

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – FOURTH SESSION

Wednesday, 24th June, 2020

House met in the Main Chamber at 02:30 p.m.

(The Speaker (Hon. Elisha Jack Oraro) in the Chair)

PRAYERS

The Speaker (Hon. Oraro): Mr. Clerk, kindly take us through the Order of the day?

ADMINISTRATION OF OATH

The Speaker (Hon. Oraro): Hon. Rashid Miruka.

I, Hon. Rashid Miruka, having been appointed as the Chairperson of Labour and Social Welfare Committee of the Kisumu County Assembly do swear, that I shall truly and diligently serve the people and the Republic of Kenya in the office of Chairperson of Labour and Social Welfare Committee of County Assembly of Kisumu; That I shall respect, uphold, preserve, protect and defend the Constitution of the Republic of Kenya; and I shall do right to all manner of persons in accordance with the Constitution of Kenya and the laws and conventions of the parliament without fear or favor, affection or ill health.

SO HELP ME GOD!

(Hon Rashid Miruka appends his signature to the Oath documents)

The Speaker (Hon. Oraro): Next order!

The Speaker (Hon. Oraro): Yes Hon. Maurice Ngeta.

I, Hon. Maurice Ngeta, having been appointed as the Chairperson of Children, Gender, Culture and Community Service Committee of the Kisumu County Assembly do swear, that I shall truly and diligently serve the people and the Republic of Kenya in the office of Chairperson of Children, Gender, Culture and Community Service Committee of County Assembly of Kisumu; That I shall respect, uphold, preserve, protect and defend the Constitution of the Republic of Kenya; and I shall do right to all manner of persons in accordance with the Constitution of Kenya and the laws and conventions of the parliament without fear or favor, affection or ill health.

SO HELP ME GOD!

(Hon Maurice Ngeta appends his signature to the Oath documents)

The Speaker (Hon. Oraro): Next order!

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Oraro): Thank you Hon. Members. Today, we may not be able to access our Zoom App Platform because I was trying to generate the ID and as a result of the technical hitch, I was not able to manage.

Hon. Members, I would equally like to communicate that, I had the privilege on the invitation by the Governor, Kisumu County to witness the Launching for the Construction of the Kenyatta International Stadium and this is a project that will be undertaken at the ASK Show grounds, Kisumu which is to be funded by the National Government. This Launch was done by Ambassador Amina Mohammed who is the Cabinet Secretary for Sports and Culture in Kenya. There is already an allocation of Kshs 350 million for the Project and there is hope that technically it shall be completed within six months.

There was also the launch of change of name of Kenyatta Sports Ground to Jaramogi Oginga Odinga Sports Complex. That has also been done by Ambassador Amina Mohamed. The Kisumu County Government has received funds from the World Bank through the KUSP Programme which will be used in the next six months for the face lift of the Sports Complex and to accommodate a number of facilities. It will be a Recreational Center and not a stadium as was being seen in the Social Media. Od Mikayi will be retained, there will be a swimming pool, walk way, pitches for hockey, basketball, football among others.

Finally, Honourable Members, we agreed that Members shall carryout Oversight at the Sub-county level remotely. Reasons for this was for ease of movement and to adhere to the Ministry of Health Regulation on Keeping Social Distance as regards COVID-19. Unfortunately, we had a discussion with the Chair of Implementation Committee and it looks like most Sub-counties have

not done their work thoroughly. An example is the report on Water, Environment and Natural Resources where there were only three Wards that presented their case when each and every Ward has a project. I want to call upon all the Members that let us take Sub-county work seriously. Oversight is a function of the Assembly and it is an opportunity to present the status of each and every project especially for 2018/2019 and 2019/2020 to the Assembly for comparison and overview of the status report presented by the Executive.

This will enable the Implementation Committee sort them out as per the department and present for discussion. Finally, in our last “*kamukunji*”, we did agree that as was scheduled in terms of attending the sessions, we divided ourselves into three that a number of Members will be coming on Tuesday, Wednesday and Thursday. There has been complains that a number of Members who are scheduled to come on particular dates do not appear physically. We understand that the COVID-19 Regulations provide for Zoom Meeting but neither do they attend the Assembly Sessions via Zoom. It was therefore unanimously agreed in the “*kamukunji*” meeting that a communication be made that if you are scheduled for a meeting on a particular date, you have to appear either physically or via Zoom. Otherwise, you will forfeit the privileges that were accompanying such arrangements.

