

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

SECOND ASSEMBLY – SIXTH SESSION

Wednesday 30th March, 2022

House met in the Main Chamber at 2:30 p.m.

(The Temporary Speaker (Hon. Inviolata Adhiambo) in the Chair)

PRAYERS

The Temporary Speaker (Hon. Inviolata): Good afternoon Honourable Members. Pursuant to the provisions of County Assembly Standing Orders No. 32 (2) that the Serjeant-at-Arms rings the quorum bell for five minutes.

(Quorum bell rung for five minutes)

The Temporary Speaker (Hon. Inviolata): Hon. Deputy Majority Whip, could you please confirm if we have the quorum.

Deputy Majority Whip (Obonyo): Thank you Madam Speaker. There is quorum.

The Temporary Speaker (Hon. Inviolata): Madam Clerk, could you please take us through the Order of this afternoon.

The Temporary Speaker (Hon. Inviolata): Next order!!

PAPER LAID

REPORT FROM THE STANDING COMMITTEE OF PLANNING,
INDUSTRIALIZATION AND ICT ON ITS CONSIDERATION ON THE KISUMU CITY
LOCAL, PHYSICAL AND LAND USE DEVELOPMENT PLAN.

BY

HON. GEORGE OLWAL, MCA, KOLWA CENTRAL.

(CHAIRPERSON, THE PLANNING, INDUSTRIALIZATION AND ICT COMMITTEE)

The Temporary Speaker (Hon. Inviolate): Hon. George Olwal.

Olwal: Thank you Madam Speaker. Allow me to lay this Paper. Pursuant to the provision of the Kisumu County Assembly Standing Order No. 182 (6), I wish to lay today Wednesday 30th March, 2022, the Planning, Industrialization and ICT Committee report on its consideration on the Kisumu City local, physical and land use development plan. Thank you.

The Temporary Speaker (Hon. Inviolate): Thank you. I confirm the receipt of the report FRFPOM THE Standing Committee of Planning, Industrialization and ICT Committee on its consideration on the Kisumu City Local, Physical and Land Use Development Plan. I want to commit this report to the Select Committee of House Business so that it can be scheduled for discussion in the House. Thank you.

The Temporary Speaker (Hon. Inviolate): Next order!

NOTICE OF MOTION

REPORT FROM THE STANDING COPMMITTEE OF PLANNING,
INDUSTRIALIZATION AND ICT ON ITS CONSIDERATION ON THE KISUMU CITY
LOCAL, PHYSICAL AND LAND USE DEVELOPMENT PLAN.

BY

HON. GEORGE OLWAL, MCA, KOLWA CENTRAL.

(CHAIRPERSON, THE PLANNING, INDUSTRIALIZATION AND ICT COMMITTEE)

The Temporary Speaker (Hon. Inviolate): Hon. George Olwal.

Hon. Olwal: Thank you Madam Speaker. Pursuant to the provision of the Kisumu County Assembly Standing Order No. 45 (1), I wish to give a Notice of Motion on a Report from the Standing Committee of Planning, Industrialization and ICT Committee on its consideration on the Kisumu City Local, Physical and Land Use Development Plan. Thank you.

The Temporary Speaker (Hon. Inviolate): Thank you. Next order!

MOTION

REPORT FROM THE SELECT COMMITTEE OF IMPLEMENTATION ON THE
IMPLEMENTATION STATUS OF KISUMU COUNTY ROADS DEVELOPMENT
PROJECT FY 2020/2021.

BY

HON. ERICK AGOLLA, MCA, SOUTH WEST KISUMU.

(CHAIRPERSON, SELECT COMMITTEE ON IMPLEMENTATION)

The Temporary Speaker (Hon. Inviolata): Hon. Agolla.

Hon. Agolla: Thank you Madam Speaker. Hon. Speaker, in the Fiscal Year 2020/ 2021, the County Assembly approved a departmental budget of Kshs. 839,742,680 for the Public Works, Roads & Transport out of which Kshs. 518, 104,656 was set aside for development and Kshs. 321,638,024 for recurrent. Having approved the plan as a resolution of the House, and pursuant to the Kisumu County Assembly Standing Orders No. 174 &191 (2), (a) and (3) , the Committee on Implementation, by its own motion, sought to investigate and report back to this August House on the status of implementation of the Kisumu County roads development projects for the Financial Year 2020/2021.

The Committee undertook this salient exercise guided by official status documents from the directorate of roads on; Machine Based Roads Program, County Revenue Fund (CRF) Roads, Roads Maintenance –Fuel –Levy road works (KRB) and a brief on Implementation Challenges. This report was laid on Wednesday, 30th March, 2022 at 1430hours however it was rejected by the Whole House for the following reasons:

1. The report was alleged to be shambolic and that the committee never conducted site inspections on the sampled roads` projects as documented in this report
2. The Committee was insinuated to have done shoddy work, depended on the department`s documentation without having scrutinized the report thoroughly.

The committee was therefore directed by the then sitting Hon. Speaker to come up with a comprehensive, detailed and candid report for the said implementation status of roads development projects for FY 2020/2021 highlighting the true picture of what is on the ground within a fortnight.

Committee Mandates

Hon. Speaker, the Committee on Implementation is established pursuant to Standing Order No. 191 of the Kisumu County Assembly Standing Orders which states that:

- (1) There shall be a select committee to be known as the committee on Implementation;
- (2) The Committee shall scrutinize the resolution of the County Assembly (including adopted committee reports), petition, and 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;
 - 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 before it on Implementation status without justifiable reasons.

Committee Membership

Hon. Speaker, the Committee on Implementation as is currently constituted is composed of the following Hon. Members:

Table 1: Committee Membership as at April 2022

	NAME	DESIGNATION
1.	Hon. Erick Agolla	Chairperson
2.	Hon. Roy Samo	Vice Chairperson
3.	Hon. Aslam Khan	Member
4.	Hon. Philemon Ojuok	Member
5.	Hon. Maureen Otiang'	Member
6.	Hon. Sally Okudo	Member
7.	Hon. Inviolata Adhiambo	Member
8.	Hon. Vincent Jagongo	Member
9.	Hon. Steve Owiti	Member
10.	Hon. Maurice Ngeta	Member
11.	Hon. Caleb Omoro	Member

Hon. Speaker, below is a list of secretariat facilitating the committee:

- | | | | |
|----|----------------------|---|----------------------------------|
| 1. | Ms. Belinder Owino | - | Clerk Assistant/ Committee Clerk |
| 2. | Mr. Raphael Juma | - | Research Officer |
| 3. | Ms. Naomi Orutwa | - | Clerk Assistant/Committee Clerk |
| 4. | Ms. Jackyline Otieno | - | Hansard Reporter |
| 5. | Mr. Chrispine Oguta | - | Clerk Assistant/ Committee Clerk |
| 6. | Ms. Olga Owano | - | Sergeant-at-Arms |

Synopsis of the Report

Hon. Speaker, this committee report documents the status of implementation of roads development projects for the financial year 2020/2021. It largely focuses on the implementation status of all the roads` programs including; the machine based road initiative, the CRF roads, and the KRB fuel-levy roads. The committee comprehensively reviewed and reports a number of issues around the implementation status including without limitations to; the percentage distribution of road networks across per sub-county, road networks in kilometers, the development budget absorption status and its challenges –if any, project completion rates amongst others.

Acknowledgement and tabling

Hon. Speaker. Firstly, may I take this profound opportunity to appreciate all the Members of Implementation Committee and its secretariat for their immense and utter contributions in coming up with this report.

Secondly, the committee wishes to express its gratitude to the Offices of the Speaker and the Clerk of the County Assembly for their technical support that has made this entire process a success. Lastly, the committee sends its unwavering thank you to the Chief Officer and his technical staff for absolutely cooperating with us and providing us with the necessary documentation. It is now my pleasant duty to table and present this committee report before the House for consideration and adoption.

INTRODUCTION

Hon. Speaker, this report is a documentation of committee's investigations on the status of implementation of the Public Works, Roads and Transport development budget vote specifically on the road projects for the financial year 2020/2021. Pursuant to Articles 185, & 207 of the Constitution of Kenya 2010, and Section 8 (c & e) of the County Governments Act 2012 and CARB, 2020, the County Assembly approved an allocation of ksh.518,104,656¹ for the development vote for the Department of Roads and Public Works and Transport. Consequently, as the year ended 30th June 2021, and pursuant to Standing Order No. 191 of the Kisumu County Assembly Standing Orders, the Committee on implementation sought a review of the implementation status of the budget allocation via a review of the status of the implementation of the road projects for the FY2020/2021.

The committee adopted a documentary review of documents submitted by the County department of roads as well as the approved budget documents from which data on this investigation was gathered. An analysis of the data is herein presented in form of this report.

