

Journal of Supply Chain Management

JSCM



Grandmark Publishers

EFFECT OF POST TENDER NEGOTIATIONS ON PERFORMANCE OF SERVICE STATE CORPORATIONS IN NAIROBI CITY COUNTY, KENYA

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EFFECT OF POST TENDER NEGOTIATIONS ON PERFORMANCE OF SERVICE STATE CORPORATIONS IN NAIROBI CITY COUNTY, KENYA**¹TUVI JAIRUS NGWENZE, ²DR. NOOR ISMAIL (PHD).**¹Masters student, Jomo Kenyatta University of Agriculture and Technology, Kenya²Lecturer, Jomo Kenyatta University of Agriculture and Technology, Kenya**ABSTRACT**

The study general objectives were to establish effect of post tender negotiations on performance of service state corporations in Nairobi City County in Kenya. The study specific objectives were to determine effect of relationship management on performance of service state corporations in Nairobi city County, to assess the effect of payment terms on performance of service state corporations in Nairobi city County, to ascertain the effect of bid clarification on performance of service state corporations in Nairobi City County and to find out the effect of Lead Time on performance of service state corporations in Nairobi city County in Kenya. The study was informed by dynamic capability theory, resource based view theory, theory of auctions and competitive bidding and transaction cost economics. This research adopted a descriptive survey approach. The population on focus in this study comprised of the 6 departmental heads (supply chain, finance, research and development, operations, technical and quality assurance from each of the 19 service state corporations in Nairobi city County. Therefore, the target population for this study was 114 departmental heads. The study employed a census approach to collect data from the respondents hence no sampling techniques was used. The data was collected by use of a questionnaire. The reliability of the instrument were tested through use of Cronbach Alpha value. Data was analyzed using both descriptive (Frequencies, percentage, mean and standard deviations) and inferential statistics such as Pearson's correlations and multiple regression). The study concludes that relationship management has a positive and significant effect on performance of service state corporations in Nairobi City County, Kenya. In addition, the study concludes that payment terms have a positive and significant effect on performance of service state corporations in Nairobi City County, Kenya. Further, the study concludes that bid clarification has a positive and significant effect on performance of service state corporations in Nairobi City County, Kenya. The study found that lead time has a positive and significant effect on performance of service state corporations in Nairobi City County, Kenya. From the findings, this study recommends that the top management of state corporations in Nairobi County should properly plan advance payment, phase payment and periodic payment so as to improve organization performance. In addition, this study recommends that the top management of state corporations in Nairobi County should formulate and implement strategies for ensuring management of supplier relationships.

Citation: Tuvi J. N, & Noor I. (2021). Effect of Post Tender Negotiations on Performance of Service State Corporations in Nairobi City County, Kenya. *Journal of Supply Chain Management*, 2(2), 976-987

INTRODUCTION

In today's world, supply chain performance is a key strategic factor for increasing organizational effectiveness and for better realization of organizational goals such as enhanced competitiveness, better customer care and increased profitability (Bosman, 2016). The globalization of markets and outsourcing has made many manufacturing companies logistics capabilities to manage their operations. Most of these companies realize that, in order to evolve an efficient and effective supply chain, SCM needs to be assessed for its performance (Van & Beulens, 2016). Tendering and post tender negotiation are core components of purchasing and supply management and, as such, all purchasing and supply management professionals should be competent in their implementation

In order to be able to trust each other it is critical for supplying contractors to understand the client's initial motivation to invest time and money in design, and for clients to understand the contractor (Cuff, 2016). In other words, both parties need to make sense of each other to cross organizational borders (Pemsel & Widén, 2017) because once they start collaborating formal and informal communication mechanisms will develop (de Blois, Herazo-Cueto, Latunova, & Lizarralde, 2017). Hence it is argued that developing trust, a common language and an understanding of all parties' requirements should be critical in the procurement phase, to ensure maximum disclosure and allow for the identification of areas of deficiency within the team as a whole (Brown, 2018).

Especially in case of integrated contracts in which several phases of the construction process are included in the deal, parties are condemned to collaborate for an extensive period of time. It is thus imperative that partners are able to develop a shared aim of the project before this relationship is made official in a legal document. Front-end project management thus becomes crucial for project success (Morris, 2018). During post tender negotiations, buyers from the public sector in UK are being deprived of the procedure's benefit and therefore, the restrictions should be relaxed, for PTN to be successful, factors ensuring success in negotiations including cooperation should be present (Manso & Nikas, 2016).