The Speaker (Hon. Oraro): Next order!

PAPERS LAID

BUDGET AND APPROPRIATIONS COMMITTEE REPORT ON THE KISUMU COUNTY PROPOSED BUDGET ESTIMATES FOR FY 2020/2021

BY

HON. STEVE OUMA OWITI

CHAIRPERSON, BUDGET AND APPROPRIATIONS COMMITTEE

The Speaker (Hon. Oraro): Yes Hon. Erick Agolla.

Hon. Agolla: Thank you Mr. Speaker. Pursuant to the provisions of the County Assembly Standing Order No. 222 (5) and (6), I wish to lay today Wednesday 24th June, 2020, Budget and Appropriations Committee report on the Kisumu County Proposed Budget Estimates for FY 2020/2021 on behalf of the Chair, Hon. Steve Ouma Owiti. Thank you.

The Speaker (Hon. Oraro): Honourable Members, I confirm the receipt of Budget and Appropriations Committee report on the Kisumu County Proposed Budget Estimates for FY 2020/2021 as presented by Hon. Erick Agolla on behalf of Hon. Steve Owiti. I want to direct that the report be distributed to the Members online. You organize with the Chair of the Committee and the Clerk so that the report is send online.

The Speaker (Hon. Oraro): Next order!

NOTICE OF MOTION

BUDGET AND APPROPRIATIONS COMMITTEE REPORT ON THE KISUMU COUNTY
PROPOSED BUDGET ESTIMATES FOR FY 2020/2021

BY

HON. STEVE OUMA OWITI

CHAIRPERSON, BUDGET AND APPROPRIATIONS COMMITTEE

The Speaker (Hon. Oraro): Hon. Agolla.

Hon. Agolla: Thank you Mr. Speaker. Pursuant to the provisions of the County Assembly Standing Order No. 45, I wish to give a Notice of Motion today Wednesday 24th June, 2020, Budget and Appropriations Committee Report on the Kisumu County Proposed Budget Estimates for FY 2020/2021 on behalf of the Chair, Hon. Steve Ouma Owiti. Thank you.

The Speaker (Hon. Oraro): Next order!

COMMENCEMENT OF BUSINESS

COMMITTEE ON IMPLEMENTATION REPORT ON THE IMPLEMENTATION STATUS
OF THE PROJECTS AT THE DEPARTMENT HEALTH SERVICES FY 2019/2020

BY

HON. ERICK AGOLLA

CHAIRPERSON, IMPLEMENTATION COMMITTEE

The Speaker (Hon. Oraro): Proceed Hon. Erick Agolla.

Hon. Agolla:

PREAMBLE

Mr. Speaker and Hon. Members,

PURSUANT to Article 185 (3) of the Kenyan Constitution and Section 8 of the County Governments Act, 2012 read in tandem with Standing Order No. 191 and 195 of the Kisumu County Assembly Standing Orders, in the proceedings of the House Business Committee on 6th April, 2020 in part (iv) of Minute No. CAK/HBC/06/04/2020 (See Annex i), the members of the House Business Committee resolved that the Committee on Implementation and Committee on General Oversight shall form a Joint Committee to conduct investigations on the Status of

devolved projects budgeted for in the FY 2019/2020 of Kisumu County and cause a report on the same.

Consequently the Office of the Clerk, issued a Memorandum dated 9th April, 2020 to all members of the Assembly and Staff informing them on the schedule for this investigations which began on the 14th day of April, 2020 to 20th April, 2020.

MANDATE/LEGAL FRAMEWORK

Honourable Speaker,

The Committee on Implementation derives its mandates from County Assembly Standing Orders No. 191 which stipulates that;

Committee on Implementation

191. (1) There shall be a select Committee to be known as the Committee on Implementation comprising the Chairperson and not less than eight and not more than ten other Members.
- (2) The Committee shall scrutinize the resolutions of the County Assembly (including adopted Committee reports), Petitions and the undertakings given by the County Executive Committee and examine –
 - (a) Whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented; and whether such implementation has taken place within the minimum time necessary; and
 - (b) Whether or not legislation passed by the County Assembly has been operationalized and where operationalized, the extent to which such operationalization has taken place within the minimum time necessary.
- (3) The Committee may propose to the County Assembly, sanctions against any member of the County Executive Committee who fails to report to the relevant select Committee on implementation status of projects and programs under his or her docket without justifiable reasons.

