

# COUNTY ASSEMBLY OF NAKURU

## THE HANSARD

Tuesday 24<sup>th</sup> November, 2015

*Assembly Building*

*The House met at 2.55pm*

*[The Speaker (Hon. Susan Kihika) in the Chair]*

### PRAYERS

#### COMMUNICATION FROM THE CHAIR

-PROPOSED REORGANIZATION OF THE COUNTY GOVERNMENT

-COURT JUDGEMENT REINSTATING FORMER LEADER OF MAJORITY

**The Speaker** (Hon. Susan Kihika): Am in receipt of a proposal to re-organize Nakuru County Government Departments pursuant to County Government Act, Section 62(2) as indicated below; this is coming from the Executive. In order to enhance efficiency in service delivery, the County Executive Committee approved the memorandum on the reorganisation of the County departments as indicated below:

- 1) Department of Education, Culture, Youth Affairs and Social Services to have one CEC Member and three Chief Officers in charge of Education and Vocational Training, Youth Affairs and Sports, Culture, Gender and Social Services.
- 2) Department of Agriculture, Livestock and Fisheries to have one CEC Member and three Chief Officers in charge of
  - a) Agriculture and Agribusiness Development
  - b) Livestock Development and Veterinary Services
  - c) Fisheries and Aqua, Culture Development
- 3) Department of Trade, Industrialisation, Cooperative, Tourism and Wildlife to have one CEC Member and two Chief Officers in charge of
  - a) Industrialisation and Cooperative Development
  - b) Tourism and Wildlife
- 4) Department of Finance and Economic Planning to have one CEC Member and two Chief Officers in charge of
  - a) Finance and Revenue
  - b) Budget and Economic Planning

But please note that as the County Assembly you will be required at the opportune time to approve names of those nominated for those appointments as Chief Officers.

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Next Communication;my office is in receipt of a judgment in **Misc. Application 67 of 2015**dated 12th November, 2015 by Hon. Mr. Justice G.V Odunga that dismissed a Notice of Motion dated 12<sup>th</sup> March, 2015 seeking to quash the decision of the political parties tribunal dated 2<sup>nd</sup> March, 2015. Following the dismissal of the judicial review the orders of the tribunal:

- a) That the Nakuru County Assembly meeting purportedly held on 30/6/2014 at Kunste hotel, Nakuru was illegal and invalid and that all resolutions made thereat were made ultra vires the powers of the said Assembly
- b) The subsequent adoption of the resolutions made at the said meeting by the Nakuru County Assembly was likewise illegal, null and void
- c) That the 2<sup>nd</sup> and 3<sup>rd</sup> respondents (Hon. Samuel Waithuki Njane and Hon. Paul Kibet Chebor) shall forthwith vacate the office of the Leader of Majority and Deputy leader of majority of Nakuru County Assembly forthwith which positions will for the avoidance of doubt revert to the 1<sup>st</sup> and 2<sup>nd</sup> applicant (Hon. George Mwaura Njenga and Leah Jepkoech Serem) herein.

I am also informed that, following a meeting held on 23.11.2015 by the Members of the Majority Party in the Assembly, a resolution was made to comply with the ruling.Thank you.

*(Applause)*

**The Speaker** (Hon. Susan Kihika): Maybe we begin with honourable Serem if you want to make a speech? Honourable Serem you may proceed and then honourable Mwaura.

*(Applause)*

**Hon. Leah Serem:** Asante sanaMheshimiwaSpikakwahiinafasi. Kwanza ningependakushukuruhiiNyumba, nikianzanaMheshimiwaSpikaambayeamekuwaakituoongozanazaidiyayotekwakuletaamanikatikaNyumbahii.

Pili nawashukuruwaheshimiwawotekwakuwapamojasantakwamaombina vile vita vyoteMunguamewezakutujaliananikotayarinikiwanamwenzangu Mwaura kuunganapamojatuwezekusaidianakatikamajukumuyetu. Kwa hivyoonaombatuwenaumojailituwezekuendelezaKauntiyetu. Asante sanaMheshimiwaSpikanaasantenisana, Munguawabariki.

