The Influence of Contract Management on Performance of Outsourced Projects in Medium Manufacturing Enterprises in Nairobi County, Kenya

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Abstract

The study set out to determine the influence of contract management on performance of outsourced projects in medium manufacturing enterprises in Nairobi County, Kenya. The population of interest was all medium manufacturing enterprises with official premises in Nairobi. Out of the 22 firms targeted, twenty responded fully which translated to 90.91% response rate. The findings indicate that project outsourcing is widespread with product development, marketing and IT being the most common type of outsourced projects. However the study established that the overall performance of projects was only moderately satisfactory, with success being influenced by contract management. Essentially contract management had a positive correlation with project performance. *Contract management and other factors accounted for 66% variation in project performance. Contract management was found to have the strongest influence on performance of outsourced projects. The fixed-price contract was beneficial in ensuring project costs were within budget. 95% of all firms surveyed considered a clear statement of project objectives in contracts important for successful project delivery, while project acceptance criteria and dispute resolution mechanism were rated as important contractual devices. Project management training, especially on contract management, was identified as one avenue of improving the performance of outsourced projects. The study recommends the introduction of contract management training and certification for project managers and project team members to enhance project performance in medium manufacturing enterprises. This capacity building should be done in partnership with Centres of Excellence in institutions of higher learning to promote project management practice and strengthen linkages with industry players.*

Keywords: Contract management, project management, project performance, project outsourcing, acceptance criteria, alternative dispute resolution, Nairobi-Kenya

Introduction

Projects are becoming mainstream in all types of organizations (Pellegrinelli & Murray-Webster, 2011). For the past sixty years, organizations have increasingly been using projects and programs to achieve their strategic objectives (Morris & Jamieson, 2004), while dealing with increasing complexity, uncertainty, and ambiguity affecting organizations and the socio-economic environment within which they operate (Gareis, 2005). Through projects, resources and competencies are mobilized to bring about strategic change, and thereby create competitive advantage and other sources of value.

Until the mid-1980s, interest in project management was limited to engineering, construction, defence, and information technology. More recently interest has diversified into many other areas of management activity. Currently, more than twenty percent of global economic activity takes place as projects, and in some emerging economies it exceeds thirty percent (Anbari *et al.*, 2008).

Medium Manufacturing Enterprises in Kenya

Manufacturing is the transformation of raw materials into either intermediate goods or final products through mechanised processes. Kenya's manufacturing sector is among the key productive sectors identified for economic growth and development because of its immense potential for wealth, employment creation and poverty alleviation. However, the growing competition in the marketplace, advance in manufacturing technologies, and shorter product lifecycles has exerted strong impacts on the manufacturing industry. Under such a dynamic environment, medium manufacturing enterprises have deployed various approaches to reposition their competitive position and priorities (Wanjau, Gakure & Kahiri, 2010). The manufacturing sector in Kenya comprises of several sub-sectors.

The Micro, Small and Medium Enterprises Bill (2009) used the number of employees and turnover to categorize small and medium enterprises. Medium enterprises are those businesses that have between 50 and 100 employees and an annual turnover of between Ksh 5M to Ksh 800M. According to the Sessional Paper No. 2 of 2005, the overall goal of the Kenya SME policy framework is to develop a vibrant SME sector. Over the last five years, employment in manufacturing has grown at a rate faster than most other activities. The sector's real economic value added grew by 6.3% in 2006 (GoK, 2007).

The Success Factors Model considered within Agency Theory

Outsourced projects are usually governed by the principal-agent relationship (i.e. agency theory). An agency relationship is defined as one in which one or more persons (the principal) engages another person (the agent) to perform some service on their behalf which involves delegating some decision-making authority to the agent (Jensen & Meckling, 1976; Ross, 1973). The cornerstone of agency theory is the assumption that the interests of principals and agents diverge. According to agency theory, the principal can limit divergence from his interests by establishing appropriate incentives for the agent, and by incurring monitoring costs designed to limit opportunistic action by the agent. This study therefore adopts the view that it is prudent to monitor and control the critical factors of project performance (as defined in the Success Factors Model) within a contracting arrangement (as defined in the Agency Theory) to ensure the success of outsourced projects in the organization.

Further, Hill and Jones (1992) have said that it may pay for the agent to spend some resources (bonding costs) to guarantee that he will not take certain actions that would harm the principal, or to ensure that the principal will be appropriately compensated in the event that he does take such action. That is the agent may incur ex-ante bonding costs in order to win the right to manage the resources of the principal. Despite these devices, it is acknowledged that some divergence may still remain between the agent's actions and the principal's interests. If this divergence has the ability to reduce the principal's welfare, it is termed as a residual loss. The sum of the principal's monitoring expenditures, the agent's bonding costs, and any remaining residual loss are called agency costs.