According to the approved budget estimates for the FY 2020/2021, and the Kisumu County CIDP, the County department of Roads Transport and Public Works' is mandated to; (i) Opening, construction and maintenance and rehabilitation of County roads networks, (ii) Design and construction of Bridges, (iii) The roads directorate is charged with the responsibility of policy formulation, monitoring and evaluation of standards including compliance with all environmental regulations during implementation of projects in construction, maintenance and rehabilitation of roads, drainage works and bridges within the county., (iv) It also undertakes the provision of appropriate education to the public on road safety, testing and advising on material usage and providing technical education to the general public and private sector, (v) The directorate of public works is mandated to facilitate provision and maintenance of buildings and other public works services within the county, (vi) The

directorates is charged with the responsibility of planning, designing, construction, technical supervision and maintenance of Government assets in the built environment, and (vii) It also provides supervisory services during project implementation to other departments².

In the FY 2020/21, the main intention of the department was to invest more on in-house roads construction and maintenance and to reduce the number of contracted works. This was to be achieved through acquisition of more machinery/equipment by the department, and the establishment and strengthening of the Kisumu County RMTs in each village (2 in every ward)³.

This report is however limited in terms of focus on the implementation status of road projects only.

Methodologies Used

Hon. Speaker, the committee used the following criteria to achieve its objective of getting the implementation status of the development projects in roads directorate as highlighted below:

1. Request for relevant documentation with regards to the status of roads projects within Kisumu County
2. Conducting inspection on the sampled roads by the Committee on Implementation
3. Invitation of the relevant technocrats for further probing

2.2 Summary of Roads Budget Estimates for FY2020/2021

Hon. Speaker, during the period under review, FY 2020/2021, the County Assembly allocated a total budget resource envelope of Kshs. 839,742,680 comprising of development at Kshs. 518,104,656, operations and maintenance at Kshs. 243,000,000 and personnel emoluments of Kshs. 78,638,024 as illustrated in the table below;

Table 2: Summary of roads department budget by category, fy2020/2021

Category	Amount (KSH.)	Percentage %
Personnel emoluments	78,638,024	9.36
Operations and Maintenance	243,000,000	28.94
Development	518,104,656,	61.70
Total	839,742,680	100

Source: Kisumu County Approved Budget Estimates fy2020/2021

This indicates that the development vote took the highest proportion of the budget at 61.70% while the least beneficiary was the personnel category with rate of 9.36%. In terms of sub-programs, the budget of the department was as illustrated below;

Table 3: Summary of the department`s budget estimates for fy2020/2021 by sub-programs

Sub-Program	Budget Estimates fy2020/2021 (KSH)
General administration planning and support services	106,996,863
Roads	506,104,656
Mechanical Engineering services	213,841,161
Public Works	12,800,000
TOTAL	839,742,680

Source: Kisumu County Approved Budget estimates for fy2020/2021

This illustration above indicates that the roads sub-program alone was allocated a budget estimate of Kshs. 506,104,656, while public works took a share of Kshs. 12,800,000 of the total development vote of Ksh.518million.

STATUS OF IMPLEMENTATION OF ROAD PROJECTS FY2020/2021

Total Road Network Constructed in fy2020/2021

Hon. Speaker, the department of Public Works, Roads and Transport indicates in its report that it did a total of 247.9Km of road during FY 2020/2021 comprising of machine based roads, CRF funded roads, KRB-fuel-levy roads and a total of 9 box culverts (*see annex 1*). When the committee did its statistics on the roads done that Fiscal Year, the survey shows that 43.16% of the roads equivalent to 107km were constructed using the road maintenance fuel levy funds while only 1.53% of the roads equivalent to 3.8km were constructed using the County Revenue Fund (CRF). Majority of the roads were done through the machine based program accounting for 55.30%.

Table 4: Summary of total road networks in Kilometers for fy2020/2021

S/NO	DESCRIPTION	ACHIEVEMENT	%
1.	Machine Based	137.1Km	55.30
2.	CRF Roads	3.8 Km	1.53
3.	KRB–Road Maintenance Fuel Levy	107 Km	43.16
	TOTAL	247.9 Km	100%
1.	Box Culverts	9 No	

Source: County Department of Roads and Public Works as at March 2022

Machine Based Programme for the Financial Year 2020/2021

Hon. Speaker,

In the report, we are told that the department of Public Works, Roads and Transport formulated to undertake a total of 311.8kilometers of roads under the machine based initiative. However,

by the end of the period under review, the department claims to have only completed a total of 138 Kilometers and that 173.8Kms are still pending (*See annex ii*). The committee established that majority of the road networks earmarked for completion under the machine-based program remained undone at 55.74% with only 29.15% completed and additional 15.11% completed under special road networks.

Table 5: Summary of total roads done under the Machine Based Program for the fy2020/2021

S/NO	DESCRIPTION	KILOMETRES	%
(1)	Completed Road Works	90.9	29.15
(2)	Roadworks not yet competed	173.8	55.74
(3)	Special Road works completed	47.1	15.11
	TOTAL	311.8	100%

Source: Kisumu County Directorate of Roads as at March 2022

Hon. Speaker, (Annex iii) illustrates all road networks reported to have been done by the department of Public Works, Roads & Transport under machine-based technology using the dry rate system.

- I. Table 6: highlights category A of Machine Based Roads` projects that the department of public works, roads and transport alleges to be complete

Hon. Speaker,

The committee analyzed the department`s source of information and it came with the following examination: The outlook shows the total Kilometers of roads completed using machine based program classified per ward;

Table 6: Outlook of total Kilometers of roads completed using the machine based program classified per ward

Ward	Total Kilometers Completed (km)	% of total Kilometers
East Seme	4.9	5.24
West Seme	4.1	4.39
Central Seme	5.6	5.99
Kolwa Central	2.1	2.25
Kondele	1.7	1.82
Railways	3.2	3.42
Market-Milimani	1.6	1.71
Nyalenda	3	3.21
Awasi-Onjiko	6.7	7.17
Muhoroni-Koru	2.6	2.78
Chemelil-Tamu	6.9	7.38
West Nyakach	2.0	2.14
West Kisumu	4.6	4.92
North Kisumu	4.0	4.28

Central Kisumu	3.4	3.64
North West Kisumu	3.9	4.17
South West Kisumu	7.0	7.49
Kobura	8.1	8.66
North Nyakach	2.5	2.67
Ahero	1.5	1.6
Kajulu	9.3	9.95
Nyangoma –Masogo	4.8	5.13
TOTAL	93.5	100%

Hon. Speaker,

The illustrations above shows that during the fy2020/2021, a total of 93.5 Kilometers of roads were completed using the machine based program as stated by the department. The analysis categorically shows that Kajulu ward got the highest chunk of roads done using this initiative at 9.95%, followed by Kobura Ward at 8.66%. The wards which received the lowest total Kilometers done include; Ahero and Market Milimani ward at 1.6% (equivalent of 1.5kilometers only) and 1.71% (equivalent of 1.6 Kilometers of road) respectively.

Hon. Speaker, (Annex iv) illustrates all road networks reported to be ongoing by the department of Public Works, Roads & Transport under machine-based technology using the dry rate system.

- I. Table 7: highlights category B of Machine Based Roads` projects that the department of public works, roads and transport asserts to be ongoing

Hon. Speaker, (Annex v): Table 10 conveys what the department captured in its report as special roads under machine based initiative for fy 2020/2021

The committee reviewed the data on complete special roads under the machine based program and further classified them in terms of the total number of kilometers completed per ward and the report is further illustrated below;

Table 7: Total number of complete special roads projects under machine based program per ward fy2020/2021

Ward	Total Complete kilometers per ward –special roads (Kilometers)	% of complete special roads –machine based
Masogo-Nyangoma	3.5	7.76
Chemelil –Tamu	5.4	11.97
Ombeyi	0.9	2.0
Muhoroni-Koru	2	4.43
Central Nyakach	2.3	5.1
North Nyakach	3.5	7.76
South West Kisumu	1	2.22

West Kisumu	0.45	1.0
North Kisumu	2.45	5.43
North West Kisumu	0.9	2.0
West Seme	3.8	8.43
East Seme	7.6	16.85
Kajulu	5.4	11.97
Miwani	3	6.65
Kolwa Central	2.4	5.32
Kolwa East	0.2	0.44
Manyatta B	0.1	0.22
Nyalenda	0.2	0.44
Total	45.1	100%

The illustration shows that the highest number of special road projects under the machine based program is in East Seme (16.85%), Kajulu (11.97%) and Chemelil-Tamu (11.97%).