*(Applause)*

**The Speaker** (Hon. Susan Kihika):Thank you very much honourable Serem. Now we have honourable Mwaura.

*(Applause)*

**The Leader of Majority**(Hon. George Njenga): Thank you Madam Speaker, honorable Members, I stand before you today, in this Honorable House, with lots of humility and gratitude after the long wait for justice to be done on our wrongful removal from the office of Leader of Majority and Deputy Leader of Majority in June 2014.

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First, I want to thank the Honorable Members and supporters that stood by me and my colleague, Hon. Serem. Though the wheel of justice may turn slowly, it has finally turned and we have been vindicated. The removal was irregular, unfair and against rules of natural justice. We have no ill will even as we take back our office. We seek to continuously observe the rule of law in service to our Coalition Party, Jubilee, Honourable Members and the people of Nakuru County.

That said, Hon. Speaker, I wish to pledge my commitment and that of my colleague in a bipartisan approach to all matters before this House. I will continue to listen, consult, compromise, negotiate and jealously guard the interests of Honourable Members and this House in all endeavors. I will work with the House Committees' leaderships, other political leaders and stakeholders in the county for improved service delivery to our people. Let me inform the House and state categorically that we do not seek to have any changes in the Committees of the House as currently constituted.

Finally, I seek support of the Whole House to ensure we meaningfully contribute to making life better for Nakuru people. We must strictly observe provisions in our Standing Orders, County Government Act 2012, and the Constitution of Kenya as we discharge our mandate of Representation, Legislation and Oversight.

I seek the support of Members and the County Assembly as a whole in ensuring we remedy the bad publicity we have occasionally received. Let us work as a team to ensure we promote our good image, peace, and unity and ensure reconciliation and consensus in all that we do.

The interests of Wanjiku, who voted for us in our respective wards, and also represented by Special Seat Members, must remain supreme. We must not allow these interests to be compromised from whatever quarter.

Madam Speaker, I end my statement by extending my hand to all Members and urging them to join me as we make the impact and create a difference in our people's lives. God bless you, God bless Nakuru County, thank you.

*(Applause)*

**The Speaker** (Hon. Susan Kihika): Thank you honourable Mwaura.

### **MOTION**

#### REPORT ON THE STATUS OF COUNTY ROADS AND OTHER PUBLIC WORKS PROJECTS

**Hon. James Mwaniki:** Thank you Madam Speaker, I am the Vice Chair Roads, and I was elected unopposed.

*(Laughter)*

I beg to move this Motion on behalf of my Chairman who is not around.

THAT this House adopts the Report of the Sectoral Committee on Transport and Public Works on the status of the County roads and other Public Works projects tabled before

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this House on 19<sup>th</sup> November, 2015. I request any Member of this Committee to second the Motion.

**The Speaker** (Hon. Susan Kihika): Thank you honourable Humphrey, honourable Muigai you may proceed.

What is in this House this afternoon! Okay let us have honourable Humphrey finish first because we cannot have the two of you standing. Honourable Muigai you may proceed.

**Hon. Joseph Muigai:** Thank you Madam Speaker, before I second allow me to congratulate my unopposed Vice Chair; that shows how well he is able to represent the interests of the Committee as has been seen from his representation.

Secondly Madam Speaker, this Report is well researched and it reflects the wishes of *Wanjiku* of the areas that the Committee visited and as we speak, some of the Members that we visited just after the Elnino started are satisfied that there are some correction works that are going on, so on that strength, I support that we adopt this Motion and with all the recommendations by the Members representing the various wards that we visited. I second that this Motion be adopted as a Report of the Committee, thank you Madam Speaker.

**The Speaker** (Hon. Susan Kihika): Thank you honourable Muigai, it is now open for debate. Honourable Stephen.

**Hon. Stephen Kihara:** Thank you Madam Speaker, I rise to support; it is important for all of us to realise why we were brought to this House from the various wards that we represent. And one of the cardinal responsibility that we were given, not only by the people but also by the Constitution of this Republic is Oversight and Representation. The Assembly is supposed to work autonomously from the Executive and in the Assembly we have the various Committees that are supposed to oversight line Ministries.

Madam Speaker I want to congratulate the Committee on Roads because it is one Committee that has rose up to the occasion, I was among the Members who went round to the various projects within our wards and people at the grassroots have in some occasion gone through a lot of suffering, and they do not have anywhere to air out their views but when the Committee goes to the ground they are able to have the feeling of what the people are going through at the grassroots.