An empirically based review of two studies on the effects of PTN as a component of the tendering process identified that the procedure affects the buyer and the supplier on different levels. For instance, a study on subcontracting under the topic "Pre-tender and post-tender negotiation in Australia" found that bigger-sized sub-contracting firms support the procedure while smaller-sized sub-contracting firms oppose it. Similarly, opposing sub-contractors described the PTN as "bid peddling" and "bid shopping" and therefore an unethical practice (Chopra & Meindl, 2017).

However, a study conducted in Northern Ireland on PTN found evidence that the PTN contributes to securing VfM especially within the context of partnership and competition. The two studies appear to be skewed towards a certain direction. While the research conducted in Australia concentrated on the PTN effects on only suppliers (Morallos & Amekudzi, 2015), the one conducted in Ireland discusses the PTN effects on just the buyer.

In Kenya, Negotiated tendering is similar to restricted tendering but the process allows the terms of contract to be negotiated within strict guidelines prior to awarding of a contract. This process is used in exceptional circumstances where the company is the sole source of supply, Cases of extreme urgency and where the precise specifications can only be determined by negotiation. Adherence or compliance to public procurement procedures is important if public funds are to be used in the best way possible. Crucial in this respect is sound enforcement mechanisms that ensure that procurement entities comply

with the regulation and those who fail to comply are duly punished. The question in the minds of the public is whether the public utilities are fully complying with these laws.

The Act of State Corporation is a parliament Act to make facilitation for the formation of state corporations and for regulation and control of state corporations. A state corporation has long-lasting succession; in its company name is able of taking legal action and being sued and also is able of maintaining and separating mobile and immobile property. The state corporations are formed by Kenyan government to meet both social and commercial objectives. They occur for numerous causes comprising: to exploit political and social goals, to correct market failure, offer education, health, reallocate revenue or develop marginal areas.

According to the Procedures on State Corporations from the Office of the President (2015) to date there are 176 operational State Corporations in Nairobi City County. This research will focus on the state corporations which are service centered and they are 19 in number. In fact, a Kenyan service state corporation today is subjected to a myriad of governance instruments. These include the Government economic blue print, Vision 2030, the Constitution, various governance statutes, government policies and Executive Orders.

Statement of the Problem

In Kenya, service state corporations have been the economic growth engine and are the backbones driving government's transformation agenda (PPOA, 2019). However, According to CMKN (2019) Service State corporations loses a lot of taxpayers' money to rampant corruption, litigation, contract cancellation and substandard services. All this problems have been attributed to lack of efficient procurement management practices and supplier management strategies. Additionally, majority of service State Corporation have been experiencing weakening performance, and forecasts too have indicated a similar trend in the future (Ogwoka et al., 2017). In most service state corporations, they operate at a technical efficiency of about 42% which is below the average (50%) (KIPPRA, 2016) raising doubts about their capacity to meet the goals of vision 2030. In service state corporations, the procurement function usually takes large amounts of organization's revenue (Amin, 2016). In the year 2018/19, the GOK expected to spend about 70% of the 3.07 Trillion shillings budget on procurement of goods and services.

Tendering negotiation process of any organization is costly. Administrative cost such as cost of preparing tender documents, inviting of tenders, opening of tenders, costs for evaluation of tenders and verifying the documents should be reduced. This will aid in improving the procurement performance (Khain, 2019). If tendering is not well managed a company will incur numerous costs. Tendering has to be performed correctly in order to maximize effectiveness and minimize costs. The duration taken in tendering significantly influences the effectiveness of tendering (Ayoti, 2017).