Hon. Speaker, (Annex vi) features projects the department affirms to have been mapped out and executed under the KRB –Road Maintenance Fuel Levy Fund fy 2020/2021

Hon. Speaker, Road Projects under County Revenue Fund (CRF) fy2020/2021

Table 8: Status of road projects under the CRFfy2020/2021

Category A: Completed Roads

Table 9: Comprehensive details of completed roads under machine based program fy2020/2021

Ward	Name of Road	Length (Km)	Status	Km graveled	Km formed	Km graded	Pending works	Remarks
East Seme	Koduogo-Kaloka access road	4.9	Formation and grading complete	0	4.4	4.4	Nil	Complete, the remaining work was contracted under KRM
West Seme	Akado-Nyamarwaka access road	2.5	Formation, grading and graveling complete	0.7	1	2.5	Culverts pending	Major activities pending
	Chwa-Arongo access road	1.6	Grading, culvert installation complete	0	0	1.6		complete
Central Seme	Riat-Awach access road	5.6	Formation grading, graveling and culvert installation done	5.6	5.6	5.6	Nil	Complete culvert lines installed
Kolwa Central	Tido-Mbeme access road	2.1	Road formation, grading,	2.1	0	2.1	Culverts pending	Partnership with the community

			graveling and part culverts complete					
Kondele	Mosque-Corner Mbuta access road	1	Grading & graveling complete	1	0	1	Culverts pending	Major activities completed
	Gudka-corner maji access road	0.7	Grading and graveling complete	0.7	0	1	Culverts pending	Major activities completed
Railways	Canaan drive access road	1.6	Grading and spot graveling complete	0.8	0	1.6	Culverts pending	Major activities completed
	Canaan drive-Asengo access road	0.8	Grading & graveling complete	0.8	0	0.8	Culverts pending	Major activities completed
	Uzima access road	0.8	Grading and graveling complete	0.8	0	0.8	Culverts pending	Major activities completed
Market Milimani	Jalaram Academy-Nyalenda Ring road	0.4	Grading complete	0	0	0.4		Grading complete
	Jalaram-Gulfsteam	0.4	Grading complete	0	0	0.4		Grading complete

	Ondiek Estate Road	0.8	Grading complete	0	0	0.8		Grading complete
Nyalenda A	Lakewood Apartment access road	1	Gravelling and culverts	0	0	1	complete	
Nyalenda A	Dafina-Kogelo access road	2	Drainage works, grading and graveling	2	1	2	Complete	
Awasi/Onjiko	Kouko-Nyaidho-Onera access road	4.2	Formatting and grading complete	0	4.2	4.2	Nil	Road improved by KRB
	Magendo-Kolunga access road	2.5	Road formation, grading and graveling done	1.5	2.5	2.5	Nil	complete
Muhoroni/Koru	Kajowi bridge-Koguta border-Koguta school	2	Formation, grading and graveling complete	2	2	2	Culverts pending	Major activities completed
	Muhoroni sub-county hospital &	0.6	Grading and graveling complete	0.6	0	0.6	Culverts pending	Major activities completed

	Muhoroni sec							
Chemelil/ Tamu	Masaambani access road	3	Grading and graveling complete	3	3	3	Culverts pending	Major activities completed
	Yago-dispensary access road	3.9	Grading and graveling complete	3.9	3.9	3.9	Culverts pending	Major activities completed
West Nyakach	Ogai access road	2	Road formation, grading and graveling complete	2	2	2	Culverts pending	Major activities completed
West Kisumu	Sianda-Gee access road	2.6	Drainage works and grading	2.6	0	2.6	Culverts pending	
	Awach-Ndemra access road	2.0	Drainage works and grading	1.5	0	2	Culverts pending	
North Kisumu	Kadidi-Wang'oula access road	1.5	Grading and graveling complete	1.5	1.5	1.5	Culverts pending	
	Nyahera – Geta access road	2.5	Grading and graveling complete	2.5	0	2.5	Culverts pending	

Central Kisumu	Otonglo- pombo access road	1.6	Grading and part graveling done	1	0	1	Nil	Box culvert,2 lines of ring culverts; part gravelling done by KeRRA
	Bright light access road	0.8	Grading and graveling done	0.8	0	0.8	Culverts pending	
	Ongayo access road	1	Road formation, grading and part	1	0	1	Culverts pending	
North West Kisumu	Wadhguen- Kawiti-Otete access road	1.5	0.8 km grading, graveling and culverts completed	1.5	1.5	1.5	Nil	Complete
North West Kisumu	Rabuor- Nametsa access road	2.4	Road formation, grading and part graveling done	2.4	0	2.4	Culverts pending	
South West Kisumu	Obambo- Ogal access road	4.5	Grading and part graveling done	1.5	0	4.5	Culvert	Major activities completed

	Obambo-Kabibi access road	2.5	Formation, grading and spot graveling	1	1.5	0.9	Graveling and culverts pending	
Kobura	Lela health center access road	1.5	Formation, grading, graveling and culverts done	1.5	1.5	1.5	Nil	4 culverts 3 lines complete
	Alendu-Migingo access road	2.5	Grading and part graveling done	0.6	0	2.5		Complete
	Israel Ogaga-Nyamkebe access road	4.1	Formation, grading, graveling and culverts done	4.1	4.1	4.1	Nil	Complete
North Nyakach	Nyamarumbwe access road	2.5	Road formation, grading and part graveling done	2.5	2.5	2.9	Part graveling	100m remaining for graveling
Ahero	Borderline access road	1.5	Formation, grading, part graveling and culverts installation done	1.1	1.5	1.5	Part graveling	Culvert complete

Kajulu	Obwolo-Gita Kabongo- Filter access road	7.1	Road formation and grading done	2	2	7.1	Graveling pending	Culverts done under KRB
	Obwolo	2.2	Graveling done, part graveling	1.8	0	2.2	Nil	
Nyangoma/ Masogo	Ngere Kagoro- Masogo access road	4.8	Road formation and grading done	1	0	4.8	Graveling and culverts pending	

Source: County Department of Public Works, Roads & Transport as at March 2022

Table 10: Ongoing roads under the machine based program fy2020/2021

Category B: Ongoing Roads							
Ward	Name of road	Length (Km)	Status	Km graveled	Km Formed	Km graded	Pending works
West Seme	Kagwel beach access road	2.5	Formation and grading done	0	2.5	2.5	Graveling and culverts pending
North Seme	Kondik-Lunga access road	4	Formation, grading complete	0	4	4	Graveling and culverts pending
East Seme	GuuKabege-Lunga access road	5	Formation and grading	0	5	5	Graveling and culverts pending
Awasi /Onjiko	Kokwoyo junction-BoyaKabongo-Onjiko access road	3	Grading done	0	0	1.2	Formation part ,grading, graveling and culverts pending
	Junction Kadisi access road	4.5	Grading done	0	0	4.5	Graveling and culverts pending
	Olasi-Waganaga access road	3.7	Grading done	0	0	3.7	Graveling and culverts pending

	Awasi-Holo-Angoro Sch. Access road	5	Grading done	0	0	5	Graveling and culverts pending
Ahero	Kodindo-Kachogo AIC access road	2.5	Grading done	0	0	2.5	Graveling and culverts pending
East Kano/Wawidhi	Ayweyo-Kodete-Kinasia-Wagneneo-Olasi access road	11	Part formation and part grading done	0	5	3	Formation, grading, graveling and culverts pending
Kabonyo/Kanyagwal	Konono-Arombo access road	2.4	Formation, grading; part graveling done	0.6	2.4	2.4	Graveling and culverts pending
	Reru AIC-withthur access road	2.5	Part formation done	0	1.9	1.9	Part formation, grading, graveling and culverts pending
Muhoroni/Koru	Mtwala-Ngaria access road	3.4	Road formation and part grading done	0	3	2.3	Grading, graveling and culverts pending

Masogo/ Nyangoma	Kogutu- Milenye access road	4	Road formation done and grading	0	4	4	Graveling and culverts pending
Chemeli/ Tamu	Kadan-Gul Yago Sec- Kalusi access road	5	Grading done	0	0	5	Graveling and culverts pending
Ombeyi	Kasese- Kasongo (boundary) access road	9.4	Road formation, grading and compactio n of 2.5km done	0	2	2	Part formation, part grading (6.9 Km), graveling and culverts
Central Nyakach	Nyabola- Olwalo access road	6.85	Grading and spot graveling done	3	4.8	4.8	2km requires formation and culverts are pending
	Kusa Primary access road	0.65	Grading done	0	0	0.6	Graveling and culverts pending
	Bugo Primary access road	0.6	Grading done	0	0	0.6	Graveling and culverts pending

	Koketch-Kawili-Olwalo access road	4	Formation and grading done	0	3.2	1.2	Graveling and culverts pending
South West Nyakach	Ramula-Odowa access road	1	Formation and grading done	0	1	1	Graveling and culverts pending
	Okemba access road	3.6	Grading done	0	0	1.5	Graveling and culverts pending
West Nyakach	MaembeMbili-Nyang'onga-Nyadina access road	4.4	Road formation and grading done	0	4.4	4.4	Graveling and culverts pending
	Apondo-Kasae access road	1.4	Road formation and grading done	0	1.4	1.4	Graveling and culverts pending
	Bolo-Oriang-Pedo access road	4	Road formation and grading done	0	4	4	Graveling pending