The Members that we were with can attest to this, for instance there is a bridge that is in Rongai and I want to sympathize with my colleague honorable Gitau that one of the bridge that is there, I think it is only by God's grace that it is there, otherwise even the members that we were with, we had to alight from the vehicle first because we felt scared that it might toppled down when we were crossing over.

We also took photos to that effect for Members to appreciate what we saw there, what is also very important is that such projects require a lot of money which cannot be sourced from the ward kitty, so we are requesting that we also have some money in the Executive side as a headquarters kitty where such projects can be addressed from.

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We have also seen in some section of the Media that we have money for El Nino purposes coming from the National government and it is important for this House to follow up on the same and find out what is happening, if really there is money for that purpose I would request that honorable Gitau be given a priority in term of addressing that bridge because it is a bridge that connects two villages and once that bridge is cut off, it will mean that no services will be offered to the people who are on the other side of the village.

There are various projects on roads that we visited and some contractors had done very shoddy work, like in the chairman's ward. What we proposed as a Committee in the report will go a long way in mitigating the issues and also saving the face of the MCA in the village and the name of the County in *Mashinani*.

There are a lot of sensational claims that money has been eaten and why the people say money has been eaten is because they see some of these uncompleted projects and some of the poorly done projects and when we take it upon ourselves as an Assembly to address these issues and make sure that the works done is up to standards and done on time then we eliminate the opportunist who take advantage of situation.

There so many of them for instance in my Ward who want to vie for the seat and they have all the rights to do so, but it is unfortunate that some would want to capitalize on uncompleted projects or a project that was poorly done and I am not the one who did it neither am I the one who paid the money. As an Assembly and as honorable Members, we must team up and make sure that we do things right, henceforth as an Assembly we must take it upon ourselves that things must be done right so that we eliminate opportunists and propagandists who take advantage of the situation, otherwise I support the Motion and I really congratulate the Members of the Committee on Roads and Public Works and I support that we adopt this Report, thank you Madam Speaker.

**The Speaker**(Hon. Susan Kihika): Thank you honorable Kihara, honorable Peter Muchiri.

**Hon. Peter**

**Muchiri:**

Asante

sanaMheshimiwaSpika,miminimeamkakuungamkonoHojahii,kablayakufanyahivyomiminatakak  
utoashukranizangukwaNyumbahiikwaheshimawaliotoatangujanakwasababuhakungekuwanahesh  
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chamaanasananawashukurukwakuonyeshauongozimzuri.

Mimi

natakakusemayakwambatumekuwatukipitishaMwsadanakupendekezakaziifanyikewakatimaafana  
shidainapotokeakatikaKauntiyetulakinitukifanyahayayote,hakunakituinafanyika.

WakatituliendakuleVisoi,Njoronakwangu

Subukia

tulionashindaambayoikokulenishidaambayotunawezakutatua,tunaofiasanakwasababuukiendakati  
kawizarayaBarabaraambayosisiniwanakamati  
,kaziambayowaohufanyanimingilakinikuitekelezanishida.

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Kwangu Subukia kumekuwanamaafa,viletunavyoongeakuhusuKisimahii ,mwehishimiwaGavanaaliendahadikulenakuJulishwayakuwamtualiakhakulesikuiliyopitanaakaahi diyakwambaatafuta pesa kwakilanamnailiKisimahiyoirekebishwe.

Mimi natakakushukuruKamatiyaBarabarana piaNyumbahiikwasababusi hufanyakazipamoja,najuwamwenzanguMheshimiwa Waitbaka atakuwashahidiwangukwasababuKisimailiyoharibikaya kwanza ikokuleWadiyakekatikaeneoya Maombi ,majiikitoka Maombi huwainateremukakule Subukia nawanafunziwanakuwanashidamingisanakuvukamtokwendashule.

MiminaombaMswadahuupitishweilimanenohayayafuatiliwekwasababumvuabadoinanyesha,niki malizianatakakushukuruMheshimiwaSpikanaWaheshimiwawotewaNyumbahiikwakazimzuritang umwazo,asantesana.