Joint sitting of Committees of the County Assembly

Pursuant to the provisions of Standing Orders No. 185 which states that;

185. (1) Two or more Committees of the County Assembly considering similar matters may, with the approval by Speaker, hold joint sittings.

(2) The Chairperson of a joint sitting of such Committees shall be based on the ranking order set out under paragraph (3) of Standing Order 3 (*Proceedings on assembly of a new County Assembly*) the second ranking Member of the other Committee shall deputize.

(3) The quorum of a joint sitting of two or more Committees shall be the number obtained by adding the respective quorum of each Committee, excluding the Chairpersons.

(4) The report of a joint sitting of two or more Committees shall not be adopted unless supported by a resolution of a majority of the total Membership of the Committees.

Composition.

PURSUANT to Standing Order No. 195 of the Kisumu County Assembly Standing Orders, the Committee on General Oversight is composed of ALL the forty seven (47) members of the County Assembly of Kisumu.

ACKNOWLEDGEMENTS.

Mr. Speaker and Hon. Members.

I would like to express my special thanks of gratitude to all members of the Committee on General Oversight for their valuable contributions during this investigation that ensured that due diligence was undertaken in determining the extent of development within the devolved units and that the recommendations emanating therefrom are the true picture of what should be done to improve the state of the projects within the wards.

The Committee also extends special thanks to the offices of the Speaker and Clerk of the Assembly for their support in the entire duration of the investigation.

I therefore humbly submit this Report for consideration by the House on behalf of the Committee on General Oversight.

Mr. Speaker and Honourable Members, the table below summarizes findings and the implementation status report of various projects within the County as observed by the General Oversight/Implementation committee on the oversight program.

KISUMU WEST SUB-COUNTY

WARD	PROJECT NAME	FY 2018/19 ALLOCATION (KSHS)	FY 2019/20 ALLOCATION (KSHS)	VARIANCE	STATUS
West Kisumu	Yambo Dispensary(See Annex ii)	4,000,000	N/A	NIL	<ul style="list-style-type: none"> The Bill of Quantity described the work to be from the ground up to and including roofing and installation of the water tank. The scope of work done so far on the Resource Centre is tilling and plastering as part of general completion. However, water tank and gutters were not done. The contractor had been fully paid. However, important installations like the water tank had not been done. In addition, the water tank base is substandard and cannot hold a tank. Visible cracks could be observed. The committee established

					<p>availability of the water tank. However, concerns were raised on its safety as it was left abandoned at a villager's homestead with the owner of the homestead crying foul fearing the tank could be stolen.</p> <ul style="list-style-type: none"> The project is abandoned with only the wall done halfway.
North Kisumu	Geta Dispensary(See Annex iii)	N/A	1 500 000	NIL	<ul style="list-style-type: none"> Project Complete Vandalism of the building and fence Substandard locks
S.West Kisumu	-	-	-	N/A	Was to be visited
N.West Kisumu	-	-	-	N/A	Was to be visited
Central Kisumu	-	-	-	N/A	Was to be visited

KISUMU EAST SUB-COUNTY.

WARD	PROJECT NAME	FY 2018/19 ALLOCATION (KSHS)	FY 2019/20 ALLOCATION (KSHS)	VARIANCE	STATUS

Nyalenda A	Purchase of land for Construction of Ogendo Ponge Dispensary	N/A	N/A	NIL	Not Done
	Completion of Maternity Wing at Kowino Dispensary	2, 771, 997	4, 000 000	NIL	Ongoing
Kajulu	Construction of Nyabondo Otiak Health Dispensary	N/A	N/A	NIL	Complete and in use
	Construction of Ong'adi Dispensary	2, 925, 824	-	NIL	Complete
Manyatta B	Construction of Kuoyo Health Center	N/A	N/A	NIL	Poorly done
Kolwa East	Completion of Orongo Dispensary	N/A	N/A	NIL	Stalled
	Fencing of Angola Dispensary	700, 000	N/A	NIL	Yet to be started
Kolwa Central	-	-	-	-	Was to be visited

NYANDO SUB-COUNTY.