Various studies have been conducted on post tender negotiations and financial performance (Akinkoye & Olanami, 2018; Mwangi *et al.*, 2018). Previous research by (MacMillan, 2016) in the UK, on the survey of the use of post contract negotiation strategies in procurement, shows that use of the key performance indicators in their processes improved procurement performance by 72%, while in Kenya, limited empirical research has been undertaken to reliably quantify the effect of post tender negotiation on performance. However, the results are inconclusive and the overall effect of post tender negotiations on performance of service State Corporations still remains unclear (Black, 2016) especially in the emerging economies, not excluding Kenya where the focus of the previous studies has been to test the relation of specific post tender negotiations (Nyamongo & Temesgen, 2017; Manini & Abdillahi, 2015). However,

none of these studies revealed the influence of post tender negotiations (relationship management, payment terms, bid clarification and Lead Time on performance of service state corporations in Nairobi City County. It is against this backdrop that this study intended to look at the effect of post tender negotiations on performance of service state corporations in Nairobi City County, Kenya.

Objectives of the Study

- i. To determine the effect of relationship management on performance of service state corporations in Nairobi City County, Kenya
- ii. To assess the effect of payment terms on performance of service state corporations in Nairobi City County, Kenya

LITERATURE REVIEW

Theoretical Literature Review

Dynamic Capabilities Theory

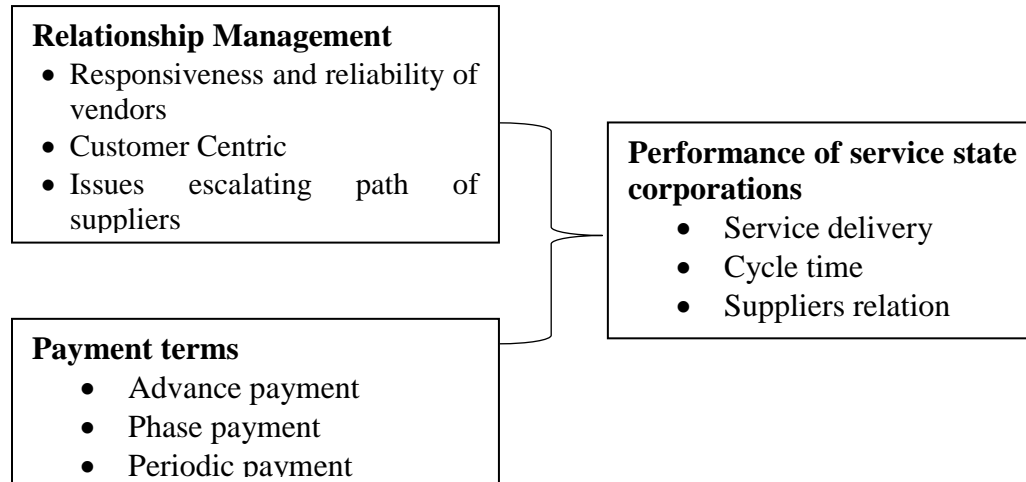
Dynamic capabilities was proposed by Helfat and Peteraf (2015) which is defined “the capacity of an organization to purposefully create, extend, or modify its resource base” and as such to reach a higher economic value than their competitors. In addition, dynamic capabilities are regarded as a transformer for converting resources into improved performance Teece (2017) argues that dynamic capabilities are „the foundation of enterprise-level competitive advantage in regimes of rapid (technological) change. He further argues that dynamic capabilities are component capabilities that are necessary to sustain superior enterprise performance” in a highly dynamic environment.

Resource- Based View Theory

The resource based view theory of the firm propounded by Wernerfelt (1984) is viewed as one of the hypotheses of strategic management that is broadly referenced especially as a result of its down to earth pertinence to contemporary management practices. The key topic of the resource based view is the investigation of an association's resources equipped towards increasing feasible competitiveness over other contending firms in the business (Mahoney, & Pandian, 2017). In this way the philosophical belief system of the hypothesis recommends that competitiveness must be accomplished by the successful and productive work of all resources accessible to a firm (Mahoney, 2015).

The theoretical structure of the resource based view created an emphasis on recognizing the supreme qualities of a resource (Peteraf, 1993). From the philosophical point of view of the hypothesis, if a company's resources can without much of a stretch be imitated by contenders then sustainable competitive advantage can't be accomplished. Henceforth the hypothesis underscores the crucial part of a firm's resources in the accomplishment of better performance and competitiveness over different firms or rivals in the business (Miller & Shamsie, 2016).