**The Speaker** (Hon. Susan Kihika): Thank you honorable Peter, Honorable Daniel.

**Hon. Daniel Ambale:** Thank you Madam Speaker, I also want to thank the Committee for going all the way to identify problems facing citizens in various wards as cited in this Report, this Report brings out clearly the various challenges that the people are facing but I am concerned with the recommendations made by this Committee regarding the problems, in one part I agree with some sections that are dealing with Constructors that were assigned to do the roads but when it comes to the dams and the bridges I see a gap.

We are all a government, we know the resources we have, we know how we share the resources, we know the process and the procedures of sharing the resources and we know what should be done by who in this government to be able to solve the problems of our people, so I look at this recommendations that the government need to undertake but I cannot see clearly how the government is going to raise the funds to be able to undertake the projects.

For the last two financial years, I exempt the first financial year because most of us had not known the procedures but the last two we have had funding going to wards, that the Committees of this House goes to the wards to get to the people and tells them the amount of money they have and the people give out the priority areas that they want the government to assist.

This Report does not indicate us to whether either the people in this Public Participation or their representative made any effort to allocate money to solve the problem they are facing, we have heard in the past where the Governor goes to a place and we are told that he tells the people that this a problem that we can deal with but when he comes back he finds out that there is no money in the Budget to deal with the problem.

We know very well that we have been allocating development money to the various Wards to be able to identify the problems and solve them, these Members have not indicated in the report as to whether they allocated money to construct bridges that seem to be broken in their areas. That leaves me wondering as to where exactly we as Members of this House would be instructing the government to get the money to do this work, I may ask from this Committee Members and probably if the Chairperson is around to help us understand where the Committee envisaged the source of the money that would be used to do this bridges.

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It is very sad to be told that this people have died in an attempt to move near a dam and another cow had its limbs broken when it tried crossing a bridge and these things have been there since the colonial period, surely the twenty five million that these Members received, didn't they think that it is a problem that they could do.

**The Speaker** (Hon. Susan Kihika): Honorable Steven Kihara first and then I come back to you, honorable Daniel can you turn off your microphone.

**Hon. Stephen Kihara:** I was standing so that you could see me, but I was standing on a Point of Information because my colleague whom I have a lot of respect is making sensational claims and weird allegations and he is driving us outside from where we are supposed to be debating.

As much as I appreciate his effort to try and ask where government is going to get money but it is not his business to know where the government is going to get the money.

*(Applause)*

This is a Report that is going to be communicated to the Executive, we have people who have been hired, paid up allowances and salaries, among them are people who are supposed to know where the money is supposed to come from, others are technical people, who are supposed to go and visit that bridge and quantify what amount of money is required to rebuild that bridge and I also want to inform him because he was not there when we went there and it is important for us to bring him up to speed so that he can go along with us.

The honorable Member from Kaptembwa, it is important for you to understand that the said bridge was washed away by the latest water from the El Nino and if you listened to me when I was making my contribution I asked that if there are funds that are available for mitigating El Nino effects, the first priority should be given to the said honorable Member, I am thinking that he never cared to listen to me when I was contributing.

He wants to make some farfetched allegations and I want to inform him that the recommendations that we made in this Report is going to be taken to the Executive and we have a whole team, it is a multidisciplinary report where it will touch on people on Finance it will touch on people on Public works, it will touch on people on roads, engineers. As a Committee we did not have to quantify because we are not experts, the engineers will sit down and plan to quantify the said works as well as the issues of the dams in Subukia, the issue of the roads.

*(A Member stood in his place)*

Madam Speaker someone seems to be sabotaging but thank you for protecting me and I ask him to hold his horses as he will have his time. As I was saying he has to appreciate where we are coming from and where we are headed to because it is a process, it is not that what we are saying here in this Report, it is something that can just be done by this Assembly, we are sending it to the Executive in which a team will sit and see how the various recommendations that we have made in the Report are going to be adhered to. Thank you.

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**The Speaker** (Hon. Susan Kihika): Honorable Gitau lets have the... Hon. Ambale just hold your horses. Hon. Gitau.

**Hon. Edward Kamau:** Madam Speaker thank you for the chance, most of it has been done by Hon, Steve but it is absurd that we are giving a story of a bridge that was built during the colonial times and 50 years later somebody expects that bridge to be new, I think the Leader of Minority is misleading this House and he is actually out of order. His debate is not based on this Report and we are going to contribute more when given the chance.