WARD	PROJECT NAME	F/Y 2018/19 ALLOCATIO N (KSHS)	FY 2019/20 ALLOCATIO N (KSHS)	VARIANCE	STATUS
East Kano Wawidhi	-	-	-	N/A	Was to be visited
Awasi/Onjiko	-	-	-	N/A	Was to be visited
Ahero	-	-	-	N/A	Was to be visited
Kobura	-	-	-	N/A	Was to be visited

Kabonyo/Kanyagwal	-	-	-	N/A	Was to be visited
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MUHORONI SUB-COUNTY.

WARD	PROJECT NAME	FY 2018/19 ALLOCATION (KSHS)	FY 2019/20 ALLOCATION (IN KSHS)	VARIANCE	STATUS
Ombeyi	Ramula Dispensary	N/A	N/A	NIL	<ul style="list-style-type: none"> ✓ Ramula dispensary was initiated to construction by the local authority. ✓ There is a maternity wing that was constructed by the Government and the people of Japan as a token of friendship and corporation in collaboration with Arise and shine care Centre. ✓ Servants' quarters that host 3 families but is only occupied by 2 families. ✓ The facility can serve an approximate number of 100 patients in a day. ✓ There is only one nurse and one laboratory technician attached

					<p>to the facility.</p> <ul style="list-style-type: none"> ✓ There are inadequate staff personnel in terms of nurses that can operate to any emergency during the night. ✓ The facility experiences untimely distribution of drugs from KEMSA. ✓ There are inadequate test equipment like refrigerator and centrifuge. ✓ There is a Lab Technician that was employed as a community health assistant with no re-designation to the same. ✓ Access road to the Health facility is very poor. <p>The committee observed that this health facility is the largest referral health Centre in the ward and therefore serves a lot of people in the community.</p>
	Construction of Ramula Dispensary Male ward	2, 000 000	3, 000 000	NIL	Done up to slab

	Completion of Kang'o Dispensary	700 000	N/A	NIL	Incomplete
Chemelil/Tamu ward	Ogen Dispensary Maternity ward	3 000 000	3, 600 000	NIL	Construction begun but is incomplete
	Chemelil G.O.K (Maternal Wing)	FY 2017/18	N/A	NIL	Not started
	Completion of Kibigori Health Centre Staff Quarters	2, 000 000	N/A	NIL	Incomplete
Miwani	Completion of Nyangeta Dispensary	1 000 000	N/A	NIL	Incomplete. Contractor says the allocated money was inadequate
Masogo/Nyang'oma	Masogo Sub County Hospital (Male Ward)	FY 2017/18	N/A	NIL	Construction underway
	Osiri Migere Dispensary, Masaka Dispensary	1, 155 829	N/A	NIL	Both are complete
	Completion of Milenye Dispensary	1, 155 829	N/A	NIL	The allocation provided ensured an effective completion of the hospital's maternal wing block
Muhoroni/Koru	Oduwo Dispensary	FY 2017/18	N/A	NIL	Complete but equipped

SEME SUB-COUNTY

WARD	PROJECT NAME	F/YEAR 2018/19 ALLOCATION (KSHS)	F/YEAR 2019/20 ALLOCATION (KSHS)	VARIENCE	STATUS
East Seme	Rodi Maternity Wing	N/A	3, 500 000	NIL	-

	Nyadado Dispensary	2, 078 998	N/A	NIL	-
West Seme	Manyuanda Health Centre	No allocation	No allocation	NIL	Requires renovation
Central Seme	Kombewa Sub-County Hospital	No allocation	No allocation	NIL	-
North Seme	-	-	-	-	Was to be visited

NYAKACH SUB-COUNTY.