Natural selection processes favour governance structures that minimize agency costs. By governance structures, agency theorists mean the mechanisms that control the explicit and implicit contracts between principals and agents. These include the structure of law governing corporate behaviour and its legal framework, monitoring mechanisms such as the board of directors and/or steering committee in project management, and enforcement mechanisms such as arbitration agreements in project contracts (Hill & Jones, 1992). This research, therefore, used the framework by Belassi and Tukel within the confines of agency theory to investigate the factors that influence the performance of outsourced projects in medium manufacturing enterprises in Nairobi County, Kenya.

Contract Management

Cleland and Bidanda (2009) have stated that in a highly connected and competitive world, most projects must function in an environment that interacts with joint ventures, alliances, multinational sourcing, sub-contractors, and intricate vendor relations. Relationships with external organisations are managed through contracts. In general, companies provide services or products based on the results of direct contract negotiations with the client. One of the most important factors in preparing a proposal and estimating the cost and profit of a project is the type of contract expected.

The confidence by which a bid is prepared is usually dependent on how much risk the contractor will incur through the contract. Certain types of contracts provide relief for the contractor since onerous risks exist (Kerzner, 2009). He further states that the size and experience of staff, urgency of completion, availability of qualified contractors, and other factors must be evaluated carefully during contract negotiations. The advantages and disadvantages of all basic contractual arrangements must be recognized to select the optimum arrangement for a particular project.

According to Project Management Institute (2013), all legal contractual relationships generally fall into one of two broad families: either fixed-price or cost reimbursable. There is a third hybrid type commonly in use called time and materials contract. The fixed-price contract type is recommended, although some projects also prepare team contracts to define ground rules for the project. However, in practice it is not unusual to combine one or more types into a single contract document. Once the contract has been signed, both parties must meet their obligations under the contract. The contract administrator is responsible for compliance by the contractor to the buyer's contractual terms and conditions and to make sure that the final product of the project meets requirements. Project Management Institute (2013) further states that under fixed-price arrangement, buyers need to precisely specify the product or service being procured since changes in scope may only be accepted with an increase in contract price. Kerzner (2009) argues that although a contract administrator is a member of the project team for reporting purposes, the contractor administrator could report to a line function such as legal department and may even be an attorney. In later stages of the project, a contract administrator is responsible for verification that all the work performed and deliverables produced are acceptable to the buyer. Contractual closure is then followed up with administrative project closure of the project or phase.

Important work by Pryke (2006) treated projects as a network of relationships that need managing to achieve project success. In the construction sector, a number of studies have identified the importance of managing the interrelationships between parties within a project. Studies focusing on organizing projects as temporary multiparty organizations in the 1980s came from Bresnen (1988) in the United Kingdom, and from Packendorff (1995) in Europe. Brensen and Marshall (2000) further looked at partnering within the construction industry. A key issue remained of how to embed partnering relationship into the contract. The use of the contract form to govern the relationship and resolve conflicts among the contracting parties has been explored by various parties such as Lazar (2000), and Cicmil and Marshall (2005) but with no specific contractual devices developed.

Performance of Outsourced Projects

Performance is what results from a team reaching the objectives of the outsourced project. In outsourcing as with any other project context, project performance can be measured as the extent to which a project is completed in time, within budget, and demonstrates a quality that satisfies customer requirements (Kerzner, 2009). The subject of project success is at the heart of project management. Project Management Institute (2013) has stated that the project manager is responsible and accountable for setting realistic and achievable boundaries for the project and to accomplish the project within the approved baselines. Many factors impact the degree of success in outsourced projects. In this study, performance of outsourced projects was deemed to be influenced by contract management.

A wide range of performance indicators such as operational, financial, behavioural, and attitudinal outcomes have been applied to investigate the added value of teams in organisations (Delarue *et al*., 2004). However, since outsourced projects always have a specific performance outcome, this study adhered to Hackman's (1987) concept of performance being the degree to which a team meets its goals, and how well its output fulfils project objectives. The study was interested in perceptions of the general work performance of outsourced project teams in medium manufacturing enterprises.

Various surveys report a surprisingly high rate of outsourcing failures. For example, a 2003 report published by research and consulting company Gartner reported that one-half of all outsourcing deals are labelled "failures" by decision-making executives because the results do not meet expectations (Keiser, 2003). A survey by PA Consulting Group (2003) found that sixty-six percent of the benefits anticipated by enterprises from project outsourcing were only partially realized. However, these assertions need to be validated locally in medium manufacturing enterprises in Nairobi County.