**The Speaker** (Hon. Susan Kihika): Thank you. Honorable Ambale you may proceed.

**The Leader of Minority** (Hon. Daniel Ambale): Thank you Madam Speaker. I just want to remind my colleagues here that we are here to adopt a Report which must be implementable by this Government. We have no business adopting and passing Reports that cannot be implementable. I have no problem with the Report but we must give a clear way how implementable this Report would be. That does not mean I rule it out, I am just jogging your minds so that we are also able to work out and do an amendment to this Report before it is adopted so that when it goes to the Executive it is easily implementable. My colleague who is an architect, I do not talk about BQs here I am not an architect I understand there are technical people, but he tells me in his contribution which is not part of this report he told us that part of the money scheduled to be used for Elnino be used. This Assembly has not been informed of any money put in place to mitigate Elnino effect. I believe that something must be done in giving the Executive a clear path of how to obtain the monies to be able to execute these projects and this must be done in this report. I do not want us to be skeptic of the reality we can run away but the problem will remain with us. You will still go to Wananchi telling them you brought the Assembly here you saw the thing, what then have you done? By the time we pass this report we need to have known that this is how the money is going to be obtained, money that will be used to repair these bridges, Elnino is a yesterday problem but this problem has been there over years and we have been told some of these bridges are as old as our independence that is what is called Colonial period, as old as independence and we have heard over 75 million for the last three years I thought that we allocate money to rehabilitate this bridge because it serves my people. My argument is that this Report be amended to provide a clear way on how the Executive is going to implement it otherwise we will not be doing a service to ourselves. Thank you.

**The Speaker** (Hon. Susan Kihika): I have Hon. Peter then I will come back to you because you contributed a bit before.

**Hon. Peter Mwangi:** Thank you Madam Speaker, I stand to concur with this report because this is a true reflection of what is happening in our wards especially on the side of contractors. I would differ with Hon. Ambale on this report on the side of contractors and works that are going on or works that have already been completed. There is a big challenge and a big conspiracy from the Executive side to try to cut off the Members of County Assembly in the works going on in the villages with a view that we are overseers and not implementers. This has made it possible for some of the contractors to collude with the engineers and they are paid even before a satisfactory completion of the project. I would like to concur with this committee especially on

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the recommendation about Tombo – Nyakinywa road projects, in their recommendation point number 5 they recommend that the area MCA be involved in all site meetings and the final handing over of the project, number 6 is saying the contractor should not be paid before the area MCA ascertains the works are complete and satisfactory. I cannot agree more with those two points because the only person who carries the weight of political implication of any project in the ward is the Member of County Assembly. The agreement being fronted from the other side has brought us trouble because a road is badly done and all the fingers are pointed at the area Member of County Assembly and the opponents are taking a good chance saying that we have eaten the money. So it is just immoral for a contractor to go on the ground and ask a chief where this certain road is and after completion the only phone call you get is that the contractor was paid and that is where I differ with Hon. Ambale because half of this report is talking about projects that are ongoing and some others are underway and are not complete. However I tend to agree with him on the issues of dams because especially when we look at the Subukia case the dams are squarely in the ward, we all have a ward envelope and unless a dam is cutting across it should be the priority of the ward while they allocate the ward envelope. So if I have a dam that is bothering the community I should first think of allocating the money according to the ward envelope not unless now the dam goes beyond our budget. Thank you.

**The Speaker** (Hon. Susan Kihika): Thank you. Hon. Gitau you may proceed.

**Hon. Edward Kamau:** Thank you Madam Speaker. I want to support this report tabled by the very able engineer Humphrey Mwaniki and at the same time I urge other chairmen like the chairman of health to also table his report on the status of health especially in this period of Elnino because there are also health related issues with Elnino like outbreak of waterborne diseases and other issues. I would also expect a similar report from the committee on implementation on the status of projects at ward level especially in the financial year 2013/2014 and 2014/2015 some of which have not been completed. There are rules of procurement and if a contractor goes beyond a certain period then the rules of procurement if properly applied, that contractor is supposed to be punished in whichever way depending on the rules of procurement. We have projects of the financial year 2013/2014 which have not been completed to date and the department of procurement is doing nothing about it. I urge the chairman of the implementation committee to go round this County and push this department to reallocate this projects.