Conceptual Framework



Meng (2017) studied the effect of relationship management on project performance in construction. A supply chain relationship is described in this study as key indicators in ten areas: mutual objectives, gain and pain sharing, trust, no-blame culture, joint working, communication, problem solving, risk allocation, performance measurement, and continuous improvement. The analysis reveals that the deterioration of the relationship between project parties may increase the likelihood of poor performance. Poor performance can be effectively reduced by improving some aspects of the relationship. The adoption of supply chain collaboration and partnering helps to solve the performance problems, in which a long-term collaboration is more favourable for performance improvement than a short-term collaboration. In addition to the questionnaire survey, a series of industrial experts are interviewed to provide a deeper insight into the effect of relationship management on project performance.

Payment Terms

According to Chen, et al., (2015), a regular disbursement of interim payment is a critical point for a contractor to keep them alive. Whether it's late payment or not being paid in the amounts certified, it all literally means big problems to the contractors as cash flow will be affected. Some small construction companies would close business due to late payments. The schemes for reimbursing the contractor for works done under a typical construction contract as varied as the types of such contract encountered in practice.

Lip (2017) concluded that during the years, with the diminished volume of construction work, contractors are reeling under relentless pressure to tender with little or non-existent margins or as most aptly called suicide bids just to sustain the flow of work orders. Payment to contractors or lack of it is a common cause of disputes in the construction industry. Timeliness of payments affects many contractors, for whom receiving delayed payments from their employers is a cause of friction between the two parties.

RESEARCH METHODOLOGY

This research adopted a descriptive research approach focusing on post tender negotiations on performance of service state corporations in Nairobi City County, Kenya. The unit of analysis for this study was 114 departmental heads of supply chain, finance, operations, technical, quality assurance and

research & development departments. Both quantitative and qualitative data was used in this study. Data collected mainly through questionnaires. The data was then be coded and transferred to excel sheets. The analysis of data was done through the use of SPSS version 23.

DATA ANALYSIS, PRESENTATION, INTERPRETATION AND DISCUSSION

Response Rate

The sample size of the study comprised of 114 respondents who comprised of supply chain, finance, operations, technical and research & development departmental heads working in 19 service state corporations. The researcher distributed 114 questionnaires. Out of 114 questionnaires which were distributed, 105 were duly filled and returned. The response rate was therefore 92.1%. Kothari (2012) indicates that a response rate of 50% should be considered average, 60% to 70% considered adequate while a response rate of above 70% should be regarded as excellent. This implies that the response rate of 92.1% was adequate for analysis, drawing conclusions and reporting.

Descriptive Statistics Analysis

Relationship Management

The first specific objective of the study was to determine the effect of relationship management on performance of service state corporations in Nairobi City County, Kenya. The respondents were requested to indicate their level of agreement on various statements relating to relationship management and performance of service state corporations in Nairobi City County, Kenya. A 5 point Likert scale was used where 1 symbolized strongly disagree, 2 symbolized disagree, 3 symbolized neutral, 4 symbolized agree and 5 symbolized strongly agree. The results were as presented in Table 1.

From the results, statement on relationship management had an aggregate mean of 3.689 (std. dv = 0.876). The respondents agreed that their organization has customer-interface departments that ensure customers' needs are met. This is shown by a mean of 3.795 (std. dv = 0.953). In addition, the participants agreed that the organization allows customers time to interact with staff to ensure their needs are met. This statement is supported by a mean of 3.694 (std. dv = 0.958). As shown by a mean of 3.681 (std. dv = 0.762), the respondents agreed that the task of value enhancing requires quality-improvement programs to deliver and continuously enhance the benefits desired by customers.

The respondents agreed with the statement indicating that service quality is a major determinant of customer satisfaction. This is supported by a mean of 3.645 (std. dv = 0.859). In addition, the participants agreed that in their organization, good knowledge of customer desires increases effectiveness of service delivery. This statement is supported by a mean of 3.609 (std. dv = 0.828). As shown by a mean of 3.536 (std. dv = 0.880), the respondents agreed that services in our organizations are customized to meet the needs of each customer. Further, as shown by a mean of 3.581 (std. dv = 0.758), the respondents agreed that their organization's key customer focus involves the establishment of links between customer needs and satisfaction.