Methodology

The study employed both qualitative and quantitative approaches. The research design was a cross-sectional survey. This means that the sample measurements were carried out at a single point in time using structured questionnaire. According to Orodho (2003), descriptive survey is a method of collecting information by interviewing or administering a questionnaire to a sample of individuals. Furthermore, a cross-sectional study was employed because the sample measurements were carried out at a single point in time. The target population of this study was the medium manufacturing enterprises in Kenya as this represents a specific pool of cases that the researcher wanted to study.

A sample size of twenty-two (22) firms was used based on Cooper and Schindler (2008) recommendation that 10%-20% of population size is a sufficient sample size. Kothari (2004) has stated that when the population from which the sample is to be drawn does not constitute a homogeneous group, a stratified sampling technique is required to obtain a representative sample.

As a consequence, this study adopted stratified random sampling where the population of study was divided into the industry's eleven (11) sub-sectors that are individually more homogeneous. The number of firms in each strata were determined based on Gross Domestic Product (GDP) value and percentage of sub-sector.

Using the method of proportional allocation, the sizes of the samples from each sub-sector was kept proportional to the size of each sub-sector. That is, if *Pi* represents the proportion (%) of population in sub-sector *i,* and *n* represents the total sample size, the number of firms selected from sub-sector *i* was *n.Pi*, hence:

Table 1: Sample Size

S/N	Name of Sub-Sector	% of Sub-Sector	Sample Size
1	Food Processing, Beverage and Tobacco	29	6
2	Refined Petroleum Products	11	2
3	Textiles, Apparel, Leather and Footwear	7	2
4	Forest Products	5	1
5	Chemicals	5	1
6	Equipment	4	1
7	Fabricated Metals	4	1
8	Rubber and Plastics	3	1
9	Publishing and Printing	3	1
10	Furniture	1	1
11	Other	28	5
	Total	**100**	**22**

After determining the sample size, enterprises from each sub-sector were selected using simple random sampling. This sampling design greatly enhanced representativeness of the sample as enterprises in the respective sub-sectors had an equal chance of being selected for the study (Kombo & Tromp, 2006).

Primary data was collected using structured questionnaire. The questionnaire was divided into five sections comprising of both closed and open-ended questions to solicit additional information from the respondents.

Research Findings and Discussions

a. Response Rate

In the field primary data was provided by business managers of the target firms. Twenty two (22) firms responded positively, however on scrutinizing the filled questionnaires two (2) were found to be incomplete and hence disqualified from further processing. This resulted to 90.91% effective response rate. The response rate for the study was favourable. According to Mugenda and Mugenda (2003) a 50% response rate is adequate for analysis and reporting, while 60% response is rated good, and a response rate above 70% very good.

b. Project Outsourcing in Medium Manufacturing Enterprises

In determining the adoption of project outsourcing in medium manufacturing enterprises, data was collected on both the extent and type of outsourced projects. The data in Table 2 below shows all the firms surveyed outsourced projects of one kind or another.

Project outsourcing was found to be widespread in medium manufacturing enterprises. This finding agrees with Sibbet (1997) view that more than 90 percent of companies view outsourcing as an important part of their overall business strategy.

Table 2: Outsourcing of Projects

		Frequency	%	Valid %	Cumulative %
Valid	Yes	20	100.0	100.0	100.0

Furthermore, product development, marketing and IT projects were the most common type of outsourced projects. This category constituted 40% of all outsourced projects in the survey data as depicted in Table 3.

Table 3: Type of Outsourced Projects

	Frequency	%	Valid %	Cumulative %
Product Development	1	5.0	5.0	5.0
Construction	1	5.0	5.0	10.0
Marketing	2	10.0	10.0	20.0
Product Development and Engineering	1	5.0	5.0	25.0
Product Development and Marketing	5	25.0	25.0	50.0
I.T and Marketing	1	5.0	5.0	55.0
Engineering and Construction	1	5.0	5.0	60.0
Product Development, I.T, and Marketing	3	15.0	15.0	75.0
Product Development, Engineering, and Construction	1	5.0	5.0	80.0
Other	4	20.0	20.0	100.0
Total	**20**	**100.0**	**100.0**	

c. The Influence of Contract Management on Project Performance

The first objective of the study was to determine the influence of contract management on the performance of outsourced projects in medium manufacturing enterprises in Nairobi County, Kenya. In so doing, data was collected on various dimensions of project contracts namely contract type, statement of project objectives, acceptance criteria, and dispute resolution mechanism all of which are considered important facets of outsourcing agreements.

d. Type of Contract

The study set out to study the importance of contract type in managing project costs. In Table 4.5, all the respondents surveyed stated that the fixed-price contract is extremely useful in ensuring project costs are within budget for outsourced projects. This finding agrees with Project Management Institute (2013) who stated that all project legal contractual relationships generally fall into one of two broad families: either fixed-price or cost reimbursable, with fixed-price contracts being favoured to manage project risk.