North Nyakach	Katito-St Alloice Sec junction access road	1.8	Grading done	0	1.8	1.8	Graveling and culverts pending
South East Nyakach	Koluoch- TolNjora access road	4.5	Road formation, grading and part graveling done	1.8	4.5	1.8	Part graveling pending
	Nyamaroka- Pap Ndege access road	4.5	Grading done	0	0	4.5	Graveling and culverts pending
	Nyabondo- Nyagweno access road	2.5	Grading done	0	0	2.5	Graveling and culverts pending
Total	107.7						

Source: County department of roads and public works, March 2022

Hon. Speaker,

The committee synthesized the data on incomplete projects and categorized the total kilometers of roads per ward as illustrated below;

Table 11: Summary of total in-complete kilometers of roads under machine based program per ward fy2020/2021

Ward	Incomplete kilometers of roads under construction	% of total road network earmarked for construction under machine based program
West Seme	2.5	2.32
North Seme	4	3.71
East Seme	5	4.64
Awasi-Onjiko	16.2	15.04
Ahero	2.5	2.32
East Kano Wawidhi	11	10.21
Kabonyo-Kanyagual	4.9	4.55
Muhoroni –Koru	3.4	3.16
Masogo-Nyangoma	4	3.71
Chemelil –Tamu	5	4.64
Ombeyi	9.4	8.73
Central Nyakach	12.1	11.23
South West Nyakach	4.6	4.27
West Nyakach	9.8	9.10
North Nyakach	1.8	1.67
South East Nyakach	11.5	10.68
Total	107.7	100%

The illustration shows that out of a total 107.7kilometers of incomplete road works under the machine based program, Awasi-Onjiko Ward had the highest number of kilometers of roads which is incomplete at 15.04%, followed by South East Nyakach at 10.68%. North Nyakach, Ahero and West Seme had the least kilometers of roads yet to be completed under the program.

Apart from the report on the status of complete and incomplete road works, the department of roads classified some roads under the machine based program as special roads category and most of whose construction were reported as complete as illustrated below;

Table 12: Completed road works categorized as special under the machine based program for fy2020/2021

Ward	Road Name	Length	Activities Done	Pending works
Masogo/Nyangoma	ThurBie-Kominde access road	3.1	Road formation, grading, spot graveling	1km spot graveling done (funeral)
	Ranguma access road	0.4	Grading and graveling	Completed
Chemelil	Nyangore access rod (Dairy milk plant-EU)	2	Road formation	Work transferred to parent department
	Okoi access road	0.9	Road formation, grading	Completed
	Kibigori block A	1.5	Road, formation, grading, spot graveling	Completed
	Nyang' Pri access road (Keda ceramics)	1	Road formation	Done to motor-able condition
Ombeyi	Kasese dumpsite	0.9	Road formation, grading and graveling	Completed
Muhoroni / Koru	Muhoroni town roads	2	Grading	Completed
Central Nyakach	Access to former MCA	1.5	Grading	Done to motor-able condition
	Access to MzeeOkulo's home	0.8	Grading and graveling	Done to motor-able condition
North Nyakach	Katito Town access	0.5	Grading and graveling	Done to motor-able condition
	Ogai of Ogai access	3	Grading and graveling	0.6 km graveled
South West Kisumu	Access to Rari - Maembe beach	1	Grading, graveling (0.5km)	Done to motor-able condition
West Kisumu	Access to Huma Sec.Sch.	0.45	Grading, spot graveling, drainage works	Done to motor-able condition
North Kisumu	Access to Dago Pri.Sch.	2	Grading	Done to motor-able condition

	Access to Huma Sec.Sch	0.45	Grading, spot graveling, drainage works	Done to motor-able condition
North West Kisumu	Off Huma-Lela access road	0.6	Road formation, grading	Done to motor-able condition
	Maseno Girls access road	0.3	Grading	Gravelling pending
West Seme	Rapogi-Nyaundi-Kolulo access road	1.6	Grading, graveling	Done to motor-able condition
	Kabonyo-Kaluye access road	1.5	Grading	Done to motor-able condition
	Konam-Chwa access road	0.7	Grading	Done to motor-able condition
East Seme	Kit Mikayi Tourist Site access road	1.1	Grading	Done to motor-able condition
	Prof. Nyongo access road	0.5	Drainage works, ground leveling	Done to motor-able condition
	Access to Langi Dispensary	1	Spot graveling	0.2km spot graveled
	Kit Mikayi-Oluti	5	Drainage works and spot graveling	1km done
Kajulu	Guba-St Domnic access road	0.9	Road formation, grading	Done to motor-able condition
	Opepo access road	0.5	Grading and graveling	0.1 km graveled
	Wathorego access	2	Grading	Done to motor-able condition
	Guba bridge-Kibos	2	Grading	Done to motor-able condition
Miwani	KSREF access road	3	Grading	Done to motor-able condition
Kolwa Central	Mowlem-Akado	1	Grading and graveling	Done to motor-able condition
	Access to ECCA church	1	Grading, graveling and filling of swampy area	Done to motor-able condition
	Ofunyu access road	0.4	Road formation, grading	Done to motor-able condition

Kolwa East	Obuso box culvert access road	0.2	Road formation, grading and graveling	Done to motor-able condition
Manyatta B	Manyatta-Gesoko access road	0.1	Spot graveling	Done to motor-able condition
Nyalenda	Dunga Beach	0.2	Filling with debris from Makasembo	Done to motor-able condition
Total		45.1		

Source: County Department of Public Works, Roads & Transport as at March 2022

3.2 Road Projects Under the KRB –Road Maintenance Fuel Levy Fund fy2020/2021

Project Name	Road Length	Sub-County	Ward	Contract Sum	Certified Amount	% Completion	Remarks
Kolenyo- Nyalunya access road	6.6	Seme	North Seme	5,147,604	5,146,981	100	Works completed
Jnc. Koduogo-Kaloka access road	4.4	Seme	East Seme	2,986,626.90	2,986,267	100	Works completed
Akado-Okiro-Ridore access road	5.7	Seme	West Seme	6,798,047.76	6,797,692	100	Works completed
Improvement of Holo-Huma access road	6.35	Kisumu West	West Kisumu	5,060,233.80	4,931,248	100	Works completed
Improvement of Yambo-Mbakaoromo access road	4.2	Kisumu West	North West Kisumu	3,075,392	3,074,490	100	
Improvement of Rari-Membe Beach access road	2.4	Kisumu West	South West Kisumu	1,598,016	-	100	Works completed
Improvement of Manason-Ogendo access road	4.6	Kisumu West	Central Kisumu	1,219,392	1,214,978	100	Works completed
Kobondo-Sidika Primary School access road	2.2	Kisumu West	North Kisumu	1,998,726.41	1,835,000	100	Works completed
Improvement of Nyalunya-Ofunyu access road	1	Kisumu East	Kolwa Central	1,379,097.55	1,377,662.40	100	works completed

Improvement of Angola Junction-Kadiju primary access road	2.1	Kisumu East	Kolwa East	1,999,567.50	1,999,220.46	100	Works completed
Improvement of Alango-Kibos Access Road	2.2	Kisumu East	Kajulu	3,728,495.20	3,706,921	100	Works completed
Drainage works at Obwolo-Gita-Kabong`o Filter access road	7.1	Kisumu East	Kajulu	2,576,386.68	2,539,965	100	Works completed
Drainage works at Kona Bar-Kowino-Kasagam	1	Kisumu East	Nyalenda A	2,214,493.45	2,212,714	100	Works completed
Improvement of Ndege-Obiero Access Road	0.7	Kisumu East	Manyatta B	1,355,000	1,353,328	100	Works completed
Improvement of Dona-poultry access road	1.1	Kisumu Central	Migosi	1,348,155.48	1,192,661	100	Works completed
Improvement of CrnerMbaya-Mc Ogilo-Baraka access road	1	Kisumu Central	Kondele	1,298,299.70	1,291.242	100	Works completed
Improvement of Brilliant-Joyland-	1	Kisumu Central	Kaloleni/Shaurim oyo	1,699,840.80	1,697,618	100	Works completed