Table 1: Relationship Management

	1	2	3	4	5	Mean	Std. Deviation
Our organization's key customer focus involves the establishment of links between customer needs and satisfaction	6.9	6.9	22.8	34.5	29.0	3.581	0.758
In our organization, good knowledge of customer desires increases effectiveness of service delivery	11.7	12.4	13.8	34.5	27.6	3.609	0.828
The task of value enhancing requires quality-improvement programs to deliver and continuously enhance the benefits desired by customers	4.1	4.1	21.4	33.1	37.2	3.681	0.762
Service quality is a major determinant of customer satisfaction	4.8	15.9	20.7	34.5	24.1	3.645	0.859
Our organization has customer-interface departments that ensures customers' needs are met	5.5	8.3	24.1	30.3	31.7	3.795	0.953
Services in our organizations are customized to meet the needs of each customer	15.9	11.0	5.5	29.0	38.6	3.536	0.880
The organization allows customers time to interact with staff to ensure their needs are met	6.0	7.0	22.5	34.5	29.0	3.694	0.958
Aggregate						3.689	0.876

Payment Terms

The second specific objective of the study was to determine the effect of payment terms on performance of service state corporations in Nairobi City County, Kenya. The respondents were requested to indicate their level of agreement on various statements relating to payment terms and performance of service state corporations in Nairobi City County, Kenya. A 5 point Likert scale was used where 1 symbolized strongly disagree, 2 symbolized disagree, 3 symbolized neutral, 4 symbolized agree and 5 symbolized strongly agree. The results were as presented in Table 2.

From the results, statement on payment terms had an aggregate mean of 3.786 (std. dv = 0.789). The respondents agreed that changing of suppliers disrupts optimal performance of the organization. This is shown by a mean of 4.205 (std. dv = 0.981). In addition, the participants agreed that the organization negotiates for periodic payments. This statement is supported by a mean of 4.177 (std. dv = 0.773). As shown by a mean of 4.005 (std. dv = 0.981), the respondents agreed that the organization opts for traders willing to issue payment terms extension.

The respondents agreed with the statement indicating that it takes time for the organization to build trust and agree on payment terms with new trading partners. This is supported by a mean of 3.959 (std. dv = 0.796). In addition, the participants agreed that the organization opt for trading partners offering reduced

costs. This statement is supported by a mean of 3.859 (std. dv = 0.785). As shown by a mean of 3.768 (std. dv = 0.705), the respondents agreed that the organization negotiate for phase payment. Further, as shown by a mean of 3.700 (std. dv = 0.705), the respondents agreed that the organization clear explain all the negotiation details.

Table 2: Payment Terms

	1	2	3	4	5	Mean	Std. Deviation
The organization negotiate for phase payment	6.9	9.0	11.0	52.4	20.7	3.768	0.705
The organization opt for trading partners offering reduced costs	8.3	13.8	17.2	29.0	31.7	3.859	0.785
The organization clear explain all the negotiation details	9.7	12.4	7.6	37.2	33.1	3.700	0.705
Changing of suppliers disrupts optimal performance of the organization	2.8	9.0	27.6	41.4	19.3	4.205	0.981
The organization negotiates for periodic payments	5.5	4.1	20.0	40.0	30.3	4.177	0.773
It takes time for the organization to build trust and agree on payment terms with new trading partners	4.1	5.5	29.7	23.4	37.2	3.959	0.796
The organization opts for traders willing to issue payment terms extension	5.8	6.0	25.6	41.4	21.3	4.005	0.981
Aggregate						3.786	0.789

Correlation Analysis

This research adopted Pearson correlation analysis determine how the dependent variable (performance of service state corporations in Nairobi City County, Kenya) relates with the independent variables (relationship management, payment terms, bid clarification and lead time).

Table 3: Correlation Coefficients

		Organization Performance	Relationship Management	Payment Terms
Organization Performance	Pearson Correlation		1	
	Sig. (2- tailed)	.105		
	N			
Relationship Management	Pearson Correlation	.884**		1
	Sig. (2- tailed)	.000		
	N	105	105	
Payment Terms	Pearson Correlation	.867**	.297	1
	Sig. (2- tailed)	.002	.060	
	N	105	105	105

From the results, there was a very strong relationship between relationship management and performance of service state corporations in Nairobi City County, Kenya ($r = 0.884$, p value = 0.000). The relationship was significant since the p value 0.000 was less than 0.05 (significant level). The findings are in line with the findings of Meng (2017) who revealed that there is a very strong relationship between relationship management and performance of service state corporations.