WARD	PROJECT NAME	F/YEAR 2018/2019 ALLOCATION (KSHs)	F/YEAR 2019/20 ALLOCATION (KSHS)	VARIANCE	STATUS
South East Nyakach	Sigoti Health Center	FY 2017/2018	-	NIL	Incomplete. Contractors are on site.
	Radienya Maternity Wing	FY 2017/2018	-	NIL	Incomplete
	Completion of Keyo Dispensary	1, 664, 996	-	NIL	Done only to the foundation level
	Construction of Ngege Dispensary	1, 800, 000	3, 000 000	NIL	Ongoing
	Keyo dispensary toilet	N/A	800 000	NIL	Complete and in use
	Renovation of Sigoti Health Center	N/A	3, 000 000	NIL	Contractor on site

Central Nyakach	-	-	-	-	Was to be visited
South West Nyakach	-	-	-	-	Was to be visited
North Nyakach	-	-	-	-	Was to be visited
West Nyakach	-	-	-	-	Was to be visited

KISUMU CENTRAL SUB-COUNTY.

WARD	PROJECT NAME	F/YEAR	AMMOUNT ALLOCATED (IN KSHS.)	VARIANCE	STATUS
Shaurimoyo/Kaloleni	-	-	-	-	Was to be visited
Railways	-	-	-	-	Was to be visited
Migosi	-	-	-	-	Was to be visited
Kondele	-	-	-	-	Was to be visited
Nyalenda B	-	-	-	-	Was to be visited
Market Milimani	-	-	-	-	Was to be visited

OBSERVATIONS

Mr. Speaker and Honourable members, the following observations were made from various projects.

- a) Some of these contractors have already been paid yet the projects they were supposed to do lie abandoned. Example of Yambo dispensary. The contractor that abandoned the project with only the wall done halfway. The Bill of Quantity described the work to be from the ground up to, and including roofing.

- b) Kombewa Sub County hospital is under staffed with the laboratory and theatre being the most affected.

- c) Manyuanda Hospital in Seme is facing a myriad of challenges. The members recorded the following;
 - i. Toilets were not adequate and the ones available were not in good condition,
 - ii. The laboratory was lacking sufficient medical equipment.
 - iii. The roof was leaking and the walls in some areas had been worn out.
 - iv. There was no proper sewer system
 - v. There was a major delay of disbursement of funds needed for operations and payment of casuals.
 - vi. The hospitals four bed Isolation room lacked a tap with running water to ensure hygiene and the windows were broken.
 - vii. The hospital was understaffed with only one lab technician working from the beginning of the year to the end.

RECOMMENDATIONS.

Mr. Speaker and Hon. Members,

The following the consideration of the Implementation status of the above projects, the committee recommends that the House resolves as follows;

- i. The County Health department should update the County Assembly on the implementation status of all projects on a timely basis, pursuant to the provisions of Standing Orders No. 184 which stipulates that; *‘Within sixty days of a resolution of the County Assembly or adoption of a report of a select Committee, the relevant member of the County Executive Committee under whose portfolio the implementation of the resolution falls shall provide a report to the relevant Committee of the County Assembly in accordance with Article 153(4)(b) of the Constitution’* and in accordance with Article 39 of the County Government Act, 2012.

- ii. The Kisumu County public Service Board should consider employment of more nurses and health workers in various health facilities for ease of delivery of services to the community members in various wards.

- iii. The members recommended that these project be fast-tracked being that some of them are projects that are extremely overdue as goes as far as financial years that began in 2017.

- iv. That the company, which was awarded the contract of Yambo Dispensary, be demanded to complete the remaining part of work for Phase one as was stipulated in the BQ.

CONCLUSION.

Mr. Speaker and Hon. Members,

Following the above findings and observations, the members of the committee concluded that the Members of County Assembly for respective wards to follow up with the clerk of the County Assembly of Kisumu to ensure that the stated recommendations are met and actions taken against the respective contractors found unnecessarily stalling the projects as stipulated in the respective contracts of agreement as their actions are sabotaging development of our great County.

Once again Mr. Speaker, allow me to send my sincere gratitude to everyone who came together to make this entire exercise a success. I therefore call upon Hon. Miruka to second.

The Temporary Speaker (Hon. Muga): Yes Hon. Rashid Miruka.

Hon. Miruka: Thank you Madam Speaker for this opportunity, I rise to second the Report presented by the Chairperson of Implementation Committee for its adoption by the House. I want to say that for the first time in history, we are getting a very Comprehensive Report regarding the Projects that are done across the County. I want to plead with the Members of this Assembly to support it because it is then that we will have our projects done to completion. The wards that the Chairperson mentioned as those that need to be re-visited. As a Caucus Chairperson, I want to say that for the projects in Nyakach Sub-county, they were visited and the report brought but it could have been that the report had not reached the office during printing. We want to assure you that we will get them and they will form part of what you already have for future consideration.