Oreng joint access road							
Improvement of ondiek-Nyalenda Railways-Masai Market access road	1.2	Kisumu Central	Milimani Market	1,569,149	1,567,183	100	Works completed
Improvement of Manyatta Arabs access road	0.5	Kisumu Central	Railways	1,499,998	1,471,678	100	Works completed
Improvement of Katuoro-Shakeelshabir bridge-Komoke access road	1	Kisumu Central	Nyalenda B	1,470,613.20	1,470,464	100	Works completed
Ayweyo- Waradho access road	7.5	Nyando	East Kano/Wawidhi	2,064,558.22	2,024,014	100	Tendered Works completed
Kodhoch-Kosiro access road	7.5	Nyando	Ahero	2,234,693.10	2,201,406.67	100	Tendered Works completed
Rongo-Migingo Access road	3.0	Nyando	Kobura	3,119,228.49	3,111,729.23	100	Tendered Works completed
Kouko-Nyaidho-Oneraaccess road	5.6	Nyando	Awasi/Onjiko	4,993,305.49	4,992,326.80	100	Tendered works completed
Kampala-Odega-Kibarwaprimary school access road	3.5	Nyando	Kabonyo/Kanyag wal	1,688,875	1,685,881.36	100	Tendered works completed
Kobera-Siany access road	2.2	Muhoroni	Miwani	2,780,288	2,779,418	100	Works completed

Wagai-Masara access road	1.7	Muhoroni	Ombeyi	1,501,968	1,501,736	100	Works completed
Tamu Centre-Tamu Health Centre access road	0.7	Muhoroni	Chemelil/Tamu	963,675.10	962,359	100	Works completed
Koru-Gilmori access road	3.5	Muhoroni	Muhoroni/Koru	3,621,694	3,617,083	100	Works completed
Protection works at Ogilo Bailey Bridge	0	Muhoroni	Masogo/Nyango ma	3,897,660	3,867,712	100	Works ongoing
Improvement of Harambe Market-Luanda-Pedo access road	4.5	Nyakach	Central Nyakach	4,218,421.80	4,218,073	100	Works complete to satisfaction
Sangoro-Nyakwere Ring Road	2.8	Nyakach	West Nyakach	1,993,866	1,993,808	100	Works complete to satisfaction
Katito-Sondu-Nyangweso access road	2.3	Nyakach	North Nyakach	2,863,712.88	2,863,657	100	Works complete to satisfaction
Kodonga-Bodi access road	5	Nyakach	South East Nyakach	1,960,980	1,890,800	100	Works completed to satisfaction
Polo-Piach-Othith access road	5	Nyakach	South West Nyakach	1,858,027.50	1,766,680	100	Works ongoing
TOTAL	111.22						

Source: County Directorate of Roads, March 2022

3.3 Road Projects under County Revenue Fund (CRF) fy2020/2021

Table 13: Status of road projects under the CRFfy2020/2021

Project Name	Sub-County	Ward	Contract Sum(Kshs)	Certified amount(Kshs)	% completion	Remarks
Ayweyo Box culvert	Nyando	East Kano/Wawidhi	4,440,300	4,440,230	100	Works completed
Ombeyi Box culvert	Nyando	Kobura	3,888,700	0	0	Abandoned
Drainage works and stone pitching of Nubian access road	Kisumu Central	Kaloleni/Shaur imoyo	6,999,846	6,809,513	100	Works Completed
Abwombo Box culvert	Muhoroni	Muhoroni/Koru	4,907,312.40		100	Works Completed
Nyakoko Sanda box culvert	Muhoroni	Ombeyi	3,888,700		100	Works Completed
God-Nyithindo box culvert	Muhoroni	Koru/Muhoroni	4,979,235		100	Works Completed
Nyamaroka Box culvert	Nyakach	South East	4,003,090.40	4,002,986	100	Works Completed
Anding`o –Opanga	Nyakach	West Nyakach	4,957,260	4,957,144	100	Works Completed
Construction of Box culvert at AoraOndiek 1	Seme	North Seme	5,398,014	5,397,828	100	Works completed
Construction of Box culvert at AoraOndiek 2	Seme	North Seme	5,147,604	0	100	Works completed
Construction of Koimbo Box culvert	Seme	North Seme	4,647,000	4,502,026	100	Works completed
Desilting works in Minyange Kabar East	Muhoroni	Miwani	1,999,840	1,993,080	100	Works completed

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Improvement Masogo-Kodhiambo- Nyakoko access	of	Muhoroni	Miwani	3,993,532		100	Works completed
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FIELD VERIFICATIONS

Hon. Speaker,

In order to ensure objectivity in reporting on the status of implementation of road projects in Kisumu County for the fy2020/2021, the Committee sampled the following roads in the respective wards for field validation. The sampling was informed by the number of kilometers of roads constructed in a specific ward –either high or low –and the longest or shortest roads in each category (either CRF, Machine –Based or KRB). The results of the field affirmation exercises are as indicated in the table below;

	WARD	ROAD	FUNDING CATEGORY	EXECUTIVE STATUS REPORT	FIELD REPORT STATUS
1.	Kaloleni-Shaurimoyo	Drainage works and stone pitching of Nubian access road	CRF	100% works completed at a certified amount of Kshs. 6,809,513	The project is completed however the contractor has not been paid up-to date
		Improvement of Brilliant-Joyland-Orege joint access road	KRB	100% completed at a certified amount of Kshs. 1,699,840.80	100% completed
3.	Ahero	Kodhoch-Kosiro access road	KRB-Road Maintenance Levy	100% works completed at Kshs. 2,201,406.67	Scopes of work completed
4.	East Kano-Wawidhi	Ayweyo-Waradho access road	KRB-Road Maintenance Levy	100% works completed at Kshs. 2,024,014	Scopes of work completed
5.	Railways	Improvement of Manyatta Arabs access road	KRB-Road Maintenance Levy	100% Works completed at Kshs. 1,471,678	Scopes of work completed
6.	Kabonyo-Kanyagual	Kampala-Odega-KibarwaPri.	KRB-Road Maintenance Levy	3.5km of road 100% complete at a certified	70 % complete and not 100% as reported by the executive.

		Sch. Access Road		amount of Kshs. 1,685,881.36	800 Meters graveled and not 1.5Km as indicated by the department. Culverts abandoned on site without installation
7.	Kabonyo-Kanyagual	Konono-Arombo access road	Machine Based	2.4 km of road. Works to be done: Formation, grading; part graveling done. Graveling and culverts pending	The road project is incomplete. Total road length is 3.6Km. Road formation of 2.4 Km and grading of 0.6Km was done. Road formation to be done on the rest of the remaining 0.6Km
8.	Kabonyo-Kanyagwal	Reru AIC-withur access road	Machine Based	2.5km road. Part formation, grading, graveling and culverts pending	What was implemented does not equate to 0.6Km as alleged by the department
9.	Kolwa East	Obuso Culvert Road	Machine-based	Done to motor-able condition	Done to completion. However the name of the special road is Nyayo Market-Obuso Culvert Road and not as specified in the document
10.	North Seme	Construction of Box culvert at AoraOndiek 2	CRF	100% Works completed at Kshs. 5,147,604	The area MCA stated that the figure stated in the report is outrageous because its length is shorter than the one of Aora Ondieki 1 budgeted at a cost of Kshs. 5,398,014 and therefore the estimated amount should not be

					Kshs. 5,147,604 but rather slightly lower
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Hon. Speaker,

Based on the inconsistencies in field verifications as compared to the reports by the department on the status of some roads, the committee invited the Chief Officer roads and his technical staff who appeared before it on Thursday, 24th March 2022. The department responded to various issues the status of road projects including but not limited to incomplete projects, substandard works, and general performance of the department thus;

- i). The department indicated that road projects are executed based on the scopes of work thus may seem incomplete but scopes delivered as designed in the scopes and the BQs
- ii). That the budgeting process and the costing of road projects is mostly not informed by the actual project needs thus limiting the full execution of the projects because of limited funds
- iii). That in the case of Kampala-Odega-KibarwaPri. Sch. Access Road, in which the status on the ground reveals that the project is incomplete despite the department reporting a 100% complete status, the committee conducted a joint field visit to the road and the following observations and conclusions were made;
 - a. It was noted that the graveling was supposed to be 9mm not 1.5mm
 - b. Culverts were installed but no backfilling was done
 - c. The department indicated that they had not fully paid the contractor
 - d. And that they would invite him back to the site to complete the remaining portions of the work failure to which the work would be tendered to any other contractor using the retained fees for full completion
- iv). The department indicated that although they normally try to certify completion status of projects before payment clearance, the process is not water tight as it relies on PMCs and field officers who are sometimes compromised by contractors
- v). The committee also raised the following concerns;
 - a. That the issue of part-payment of projects had been put to a stop by the Governor when he gave a circular directing that all projects which are below 5million should only be paid upon 100% completion. This was noted to be violated by the department in some cases
 - b. The committee also raised concerns on mechanisms which the department has devised to deal with the rogue and incompetent project contractors who frequently abandon projects halfway or in incomplete status after payments
 - c. The use retention fees to pay contractors to re-do incomplete projects: in which it was observed that retention fees are meant for project defaults and defects after completion and within the project default liability period. If used to pay rework of

incomplete works then it exposes the project and the county lose miserably that could arise from lack of funds to cater for defaults or defects.