Table 4: Usefulness of Fixed-Price Contract

		Frequency	%	Valid %	Cumulative %
Valid	Extremely Useful	20	100.0	100.0	100.0

The study further investigated the importance of project objectives in outsourced projects. The Mean Score was found to be 4.95 with a Standard Deviation of 0.222 meaning that a clear statement of project objectives in contracts was considered very important for successful delivery of outsourced projects as shown in Table 5.

Table 5: Importance of Project Objectives

		Frequency	%	Valid %	Cumulative %
Valid	Important	1	5.0	5.0	5.0
	Very Important	19	95.0	95.0	100.0
	Total	**20**	**100.0**	**100.0**	

However for projects considered less successful by firms, 75% of respondents were quite satisfied (Mean Score = 3.85; Standard Deviation = 1.755) with the project goals as stated in the outsourcing contracts (Table 6) meaning that other influencing factors could have contributed to the performance of outsourced projects. This view is reinforced by Kerzner (2009) who has stated that certain types of contracts provide relief for the contractor since onerous risks exist as experience of staff, urgency of completion, availability of qualified contractors and other factors must be evaluated carefully during contract negotiations.

Table 6: Satisfaction with Project Objectives

		Frequency	Percent	Valid %	Cumulative %
Valid	Very Unsatisfied	5	25.0	25.0	25.0
	Moderately Satisfied	1	5.0	5.0	30.0
	Satisfied	1	5.0	5.0	35.0
	Very Satisfied	13	65.0	65.0	100.0
	Total	**20**	**100.0**	**100.0**	

e. Dispute Resolution Mechanism

The study set out to establish the importance of alternative dispute resolution (ADR) mechanism in outsourced projects. Ninety percent (90%) of all the respondents surveyed indicated that this was indeed a very important device for project contracts with a computed Mean Score of 4.75 and Standard Deviation of 0.910. The frequencies and percentages are shown in Table 7.

Table 7: Importance of Alternative Dispute Resolution

		Frequency	%	Valid %	Cumulative %
Valid	Not Important	1	5.0	5.0	5.0
	Important	1	5.0	5.0	10.0
	Very Important	18	90.0	90.0	100.0
	Total	**20**	**100.0**	**100.0**	

This finding is supported by Pryke (2006) who treated projects as a network of relationships that need managing to achieve project success. In the construction sector, a number of studies have identified the importance of managing the interrelationships between parties within a project. The use of the contract form to govern the relationship and resolve disputes among the contracting parties has also been explored by various authors such as Lazar (2000) and Marshall (2007).

f. Project Acceptance Criteria

The study also evaluated the importance of project acceptance criteria in project performance. In Table 8, 95% of the respondents indicated that for successful delivery of outsourced projects, the acceptance criteria for the product and/or service was very important with a Mean Score of 4.90 and a Standard Deviation of 0.447.

Table 8: Importance of Acceptance Criteria

		Frequency	%	Valid %	Cumulative %
Valid	Moderately Important	1	5.0	5.0	5.0
	Very Important	19	95.0	95.0	100.0
	Total	**20**	**100.0**	**100.0**	

Further, the respondents were required to state at which stage of the project the acceptance criteria was developed. In Table 9, majority of the firms (65%) indicated that the acceptance criterion was developed early in the project lifecycle during initiation and planning. A paltry 5% developed this during project closing. These findings on project acceptance criteria agree with Project Management Institute (2013) assertion that a deliverable acceptance criterion is an important consideration for project products and services in order to ensure project success.

Table 9: Stage Acceptance Criteria Developed

		Frequency	%	Valid %	Cumulative %
Valid	Initiating	3	15.0	15.0	15.0
	Planning	10	50.0	50.0	65.0
	Executing	6	30.0	30.0	95.0
	Closing	1	5.0	5.0	100.0
	Total	**20**	**100.0**	**100.0**	

g. Contract Management and Performance of Outsourced Projects

To determine the strength and direction of the relationship between contract management and performance of outsourced projects, the study computed Pearson correlation coefficients as shown in Table 10. There was a weak positive correlation between fixed-price contract type and product quality, on-time delivery, budgetary compliance and customer satisfaction. There also existed a weak positive correlation between project objectives and product quality, on-time delivery, budgetary compliance and customer satisfaction for outsourced projects.