In addition, we have learnt from Sub-counties that some contractors perpetually abandon the work they have been given. I urge that their names to be deleted from the list of Prequalified Contractors and Suppliers because they are the same people who derail our 'TICH TIRE' slogan. Thank you Madam Speaker.

The Temporary Speaker (Hon. Muga): Thank you Hon. Rashid Miruka. The report from the Joint Committee on General Oversight and Implementation on the Status of Projects in the Department of Health, Housing and Sanitation has been brought before the House by Hon. Erick Agolla and seconded by Hon. Rashid Miruka. It is therefore open for the House to debate and deliberate on it, thank you. Yes Hon. Ngeta.

Hon. Ngeta: Thank you Madam Speaker. May I first congratulate my brother and Chairperson of the Committee of Implementation Hon. Erick Agolla. I have heard the report being read and I am very sad for this County because if you were keen you realized that one of our contractors

has been paid more than Kshs. 4,500,000 in South West Ward in Kisumu West Sub-County and it's been three years since he abandoned the site with nothing that has been done. I am also a victim of the same as one of the KRB Projects brought in my ward in the FY 2018/2019 were to be completed in six months but it has not been completed yet. I raised the complaint to the Department but it hasn't bore any fruits. We therefore need to put up measures in this legislative wing so that we can help the Governor to complete his manifesto.

Madam Speaker, we need to protect our resources because if we don't do so then, our funds will be lost tremendously and there will be with nothing tangible to show for. I was quite disappointed when I was listening to the report that in almost each Sub-county about five to ten projects have been abandoned. According to what has been read, we need to have a Special Committee to set protective measures in this House and they be forwarded to the Executive wing so that those who won't abide by those measures will not be awarded any contract in this County. Those who have failed our County by abandoning projects must be blacklisted.

Madam Speaker, we cannot have a budget yet 70% of our contractors deliver but the other 30% default after being awarded contracts. These measures should be that if they do not abide by them, they must not be paid. When these contractors realize it is almost the end of a financial year, they rush along the corridors to get paid yet at the end of it all you will learn that they have been paid but projects are left unattended. As the legislative wing, we need to come together and look into what needs to be done so that we solve this issue once and for all. Thank you and God bless you.

The Temporary Speaker (Hon. Muga): Thank you. Senior Member is on her feet allow her to proceed.

The Chief Whip (Hon. Misachi): Thank you Madam Speaker. I want to compliment the Chair of Implementation Committee because this is the first report we are receiving from the Department of Health on Implementation of Projects. I want to say that the House should follow the one contractor mentioned in three different Wards and has abandoned the three projects. This will help the Chairperson of Implementation to narrow down and call the Project Evaluation Committee of the Executive to explain why the same person is still awarded more contracts without completion of others.

Madam Speaker, I believe that, it is what we can do to track this money and to use it in fruitful projects. Otherwise I commend and thank them for the good report.

The Temporary Speaker (Hon. Muga): Hon. George Ogutu

Hon. Ogutu: Thank you madam Speaker. I want to support this report but with a lot of reservations. My attention is drawn to Nyakach Sub-county. Madam Speaker, I can conform to you that Nyakach Sub-county and particularly West Nyakach Ward where I represent was visited on the first day. It is very sad that the report of the same is not there. I believe everyone

understand the challenges of West Nyakach; if nothing is written about West Nyakach in the Health Department then I believe that much as the report may be factual, it could have some omission.

Madam Speaker, by the time the Chair was reading this report, I crossed the Floor of the House to consult with the Caucus Chair for Nyakach Sub-county because I was with him on that particular day. In fact, we started with West Nyakach. Madam Speaker, we established that there is a hospital called Odino Dispensary which is still in the elementary stage and ought to have been captured in the report.

Madam Speaker, we also have Sangoro Dispensary whose ceiling has not been done. Madam Speaker, I thought such a report should have been captured as well. We also have Kodingo popularly known as Kusa. Kusa as a Maternity Wing which has not been completed. As the area MCA, I allocated some money about Kshs. 1,000,000 and the amount just went like that. It is sad that such projects have not been indicated. If you check, we also went to Central Nyakach and it is the place we ended our visits on the first day.