- d. The Committee sought further on how the 10% retention fee (*very meagre*) was able to even finish the incomplete or abandoned projects
- e. The committee also questioned whether the department always order contractors back to site in cases of project defects with the default liability periods before payment of retention fees
- f. The issue of confirmation of completion of works for certification for payment was also raised and it emerged that the department didn't have water-tight mechanisms and only relies on PMC members and their field staff whom the Chief Officer agreed to be sometimes compromised and report inconsistent project status.

COMMITTEE FINDINGS

Hon. Speaker, having reviewed the report on the status of road projects from the department based on the field verifications submissions by the department, the committee makes the following findings;

- 1) THAT the department does not have clear water-tight mechanisms of verifying project completion status before certification for payments thus various cases of incomplete, poor quality works being cleared for payments despite being incomplete
- 2) THAT the department uses retention fees meant for project defects for the default liability period to pay for completion of incomplete works thus exposing the County Government to project liabilities for lack of funds in cases of any defaults within the liability period
- 3) THAT the department is contravening the Governor's circular by making part-payments for incomplete projects that are below 5million contrary to the directive in which it was instructed that all projects below 5million contract sums be paid only after 100% completion
- 4) THAT the department does not have a clear and water-tight mechanism of dealing with rogue and unscrupulous contractors who undertake shoddy works, abandon projects and contravene scopes and BQs thus tainting the image of the department and the County.
- 5) THAT the BQ is indeed a private and guarded document by the department contrary to what it is (public document) hence it is used as an entry point of executing clandestine and corrupt works on matters roads and public works.
- 6) THAT

COMMITTEE RECOMMENDATIONS

Hon. Speaker, based on the foregoing findings, the committee herein makes the following recommendations;

- 1) THAT the Chief Officer roads and public works prepares and submits to this House a status report on the operationalization status of the machines, equipment and requisite materials

used in the machine-based road development program within 30 days upon the adoption of this report.

- 2) THAT the Chief Officer roads and public works develops and submits to this House a detailed policy guidelines on a clear water-tight mechanisms of verifying project completion status before certification for payments –within 30 days upon adoption of this report.
- 3) THAT the Chief Officer develops and submits to this House within 30 days upon adoption of this report, a detailed policy guideline on the utilization of and payment of retention fees within the meaning of the project default liability period and its implementation plan going forward.
- 4) THAT the Chief Officer compiles and submits to this House within 30 days upon adoption of this report, a detailed report on all projects that were paid for while incomplete and the circumstances for such payments for the period fy2020/2021.
- 5) THAT the Chief Officer roads and public works develops and submits to this House, within 30 days upon adoption of this report, a clear and water-tight policy guidelines on dealing with rogue and unscrupulous contractors who undertake poor quality works, abandon projects and contravene scopes and BQs thus tainting the image of the department and the County.
- 6) THAT the Chief Officer should make BQs public documents by ensuring it is accessible at the ward offices. And to ensure that this is practicable enough, then a policy document on the Kisumu County Project Management and Implementation Bill, 2021 should be considered in this August House as soon as the report is ready for tabling and consideration. This would go a long way in curbing and curing issues of PMCs and BQs setbacks which are currently thorns in the flesh.
- 7) THAT the Chief Officer to verify with the PMC members on the ground, the progress of the road projects before making approvals for payment.
- 8) THAT the contractor should ensure at the end of any road construction projects, a board be erected on the side indicating the length of the road, name of the contractor, name of the approval authority among others.
- 9) The department should ensure THAT road projects are done to total completion since when a small piece isn't done it hampers the whole project and even renders the roads impassable.
- 10) It should also be on record THAT going forward, reports submitted by the department regarding the implementation status, to contain discrete scopes of work done per road per ward to shun from the assumption that the limited money budgeted for can actually complete a whole road.
- 11) Lastly the department in consultation with the County Assembly should during budget estimates scrutiny, reconsider prioritizing and approving incomplete roads to be in the subsequent financial years before drawing a plan with new roads.

CONCLUSIONS

Hon. Speaker, in a nutshell, I would wish to state that roads are enablers in a county and because of this important factor, then it becomes an emotive issue altogether. A county with an intensive road networks promotes growth of other sectors such as health, education, agribusiness, recreational amenities among other social infrastructural facilities. Formulation and implementation goes hand in hand on matters county development however the latter plays the ultimate role when it comes to service delivery to the people of Kisumu County. Having said that, then it bits logic to state that there is need to put in place practical and effective implementation strategies to a greater extent when it comes to matters Public Works and Roads. May I now take this opportunity to call upon Hon. Aslam Khan to second?

The Temporary Speaker (Hon. Inviolable): Hon. Khan.

Hon. Khan: Thank you Madam Speaker. I second the report as read by the Chairperson.

The Temporary Speaker (Hon. Inviolable): Honourable Members, the Report from the Select Committee of Implementation on the Implementation Status of Kisumu County Roads Development Project FY 2020/2021 has been moved by the Chairperson and seconded by Hon. Aslam Khan. I therefore want to open it for discussion.

The Temporary Speaker (Hon. Inviolable): Hon. Vitalis Otura.

Hon. Otura: Madam Speaker, I wonder where the mover has gone? The motion before the House is well prepared and the Chair is very articulate in his presentation. However, there are so many issues that I have noted. The Select Committee has just exhibited that, they have to be keen in convincing the House in their recommendations. If you read what is contained in the recommendations, it clearly suggest many anomalies in this report.

Madam Speaker, page 10 of the report talks of comprehensive details of completed roads under Machine-based Programs. There is a road in my Ward that is missing in that list. I don't know if it is the only one. I don't see Kasese – Onyalo Biro Access Road. This report is for FY 2020/2022 and the road in question was earmarked to be done under the Machine-based program in FY 2019/2020.

Madam Speaker, page 17 of this report talks of the ongoing roads under the Machine-based Program and you will find the said road featuring. I want to say that this report lacks merit and I would term it as shambolic. I have also noted that this Select Committee majorly relied on the report from the line department. It is in order that they have to work with the report from the department but it is equally important that they also peruse this by conducting site visits on the roads projects that are indicated undertaken. That is why, you find me pinning them down on matters Kasese – Kasongo Road that was earmarked for 2019/2020 and 2020/2021.

Madam Speaker, if you go to page 33 under the Select Committee findings. It touches on Bill of Quantities. BQs are public documents and in this report, it is treated as a private document. There are no actuals on the ground. I don't support this report. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you. Yes, Hon. Leader of Minority.

Leader of Minority (Hon. Oiko): Thank you Madam Speaker. The report presented by the Select Committee on Implementation for our perusal and adoption, as a House, we need to pay attention to it because these are the problems we are facing on the ground and what we need to ask. Has the Select Committee done its work? Is the report given by the department reflect true picture of what is happening on the ground?

Madam Speaker, I had the opportunity to attend the meeting of this Select Committee as a friend and the original report that was given to this House Committee was that the Department of Roads, Transport and Public Works had earmarked Kshs. 110 million for Machine-based programme in FY 2019/2020 and they were only given half of that money. That is why the work stalled. That is a key issue that would have appeared in this report. In the absence of that, I am asking the Members to take back this report to this House Committee to go back and do thorough work on it. Give us the true picture of what the department is facing.

Madam Speaker, if you go to page 8, on Summary of Roads in Kilometers in 2020/2021. We have been given the picture of the total roads and we shall assume these are the roads that were supposed to be done. We are told these were the achievements. This implies that the work was done. The roads done under the Machine-based Program was 137 km which is 55.3%, CRF roads 3.8 km and KRB roads 107 km and that translates to a total 247 km done. If this was the achievement, were they all done? The picture is, they were not all done then why was the word achievement used?

Madam Speaker, as a House, we must be careful with the reports that are brought in this Assembly. We should not receive these records for formalities. What appears on page 8 discredits the entire report.

Madam Speaker, when you go to page 9 table 5, on Summary of the total roads done under the Machine-based program for the FY 2020/2021, there is 90.9 km. Which figure are they comparing it to? There must have been a total number that they intended to do but they only managed 90.9 km. On the same note, the Department of Roads has indicated the number of kilometers that is not completed. What are they going to do next? Are they going to abandon the projects? Is there finances for them? The department is not telling us that.

Madam Speaker, on page 17 of this report, table 8 talks of the Ongoing Roads under the Machine-based Programs 2020/2021 is similar to what I have condemned on the other page. Records should not be brought in this Assembly for Members to read for the sake. We want a record that forms good opinion. Record that shows us the true picture on the ground. Not an officer sitting down to prepare a report a wrong report. We shall be condemned.

Madam Speaker, page 24 part 11 of the report; the Total Number of Complete Special Roads Projects under Machine-based Program per ward of FY 2020/2021. A literature should have been put to tell us why these roads are referred as special roads. Masogo-Nyang'oma road is 3.5Km and the percentage of completion is 7.76%. If this is 3.5Km and the completion is at 7.76% then are they really competent? It is upon us to study was is brought in this Assembly so that we aren't taken for granted.

