrating AGPO registration with existing government databases (such as the eCitizen platform and the Kenya Revenue Authority system) would allow real-time verification of documents and reduce administrative redundancies. Such digital solutions can also minimize human discretion, reducing the opportunities for rent-seeking behavior and favoritism. The end goal should be a transparent, efficient, and inclusive registration process that places minimal burden on the applicant.

Third, the government should establish mentorship and incubation hubs specifically for AGPO beneficiaries. While training workshops exist, they are often one-off events with limited follow-up. Creating structured business incubation centers within counties—possibly housed within Huduma Centres or local technical institutions—would offer AGPO-certified enterprises ongoing support in areas such as procurement compliance, business development, financial planning, and digital literacy. These hubs could also serve as physical spaces where successful AGPO entrepreneurs mentor new entrants, share resources, and build local networks. In partnership with the private sector and development agencies, the mentorship hubs could further offer access to consultants, legal support, and market linkages, significantly improving the competitiveness of AGPO enterprises and reducing early-stage failure rates.

A major deterrent for AGPO participants has been the delay in payment for delivered goods or services, which erodes trust and threatens business continuity. To resolve this, the government should fast-track payments to AGPO suppliers by instituting mandatory payment timelines, backed by penalties for non-compliance. This could be achieved through automated payment tracking systems that provide real-time updates and flag delayed transactions. The introduction of a dedicated AGPO payment window within the Integrated Financial Management Information System (IFMIS) would prioritize disbursements to special interest groups and reduce bureaucratic bottlenecks. Additionally, enforcing the full implementation of the Prompt Payment Policy would provide financial relief to small enterprises that lack the liquidity to absorb delayed payments.

Lastly, it is essential to monitor and evaluate AGPO implementation across all Ministries, Departments, and Agencies (MDAs), as well as at the county level. While the Public Procurement Regulatory Authority (PPRA) collects general procurement data, there is a lack of disaggregated, real-time data on AGPO contract awards, participation levels, and payment timelines. Establishing a robust Monitoring and Evaluation (M&E) framework with specific key performance indicators (KPIs)—such as percentage of tenders awarded to each target group, number of complaints resolved, and payment turnaround time—would enhance transparency and accountability. These insights should be made public through annual reports and dashboards accessible to stakeholders, including Parliament and the public. Such transparency would help identify best practices, flag underperforming entities, and ensure that AGPO is not just a policy on paper, but a living mechanism of inclusive economic empowerment.

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