Madam Speaker, in this report, West Nyakach is indicated as earmarked for visitation. Madam Speaker, I concur with my Caucus Chair that Nyakach Sub-county has a report to be read in this Assembly. Madam Speaker, a lot has been said about the projects and I can conform to you that it is true that most of our contractors are not doing what they should do. Hon. Ngeta has talked about KRB Roads. These roads are given out early enough say by February. However, in my Ward, they are still lying and the contractor yet to visit the site.

Madam Speaker, I have been moving between roads department and the Assembly to know what happened with that contract. Today, I wrote a letter too, because residents of my Ward wanted to demonstrate. They knew that money had been allocated for doing the road and so I had to plead with my Ward Administrator to write a letter to the Roads Department and get answers. If you allow me, I will share the letter. I believe that KRB Roads have ready money because their funding comes from the National Government. Right now, KRB Roads are being paid yet the same for other wards have not been started or handed over.

Madam Speaker, let this House resolve that we blacklist these contractors. I know they are very funny people. If you blacklist a particular name, they will resurface and come up with another name. We have to know these people and smoke them out because they are a great harm to the County. Madam Speaker, we have been lamenting about absorption of projects in departments some of which are brought by rogue contractors. At contracting time, another of contractors run to departments yet they do not have the capacity to run the projects. Some of them will tell you that they are waiting to be paid before proceeding to begin work.

Madam Speaker, we have to tame these contractors. I can remember there was a time when a project running almost to the tune of Kshs. 11, 000,000...

The Temporary Speaker (Hon Muga): Excuse me Hon. George Ogotu, is the same contractor cited in this Report or could you be out of order?

Hon Ogotu: Thank you Madam Speaker I do not know the name of the contractor but I will provide you with the name of the contractor so that this particular committee can follow up. This contractor is also the same person who abandons projects. It is quite sad as last year West Nyakach lost about Kshs.11, 000,000 million in project abandonment. We cannot allow this to continue and in doing so we should make these people provide the R12 document so that it becomes easier to know which company belongs to which contractor, and which contractor to deny a contract based on earlier abandoned projects. Before I rest my case, I want to support the report and say that through the wisdom from your Chair I believe we can manage to do this amicably.

The Temporary Speaker (Hon Muga): Thank you Hon. Ogotu. Yes Hon. Awiti

Hon. Awiti: Thank you Madam Speaker, I want to first congratulate the Committee for Implementation on their report and findings. Having listened to and followed the report keenly, I am in agreement with the report and would want to shed more light in some areas in the report. Going through the Committee's observation it is unfortunate that there was a contractor who was paid to work on a project but the contractor abandoned it. This raises a lot of questions as to why a project that has not been done gets paid for. It is evident that there is much to do as an Assembly and we need to liaise with the department to find more on how they arrived at their findings on the payments of incomplete contracted projects. Even though the department recommends that the said contractor be commanded back to site, it does not beat the logic because this is someone who has already proved to be incompetent in his duties. It means there is lapse that needs to be looked into keenly.

In as much as the Committee has done a great job, looking at North Seme Ward where I represent, the chair owes an explanation as to why he literally skipped North Seme Ward among the four wards he visited in Seme Sub-County. Madam Speaker when I read through the vision of the Department of Health, they indicate that their vision is a Dynamic, Excellent and Global Competitive County Health Services that contribute to a healthy and productive population. I would agree that it is a very wonderful vision as placed on paper compared to what is actually implemented. Madam Speaker you can agree with me when I say that you cannot achieve this vision in our facilities; even with the struggles of constructing the facilities, if we are understaffed. What is on the ground is a ratio of one deployed staff against a large population in need to be served by only this particular deployed health practitioner.

I have noticed a project among the projects in the report and the project is in Miwani. The findings of the Committee on this particular project in Miwani shows, that the contractor did not complete his project yet the recommendation is shown as inadequate funds. I again ask myself that at what point did he realize he had inadequate funds to complete the project. This is a clear

indication that when these contractors fill up their forms, they often have no idea of the nature of contract and the site in question. It is quite disturbing that fund is allocated, and contract awarded but in the process of the project a contractor comes up with an excuse of inadequate funds.