Madam Speaker, page 27; I want to make a remark on the Kampala-Odega kibarwa Access Road in Kabonyo-Kanyagwal Ward. Madam Speaker, this road is indicated to be 3.5Km but the BQ shows that the scope to be done was to be 1.2Km. Why should they indicate there as 3.5Km for 1.6 million instead of the 1.2 Km.? The major issue here is that the 1.2Km road wasn't completed as they murramed 800 Meters and left the other 400Meters incomplete. Consequently, when they went on the ground with their scope of work, they indicated that they were going to do 2 culverts but only one was done without being murramed and yet that is quite a swampy place. When complaints arose, the Sub-county Engineer took it for granted and went ahead to approve payment to the contractor who didn't complete his work. When I raised complaints severally to the department, no one listened to me. The Chairperson of this House Committee while giving his submissions, gave us an impression that they had been to the ground although when they were having a meeting with the department, he gave a directive that they were to visit these sites for confirmation of the implementation status. I urge you Hon. Chairperson of this House Committee on Implementation, to visit these places physically so that you make informed recommendations.

The Department of Roads, Transport and Public Works is taking this House for granted because that's not the only case. If you look through Masogo-Nyang'oma ward, the length of the road is zero Kilometers, the amount allocated is 3.8 million and the percentage is 100% and yet the comment indicate that work is on-going, these are the things we must not take lightly unless it is concrete.

Finally, on page 33, we are told that a total of 247.3Kms of roads within the County of Kisumu were constructed in the FY 2020/2021, which is not shown in these records. Let this House Committee go back to the drawing board with the Department on Roads, Transport and Public Works and show us the scope of what was done in the FY 2020/2021. An Issue has come up in this County whereby BQs have become guarded documents that are never made public and whenever anyone talks about this, it is as though you are stepping on certain officers at the Department of Roads, Transport and Public Works. With the Bill that is coming up, let us make it mandatory that BQs are public documents that should be found in the departments and even at the ward level and this is how we will cure this disease. Manipulation often starts with the BQs. Madam Speaker and Honorable Members, let us reject this report with humility so that the Department of Roads, Transport and Public Works understands that this House does not tolerate mediocrity. Thank you.

The Temporary Speaker (Hon. Inviolata): Yes, Hon. Pamela Odhiambo

Hon. Pamela Odhiambo: Thank you Madam Speaker, I stand to reject this report especially during this time when we have campaign headaches. I can see they've indicated that Gesoko-Otheche Road Sport travelling is done to motorable condition and yet nothing has been done. I believe that this House Committee should be arrested for bringing such kind of false data before this House...

(Feet thumping)

We cannot keep lying to the people of this County and especially the people from my ward that this road is done and can be used by roads and yet they can see the inverse. Madam Speaker, I want to believe that this House Committee should undertake site visits to these roads before they came up with this report and that alone makes them candidate for jail for spearheading false information.

(Feet thumping)

Hon. Agolla: A point of Order Madam Speaker

The Temporary Speaker (Hon. Inviolata): What is your Point of Order?

Hon. Pamela Odhiambo: You will have time to respond.

The Temporary Speaker (Hon. Inviolata): Order!! Hon. Pamela Odhiambo

Hon. Agolla: *(On a point of Order)* My Point is Order No. 191 if you allow me Madam Speaker.

The Temporary Speaker (Hon. Inviolata): That is on the Committee on Implementation.

Hon. Agolla: Yes, this House must be guided on the role of the Committee on Implementation, which is very clear.

(Loud consultations)

The Temporary Speaker (Hon. Inviolata): Order!! Order!! Hon. Members, you are becoming disorderly. Hon. Erick Agolla, you are the mover of the motion and you will be given time to reply. Just hold your horse...

(Hon. Agolla is consulting loudly)

The Temporary Speaker (Hon. Inviolata): Order!! Order!! Honourable Members.

(Loud consultations)

The Temporary Speaker (Hon. Inviolata): Serjeant-at-arms, take the microphone from the Chairperson (Hon. Agolla).... Hon. Pamela Odhiambo proceed.

Hon. Pamela Odhiambo: Thank you Madam Speaker for protecting me. The Chairperson for the Select Committee on Implementation according to my understanding was to undertake site visits in the Wards to ascertain whether these projects were implemented. In reference to what I have read here is that part gravelling was done which is not true and I can confirm that because I reside in that ward. I am therefore not supporting this report Madam Speaker, thank you.

(Loud consultations).

The Temporary Speaker (Hon. Inviolata): Order!! Hon. Paul Okiri. I have not given you a chance to contribute. To Hon. Erick Agolla, why are you becoming so disorderly? You are the mover of the motion, you will have to reply because I will give you time.

(Hon. Agolla is consulting loudly).

The Temporary Speaker (Hon. Inviolata): I believe that you are now relaxed.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Paul Okiri.

Hon. Okiri: Thank you Madam Speaker. I beg to reject this report. Just as it has been said by my colleagues, I do not know whether it will happen in this House. Members of this House Committee should be arrested, because they belong in jail.

(Laughter)

(Hon. Agolla consulting loudly)

(Loud consultations)

The Temporary Speaker (Hon. Inviolata): Order!! Hon. Agolla, Order!! Hon. Members. Please allow Hon. Okiri to conclude his submission then you will...

Hon. Okiri: Madam Speaker, we cannot be taken hostage by one member who is; the motion mover, a walking Standing Order, the bows of this House, the Sergeant-at-Arms, he is a heckler, bringing unsubstantiated report to this House....

(Applause)

(Laughters)

The Temporary Speaker (Hon. Inviolata): Order!! Hon. Members. Hon. Agolla, I will refer you to the Standing Order. You said that you as a House Committee conducted site visits on the sample

roads. I do not want to contribute on this, however, you as the mover of the motion, I will request you to allow members to contribute.

(Hon. Agolla arises on his feet)

The Temporary Speaker (Hon. Inviolata): Just resume your seat so that I give directions. Hold your horses, yeah. I have ruled you Out of Order!! That is because you have told us about the Select Committee on implementation. I therefore direct you to Standing Order No. One because you have made me to use it.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Okiri.

Hon. Okiri: Thank you. Madam Speaker, this is a very fake report. In fact he should have not even brought it to this House, he should have even taken leave for today and be absent from this House. Even if you give this report to my grandmother, she cannot accept to present it before this House.

Number one; the Select Committee is talking about kilometers. If you ask them whether they went there physical or what their measurement that was taken by them to know that a specific road has covered certain kilometers. Madam Speaker, what methodology did the Committee use, that is not shown in this report.

The other thing that establishes that these House Committee is misleading this House, is that we reside in those wards. These roads belongs to our wards and we know them. We know that a particular road starts from point A to point B. The House Committee is here talking about whatever the report they received from the department which should not be the case. Madam Speaker, I know my ward (Kisumu West). When I am talking about Gee – Sianda Access Road, I know what I am talking about. So, this House Committee never went to the ground but only relied on the documents that was given by the Department of Roads.

If they are stating that the culverts have not been done, and then onto the recommendation, they say that it is done 100%. If culverts are not done, then what is there to be said that it has been done 100%? So, this House Committee is misleading this House.

Madam Speaker, this is why the predecessor will not make it even in Homa Bay because what she has done here is a replica of what she is going to do to the people of Homa Bay County. We must see that payment which was done is reflected here. If you cannot hold just a mere Department of Kisumu County; you Kisumu County is a modern county where people come to benchmark with us. If you cannot do it here, can you do it in Homa Bay County? Madam Speaker, I beg to reject this report, thank you.

The Temporary Speaker (Hon. Inviolata): Thank you Hon. Joseph Olale then I come to Hon. George.

Hon. Olale: Thank you Madam Speaker. I would like to reject this report in totality...

(Applause)

Madam Speaker, if we go to page seven; The Methodologies Used.

a) 'Requested for the relevant documentation with regards to the status of roads projects within Kisumu County'. This committee should have given us the documentation into the report that they requested. In this report, there is no documentation that was requested Madam Speaker.

On the same page;

b) 'Conducting inspection on the sampled roads by the House Committee'. They should have also informed us of the methodology they used to conduct this inspection.

Madam Speaker, to my surprise, if you check page 23, there is a road in Nyalenda Ward called Dunga Beach with a length of 0.2 kilometers marked with scope of work done as; filled with debris from Makasembo. If we go there, the whole of it up to the lake is tarmacked. Did this House Committee do a survey on this road or did they pour the debris on top of the already tarmacked road?

Madam Speaker, if we again refer to page 27, Kisumu Central. Madam Speaker, Improvement of Katworo Shakil Bridge Komoke Access Road. The County Government of Kisumu as I am fully aware and you could see the sign there, the County Government of Kisumu did not do this road it was done by the CDF.