**Hon. Simon Ngigi:** Point of information Madam Speaker.

**The Speaker** (Hon. Susan Kihika): Yes Hon. Simon. Let the point of information first come on then you will come back.

**Hon. Simon Wanyoike:** Asante Mheshimiwa Spikanatakakumjulisha Mheshimiwa Gitau ambayenimwanachamawakamatiya implementation naanajuayeye Sheriaya Bunge hii 192 vile imesemakuhusukamatiya implementation. Hii imekuwachangamotokatikakamatiyanguyakwambahatuwezikahapatuzunguketujenaripotipa halihapa. Vile tunafaakufanyanivilekamatiyabarabaraimefanya, mwenyekiti amepeanaripotisanikamatiya implementation kuchukuliakutokahapona Mheshimiwa Gitau anajuahivokabisasabunimwanachamawanguambayenampendasana vile

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Asante.

**The Speaker** (Hon. Susan Kihika): Hon. Gitau you may finish.

**Hon. Edward Kamau:** Chairman for implementation but I meant the report, it is the reports that you are supposed to follow. Madam Speaker I want to contribute to this issue of Elnino and because it is closely related to the report that has been tabled. Sometimes back I invoked Standing order 36 and we discussed Elnino as a matter of County importance and it was after the Governor's speech was read during the Mashujaa day implying that 500 million had been set aside to mitigate against the Elnino catastrophe and it is like the Executive became agitated and the following morning we were in Emboita and everybody was out there with the fire extinguisher imagining there was fire around and after that the Governor assured us that a budget to mitigate against Elnino has been drawn by his Executive and that budget will be brought inform of a supplementary budget to this Assembly, that was more than a month ago and so far nothing has been done, it looks like the fire, the agitation from this House went off and the Executive also went sleeping. The then Leader of Majority appointed an ADHOC committee to form a link between the Executive and the Assembly in terms of giving information on what the Executive is doing concerning Elnino. The Members selected me as their chairman and I have tried in vain to meet Minister for Water who is the chairperson, I have tried in vain to meet the Minister for Roads, those are the core chairs of the Elnino disaster coordinating committee appointed by the Governor. I want to put it clearly without fear of contradiction that there is information that the Executive is hiding concerning the money for Elnino otherwise this Assembly would have been informed by now, you heard the other day some old women were being washed by rain in Elementaita ward where Hon. Musa comes from. The Elnino is here and it is ravaging and killing people, there are areas down this way where people are sleeping outside, a place in my ward called Kayole, people are now sleeping outside, I have requested Red Cross to come and assist and when we talk about these bridges, one bridge that stands between five schools and five villages and a dispensary and people cannot access this, where is the money going to come from? The Supplementary budget.

The budget has already been drawn so we are not pushing the executive to get money that is not there. It is this Assembly that allocates money to the Executive. If they bring a supplementary budget here to assist the affected areas, then we are going to move forward. I also want to state that there is a dangerous trend of the executive ignoring our recommendations and reports.

*Applause*

They do not take reports from Assembly seriously and if I am going to offend somebody I am sorry about that, it is the level of engagement that we put. We invite members of the executive without proper planning such as questioners. They see as if we are not serious about our engagement with them. I want to urge that as we go through this financial year we get facilitation

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for a capacity building for Chairmen and their Vice chairpersons. I miss the Kitengela days so that members can come up ...

**The Speaker** (hon Susan Kihika): I can see hon Humphrey has a point of information let us give him one minute

**Hon Humphrey Mwaniki:** Madam Speaker as vice chair Roads, we had a meeting this morning with Chief Officer Education and Director of Procurement and we came to a conclusion that we are going to hold a workshop immediately because we have problems in every Ward and he is going to invite Engineers, CEC and COs from relevant departments so that they inform us how they write BQs. For example we have many ECDs classrooms which are not completed and contractors have already surrendered and written letters to abandon the projects which they cannot complete due to lack of funds. So I told the Director that we are going for a long recess so we do the meeting soonest so that we can discuss that matter together. That is the information I had

**The Speaker** (Hon Susan Kihika): Thank you for that information but also let us not lose sight that we are actually in a Motion let us not stray too far. I understand the emotions and I know what is going on as far as the El nino phenomenon is concerned. I am not holding you to the five minutes contribution per person but let us remain relevant to the Motion.