The correlation between satisfaction with project goals and product quality, and on-time delivery is moderately positive, while there exists a negative weak correlation between satisfaction with project goals and budgetary compliance. However, there exists a positive weak correlation between satisfaction with project goals and customer satisfaction. The correlation between alternative dispute resolution and product quality, on-time delivery, budget compliance and customer satisfaction is a positive weak relationship. The correlation between the acceptance criteria for product/service and product quality, on-time delivery and customer satisfaction is a positive weak relationship while that between acceptance criteria for product/service and budgetary compliance is a negative weak relationship.

The correlation between the stage the project acceptance criteria is developed and product quality is a positive weak relationship; while between stage project acceptance criteria is developed and on-time delivery, budgetary compliance and customer satisfaction is a negative moderate relationship.

Table 10: Contract Management Correlation Coefficients

Indicator	Product Quality	On-Time Delivery	Budgetary Compliance	Customer Satisfaction
Fixed-Price Contract Type	.229	.229	.115	.208
Importance of Project Objectives	.229	.229	.187	.208
Satisfaction with Project Goals	.438	.321	-.167	.138
Alternative Dispute Resolution	.282	.169	.230	.255
Acceptance Criteria for Product/Service	.229	.229	-.281	.208
Stage Project Acceptance Criteria Developed	.111	-.333	-.499*	-.525*

Correlation is significant at the 0.01 level (2-tailed).**
Correlation is significant at the 0.05 level (2-tailed).*

These findings indicated that an increase in the importance of fixed-price contract and project objectives led to improved product quality, on time delivery, budgetary compliance and better customer satisfaction. The findings also indicated that the later into the project schedule the acceptance criteria is developed, the more the delivery of the project is delayed and thereby negatively impacting budgetary compliance and customer satisfaction. Largely, contract management had a positive relationship with product quality, on-time delivery and customer satisfaction; meaning proper contract management meant the predetermined quality standards were achieved and the project was delivered on-time to the satisfaction of the customer. However, the relationship between some elements of contract management and budgetary compliance was negative. This finding could be explained by the agency theory as Hill and Jones (1992) have stated that both the agent and principal in a contracting arrangement will spend additional resources to ensure the rights and obligations of the parties are upheld. The sum of the principal's monitoring expenditures, the agent's bonding costs, and any remaining residual loss are called agency costs.

Furthermore fixed-price contracts demand that customer requirements are fully determined at the onset of the project failure to which future change requests on project scope lead to the escalation of project costs which also negatively impact project budgets. This view corresponds with Project Management Institute (2013) who suggested that under fixed-price arrangement, buyers need to precisely specify the product or service being procured at the onset of the project during contracting since changes in scope at later stages may only be accepted with an increase in contract price.

Conclusion and Recommendations

The study found that the fixed-price contract was beneficial in ensuring project costs were within budget. 95% of all firms surveyed considered a clear statement of project objectives in contracts important for successful project delivery, while project acceptance criteria and alternative dispute resolution mechanism were rated as important contractual devices by 95% and 90% of the respondents respectively. However, for projects considered less successful firms were still satisfied with the project goals as stated in the outsourcing contracts. Essentially contract type, project objectives, acceptance criteria, and dispute resolution mechanism were found to have a positive correlation with performance of outsourced projects in medium manufacturing enterprises.

The study was successful in establishing the influence of contract management on performance of outsourced projects. Contract management and other factors collectively accounted for 66% variation in project performance. The overall performance of projects was moderately satisfactory with contract management having the strongest effect on the performance of outsourced projects. Contract management influenced project performance through contract type, acceptance criteria, and dispute resolution mechanism which were found to have a positive correlation with performance of outsourced projects. The fixed-price contract was beneficial in ensuring project costs were within budget. Project objectives in contracts were also important for successful project delivery, while project acceptance criteria and alternative dispute resolution mechanism were identified as important contractual devices.

Project management training was identified as one avenue of improving the performance of outsourced projects. The study recommends the introduction of contract management training and certification for project managers and project team members to enhance project performance in medium manufacturing enterprises. This capacity building should be done in partnership with Centres of Excellence in institutions of higher learning to promote project management practice and strengthen linkages with industry players. Since the respondent firms were dissatisfied with the amount of project team development effort in unsuccessful projects, the research recommends the implementation of best practices for team development to improve the skills and competencies of project teams which in turn will turnaround the success rate of outsourced projects in medium enterprises in Nairobi County, Kenya.

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