Lastly on the observation of Masogo/Nyangoma Wards, a project was awarded in the FY 2017/18 but it is still an ongoing project to date. How is this contractor still on site yet we are way past the indicated FY. Madam Speaker I believe that every contract has a contract time of either 6 months or 3 months but here is a case of a project that has taken 3 years but still on site. When will this project ever be completed and put to use?

I want to believe that every contract has a contract time. Here is a case that a Contract was awarded in 2018 and the Contractor is still on site. These are the concerns Madam Speaker that we need to look into as a House since I was asking why the committee did not visit my ward. I also have a project that was started in the FY 2018/2019 and up to date the contractor is still on site. I do ask myself as to when are they going to complete this project so that it can be used for the purpose it was meant for. Madam Speaker I want to believe that in your ruling at least we need to find a solution on how we can deal with these issues of the projects. Thank you.

The Temporary Speaker (Hon. Muga): Hon. Olga.

Hon. Olga: Thank you Madam Speaker. I wish to call the mover to reply.

The Temporary Speaker (Hon. Muga): Yes Hon. Agolla.

Hon. Agolla: Thank you Madam Speaker. I wish to commend the Hon. Members for taking their time to respond or to contribute on the same. It is with a great concern that this County can only move forward if projects are implemented. Remember the mandate of this committee is not only to follow up on the projects but to also follow up on the Petitions, Bills and Motions to track them so that we ensure that the Manifesto of the Governor is adhered to and it is implemented to the later. I want to call upon the Hon. Members that going forward, through the departments that we are going to visit and the wards that their report are not captured; that this was just a part of the report but we are still going to present another report in the coming days and your concerns can be addressed. If at all there are urgent cases that need to be addressed then the committee will do the necessary. I want to thank the Speaker that yesterday we had a very serious concern and through Madam Speaker you did direct that the CEC for Agriculture and the team to appear in this Assembly because we realized there were many gaps in the department.

Madam Speaker, I would like to call upon Hon. Members that going forward, we must ensure that we don't just read, adopt and leave this report like this. I want to call upon Hon. Members to follow up with us collectively so that we ensure that we take this County to where it should belong. Madam, Speaker it is not easy for the Governor to ensure that the ceiling of this County is not reduced. It is not easy for this County Assembly to appropriate funds to various departments. It will compel the Members of this County Assembly to burn midnight oil like

today the committee of Budget and Appropriations started meeting in the morning to appropriate funds. To our surprise after awarding contracts to various contractors, they are not implemented. These are the only few people that are letting this County down. I want to ask for proper action to be taken against these contractors so that we deal with only able and competent contractors for the implementation of projects.

Otherwise, I would like to call upon Hon. Members to kindly adopt this report for implementation. Thank you.

The Temporary Speaker (Hon. Muga): Thank you Hon. Agolla. A report on the Implementation Status of Projects in the Department of Health, Housing and Sanitation has been moved, seconded and debated upon. I therefore want to put a question on the adoption of the same.

(Question put and agreed to)

The Temporary Speaker (Hon. Muga): The report on the Implementation Status of Projects in the Department of Health, Housing and Sanitation is hereby adopted today Wednesday 24th June 2020 at 4.05 p.m.

Hon. Members, I want to direct that the office of the Clerk to summons the CEC for Health and the Finance officer to appear before the Implementation Committee in 2 weeks' time.

The Temporary Speaker (Hon. Muga): Next Order!

ADJOURNMENT

The Temporary Speaker (Hon. Muga): There being no any other business to transact, the House stands adjourned to tomorrow, Thursday 25th June 2020 at 2.30 p.m.

House rose at 4.10 p.m.

Addendum

Hansard Team

<i>Zablon Otiende</i>	-	<i>Act. Departmental Head</i>
<i>Edward Odanga</i>	-	<i>Hansard Reporter</i>
<i>Fanuel Okode</i>	-	<i>Hansard Reporter</i>
<i>Patrick Okoyo</i>	-	<i>Hansard Reporter</i>
<i>Jacklyne Atieno</i>	-	<i>Hansard Reporter</i>
<i>Dennis Onyango</i>	-	<i>Hansard Reporter</i>
<i>Jesca Otieno</i>	-	<i>Hansard Reporter</i>