**Hon Edward Gitau:** I want to sum up by saying this is an urgent report that requires urgent intervention, through your office Madam Speaker, as Chair Elnino disaster task force, I want to request that the reports that will come in relation to Elnino in the near future be acted upon with utmost urgency

**The Speaker** (Hon Susa Kihika): Hon Kiarie

**Hon Stephen Kiarie:** Thank you Madam Speaker, I support this report and especially I would like to mention a few things concerning the first road report affected Njoro –Sigotik project. I would like to make some correction by indicating that it is supposed to be Wright. Actually the Wananchi have renamed it all sorts of things. During the colonial era, there was a sign post pointing a white settler's home called Mr. Wright. I want also to make recommendations that the road linking Njoro Ward and Sigotik in Nessuit ward. I want to commend the committee for the recommendations indicating that the contractor be given a warning letter. It has taken him over a year and it is correct that he appears to have abandoned the project and the Committee on Implementation serves him a warning letter as soon as possible.

**The Speaker** (Hon Susan Kihika): Thank you very much; hon Mujing'a were you up?

**Hon Mujing'a Kariuki:** Thank you Madam Speaker. I stand to support the Motion but there are few grey areas; if you look at item one, Njoro - kwa Wright road, the area MCA highlighted that the contractor was incompetent; citing that it had taken him more than the required time to complete the project. The committee did not indicate what it is supposed to be done to incompetent contractors. If you go down, there are also saying the MCA complained that the workmanship was done during rainy season making it difficult for the work to be sustained. In

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the first place the contractor was incompetent, in the second point, the committee supports the incompetent contractor by saying nothing can be done during rainy season

**The Speaker** (Hon Susan Kihika): Pont of info from Hon Steve

**Hon Stephen Kihara:** Thank you Madam Speaker and I want to defend committee on Roads and I was among members that attended the site visit. It is important for us to appreciate that some of what we find in the report is the feel on the ground. It is important to get the feeling in regard to what the contractor is doing, community's feeling and what is supposed to be done. There then we find recommendations of this Report, you will also find that, the road mentioned, you look at the recommendations made by committee you will find that the contractor that the committee recommends be given a warning letter. Why is the contractor supposed to be served with warning letter, it is because of the lapse in contract period. The warning letter is to advise him in terms of quality which is substandard. I want to inform my colleague that the feeling contained in the report is informed by findings on the ground and we have to recommend in terms of views raised from the site and we need to appreciate

**The Speaker** (hon Susan Kihika):you may sum up; hon Palang'a just wait for your turn.

**Hon Mujing'a Kariuki:** If you look at item two; Tumbo- Nyakinywa road, the committee found that the earmarked road for works was about 11.5 km of about 6 metres wide, however only 7.3km was done and very narrow the committee does not recommend what is to be done to the contractor. Otherwise from 215 lorries of 20 tonnes to 142 lorries, that amounts to 1,460 tones stolen, that contractor is supposed to account for 1,460 tones. Otherwise the committee has to amend this report so that the contractor can account for the loss

**The Speaker** (Hon Susan Kihika): I call upon hon Palang'a

**Hon Peter Palang'a:** Thank you for giving me chance to contribute, this is a commendable job by committee and they have delivered their mandate. I just wish to make some observation and later recommendations in regard to projects. In my own assessment there are two projects mentioned. There are bridges that were also constructed and have since been washed away during Elnino. There is a report that has been undertaken by government and make further recommendations regarding Tumbo-Nyakinyua road project in Sirikwa Ward. You note there are some shoddy jobs done because the project was intended to cover 11.5 km it is only 7.3 km that were done and narrowly. Also the committee does not tell us who is to rectify the mistake and you cannot just leave it open ended. It should be clear if it is the contractor. I wish to add into the recommendation as they talk of culverts to be redone the committee has not recommended who is to rectify the mistakes. It should be clear if the contractor. I also take note of Subukia Valley Dam. The Report indicate that the Governor gave instructions two years ago but so far nothing has been done, I am concerned that the recommendations given are blank. We should give instructions that specific issues be addressed. Thank you.

**The Speaker** (Hon Susan Kihika): Thank you very much hon Palang'a; thank you for the good contributions. I put it to question; that this House adopts the report of sectorial committee on  
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*(Question put and agreed to)*

We stand adjourned until tomorrow morning at 9.30 am.

*The House rose at 4.00pm*