In addition, the results revealed that there is a very strong relationship between payment terms and performance of service state corporations in Nairobi City County, Kenya ($r = 0.867$, p value = 0.002). The relationship was significant since the p value 0.002 was less than 0.05 (significant level). The findings conform to the findings of Lip (2017) that there is a very strong relationship between payment terms and performance of service state corporations.

Regression Analysis

Multivariate regression analysis was used to assess the relationship between independent variables (relationship management, payment terms, bid clarification and lead time) and the dependent variable (performance of service state corporations in Nairobi City County, Kenya)

Table 4: Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.915 ^a	.837	.839	.09956

- a) Predictors: (Constant), Relationship Management, Payment Terms, Bid Clarification and Lead Time.

The model summary was used to explain the variation in the dependent variable that could be explained by the independent variables. The r -squared for the relationship between the independent variables and the dependent variable was 0.837. This implied that 83.7% of the variation in the

dependent variable (performance of service state corporations in Nairobi City County, Kenya) could be explained by independent variables (relationship management, payment terms, bid clarification and lead time).

Table 5: Analysis of Variance

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	131.142	4	32.786	153.206	.000 ^b
	Residual	2.141	100	.0214		
	Total	133.283	104			

a. Dependent Variable: Organization Performance

b. Predictors: (Constant), Relationship Management, Payment Terms, Bid Clarification And Lead Time

The ANOVA was used to determine whether the model was a good fit for the data. F calculated was 153.206 while the F critical was 2.463. The p value was 0.000. Since the F-calculated was greater than the F-critical and the p value 0.000 was less than 0.05, the model was considered as a good fit for the data. Therefore, the model can be used to predict the influence of relationship management, payment terms, bid clarification and lead time on performance of service state corporations in Nairobi City County, Kenya.

Table 6: Regression Coefficients

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	0.440	0.243		1.811	0.009
	Relationship Management	0.243	0.061	0.244	3.984	0.003
	Payment Terms	0.339	0.081	0.340	4.185	0.002

a. Dependent Variable: Organizational performance

From the results, relationship management has a significant effect on the performance of service state corporations in Nairobi City County, Kenya ($\beta_1=0.243$, p value= 0.003). The relationship was considered significant since the p value 0.003 was less than the significant level of 0.05. The findings are in line with the findings of Meng (2017) who revealed that there is a very strong relationship between relationship management and performance of service state corporations.

The results also revealed that payment terms has significant effect on the performance of service state corporations in Nairobi City County, Kenya ($\beta_1=0.339$, p value= 0.002). The relationship was considered significant since the p value 0.002 was less than the significant level of 0.05. The findings conform to the

findings of Lip (2017) that there is a very strong relationship between payment terms and performance of service state corporations.

SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

Conclusions

The study found that relationship management (responsiveness and reliability of vendors, customer centric and issues escalating path of suppliers) influence the performance of service state corporations in Nairobi City County, Kenya. This implies that improvement in relationship management (responsiveness and reliability of vendors, customer centric and issues escalating path of suppliers) would facilitate performance of service state corporations in Nairobi City County, Kenya. Therefore, the study concludes that relationship management has a positive and significant effect on performance of service state corporations in Nairobi City County, Kenya.

The study found that payment terms (advance payment, phase payment and periodic payment) influence the performance of service state corporations in Nairobi City County, Kenya. This implies that improvement in payment terms (advance payment, phase payment and periodic payment) would facilitate performance of service state corporations in Nairobi City County, Kenya. The study therefore concludes that payment terms has a positive and significant effect on performance of service state corporations in Nairobi City County, Kenya.

Recommendations

Further, the study findings revealed that relationship management affects the performance of service state corporations in Kenya. This study therefore recommends that the top management of state corporations in Nairobi County should formulate and implement strategies for ensuring management of supplier relationships.

The study findings revealed that payment terms affects the performance of service state corporations in Kenya. This study therefore recommends that the top management of state corporations in Nairobi County should properly plan advance payment, phase payment and periodic payment so as to improve organization performance.

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