I feel that the former CEC Member for Roads, Transport and Public Works took the County for granted and I wish reject this report. Madam Speaker, I propose that this report be taken to the Committee of the Whole House because this report is fake, thank you.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Ogutu.

Hon. Ogutu: Thank you Madam Speaker, I believe that today I am be the happiest man in Kisumu County and one might ask why. I believe that it is well known that I noticed something wrong happening is this particular department and Madam Speaker today those who were baying for my blood when I wanted to impeach this particular Minister are now in concurrence with me that there was something wrong in this department.

Madam Speaker, it has come clear from the onset and you can gauge the mood of this particular House that truly there was nothing that was done in this department. It has come clear how the department messed Kisumu County and I believed it is being assisted by this particular Select Committee of Implementation.

Madam Speaker, I can say that such a report should have not have found its head in this Honorable House. It is good that Honourable Members now have agreed with me that there is a problem in this Department of Roads, Transport and Public Works and the first problem which is there and

the Hon. Member don't want to come out clear is that this particular roads are being done by the officers and very important people in this County Madam Speaker, including those who head this particular department.

You can see that in this report, in fact it is a very bad report and even this House Committee never bothered to go down to the wards and verify what they have been given furnished by the department. A department which is there to at least cover what they did wrongly. I know that this is the time House Committees are rushing with reports to at least ease them because there is pressure from your chair that the reports need to be brought to this Hon. House. Madam Speaker, I believe this is the worse report to be brought to this House.

Madam Speaker, this House Committee cannot tell us that they used some methods or methodology to identify some roads which in actual sense are not even done. Madam Speaker, look at the road in Honourable Pamela Odhiambo's Ward which is indicated here that it has been done and she is now confirming that the road is a forest and we are yet to be told if that particular road was done. Where is the money which was allocated for that particular road? If it was done under the Machine-base Programme because I believe that as a House we allocated money for that which was to the tune of Ksh.500,000 per ward. Madam Speaker, we want to be informed where this particular money was diverted to, we cannot be milked in Kisumu County and now somebody is enjoying somewhere campaigning with our revenues which are supposed to help us here in Kisumu County.

Madam Speaker, I actually agree with Hon. Pamela and I am now putting it in another angle that this particular Minister has to be brought back and answer for this particular misdeed which happened during her time in office. Similarly, this House Committee which aided this particular doing and they present this report before this House for us to rubberstamp what went wrong in this Hon. County, they should be taken to jail together with this Minister so that they can answer to these wrong doings and know exactly whether this funds were divided to this particular House Committee. With those few remarks Madam Speaker I reject this report, thank you.

The Temporary Speaker (Hon. Inviolata): Thank you, yes Hon Deputy Whip.

The Deputy Whip (Hon. Obonyo): Thank you Madam Speaker, may I call the mover to reply

Temporary Speaker (Hon. Inviolata): Yes the mover!!

Hon. Agolla: Thank you Madam Speaker, if you allow me I want to do two activities at ago. I want to lecture this Members and I also want to reply...

(Loud consultation)

Madam Speaker this House Committee has been called names and I was patient and peaceful...

Hon. Otura: Point of Order Madam Speaker.

The Temporary Speaker (Hon. Inviolata): Which point of order Hon. Otura?

Hon. Otura: (On a point order) I want to talk to Honourable Agolla and ask him to stick to facts. Madam Speaker, I believe that this is a House of order and we use rules and procedures and even have Serjeant-at-Arm...

(Loud consultations)

Hon. Otura: Thank you Madam Speaker, when I bring a report before this House, I have to read it and it is the duty of the speaker to open it up for debate. After reading my report I am made to take notes so as a matter of facts let Hon. Agolla the Chair for implementation tell us if it is right to lecture us other than responding or replying to his report.

The Temporary Speaker (Hon. Inviolata): Hon. Members I would request the mover of the motion to reply and I hope you have taken note of what Hon. Otura has said.

Hon. Agolla: Thank you Madam Speaker, I was rising on a Point of Order but am now replying and not lecturing Members and I withdraw and apologies for that .

The Temporary Speaker (Hon. Inviolata): Please proceed.

Hon. Agolla: Madam Speaker, when I was referring this House to Standing Order No. 191, if you allow me I can read it as part of response to what Members raised. The Standing Order is very clear that there shall be a Select Committee known as Committee on Implementation comprising on the members that I will not want to read .Part two reads, the Committee shall scrutinize the Resolution of the County Assembly; including the Adopting Committee Reports, Petitions, and Undertaking given by the County Executive Committee.

Madam Speaker, this Standing Order is very clear and the point where Members were confusing the role of this Select Committee and the roles of Committee of Roads, Transport and Public Works. They were referring to us that why didn't we go to the Roads. Madam Speaker if you read part (b) of this Standing Orders...

(Load Consultations)

The Temporary Speaker (Hon. Inviolata): The mover is replying. Order!! Hon. Member. Proceed Hon. Agolla.

Hon. Agolla: Madam Speaker, the reason why I was raising that point is because Members were on their right by saying that the Select Committee did not investigate and did not visit all wards. It is true in our report that we say we sample roads in some wards and the Standing Orders guides this House Committee that we should scrutinize the Executive of which we did and our report indicates clearly that as per our findings on the report that they tabled before the House Committee

and what we found out when we visited the sites, we found a contrary report in the 3 wards that we visited and that should be noted. We found out that things were not flowing/tallying as per the report and so in our recommendation as a committee those are what we highlighted. I want to thank Members of this House for having been concerned by the status of the roads. I was happy when we were meeting the Executive and the Leader of Minority was there and the session was heated when Members of the Implementation Committee while investigating and inquiring on the issues that are of concern to Hon. Members. My only point is that this House Committee has got the mandate and we cannot abstain from that as a House Committee. There are things that should be done by the Standing Committee of Roads, Transport and Public Works.

Madam Speaker, we have been trained as a House Committee, we have benchmarked with other County Assemblies and the role of this House Committee is to investigate and bring the report whether or not implemented. So our report indicates that the report that the Executive is bringing to this House is not reflecting what is on the ground and we have indicated here that even in Kabonyo Kanyagwal I did order as a Chairperson that we will go with the department of Roads to ascertain what they have indicated yet we have not visited that road. By asking on what methodology we came up with the report and we don't undertake site visits, then that is not the role of this House Committee.

Finally, Members were concerned about the scope visa vie the money allocated on a particular project. Consequently, Members were again concerned on the stretch of the road done. We were given a response but the topography of various roads are different. You may find a road is allocated Kshs 3.5 million and it is only a stretch of 1 km.

(Load Consultations)

The road in question that is Kampala-Kadege-Kibarwa Access Road; the scope that the department agreed upon was 1.2 km but what was indicated in the BQ and the billboard that was displayed was 3.5. We questioned and cautioned the department not to display a billboard indicating 2.5 km and the scope done is 1.2 km. That is where the insinuation comes from the people saying that the MCA has embezzled the funds.

Madam Speaker, I believe that I have already illustrated that we didn't visit all roads and we did not visit all the wards. It is in your knowledge that the House Committee cannot be facilitated to visit all the roads in this County and by compelling this House Committee that we should visit all the roads then that would be unrealistic. The Sampling Method has been used as a scientific method of knowing what is happening and that indicated that what the Executive is tabling before the House Committee is not commensurate to what is displayed on the ground. I would like to beg Members that before you reject this report then, ask yourself that by rejecting this report that means you have not agreed with our recommendations and that there are mischiefs in the department of Roads and Public Works.

As I conclude, Members and leaders of the Chairpersons of various House Committees should do their work and not leave everything to the department or the Committee on Implementation. Our work is just to go and fact find if at all implementation had been done and then we report back to the House. The Standing Orders is very clear that after the adoption of the report, the resolutions will be directed to the Standing Committee of Roads and Public Works. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you. A report from the Select Committee of Implementation on the Status of Kisumu County Roads Projects FY 2020/2021 has been moved by Hon. Agolla, seconded by Hon. Khan and debated by Hon. Members I therefore propose to put a question on the adoption of the same.

(Question put and negative)

The Temporary Speaker (Hon. Inviolata): The report from the Select Committee on implementation on the Status of Kisumu County Roads Projects FY 2020/2021 has been rejected by the House today 30th March 2022 at 4.11 p.m.

Honourable Members, I therefore refer this report back to the Select Committee on Implementation and to report back to the House within 14 days.

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

ADJOURNMENT

The Temporary Speaker (Hon. Inviolata): There being no any other business to transact, the House stands adjourned to 31st March 2022 at 2.30 p.m.

(House rose at 4.15 p.m.)

Addendum

The Hansard Team

Zablon Otiende – Senior Hansard Reporter

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter

Jacklyne Otieno – Hansard Reporter

Jesca Otieno – Hansard Reporter

Vallery Achieng’ – Hansard Reporter