

COUNTY ASSEMBLY OF BUNGOMA
COUNTY ASSEMBLY DEBATES

DAILY HANSARD

WEDNESDAY 13TH APRIL, 2022

Morning Sitting

COUNTY ASSEMBLY OF BUNGOMA

HANSARD OFFICIAL REPORT

WEDNESDAY 13TH APRIL, 2022

The House met at 9:30 a.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

PRAYER

PAPERS

REPORT BY GENDER AND CULTURE COMMITTEE ON THE ACTIVITIES UNDERTAKEN IN THE 5TH SESSION OF THE SECOND COUNTY ASSEMBLY

Hon. Vitalis Nyongesa: Thank you Mr. Speaker. I am on my feet to table a report by the Gender and Culture committee on the activities undertaken in the fifth session of the Second County Assembly.

Mr. Speaker: Honourable members, the report by the Gender and Culture committee on the activities undertaken in the fifth session of the second County Assembly of Bungoma is hereby tabled and it forms part of the records of this House accordingly.

NOTICE OF MOTION

THAT THIS HOUSE ADOPTS THE REPORT BY GENDER AND CULTURE COMMITTEE ON THE ACTIVITIES UNDERTAKEN IN THE FIFTH SESSION OF THE SECOND COUNTY ASSEMBLY

Hon. Vitalis Wangila: Thank you Mr. Speaker Sir. I hereby stand to issue a notice of motion that this House adopts the report by the Committee on Gender and Culture on the activities undertaken in the fifth session of the second County Assembly.

Mr. Speaker: Honourable members, a notice of motion having been duly issued that this House adopts the report by the Gender and Culture committee on the activities undertaken in the fifth session of the second County Assembly of Bungoma, I direct as follows; the Table Clerks to proceed and circulate this report to the Honourable Members for their consumption as it will be forming part of our motions in the course of this week.

STATEMENTS

STATEMENT PURSUANT TO THE PROVISION OF STANDING ORDER NUMBER 41 (2) (C) ON THE STATUS OF CONSTRUCTION OF PIT LATRINES AT N'GOLI DISPENSARY AND KIMWANGA MARKET

Hon. James Barasa: Honourable Speaker, on behalf of my colleague Hon. Erastus Nyongesa who is on the way coming, he has just delayed because of the nominations and has instructed me to raise this statement on the floor of this House.

Pursuant to the provision of Standing Order 41 (2) (c), I hereby on behalf of Hon. Sospeter seek for a statement from the chairperson, sectoral Committee on Housing and Sanitation. This is in respect to the status of the construction of pit latrines at Kimwanga market and N'goli dispensary while noting that the same was budgeted for in the financial years 2018/19 and 2020/21 respectively.

In the response, the Chairperson to enquire into and report on the following;

1. How much was budgeted for the construction of each pit latrine?
2. Who are the contractors?
3. The status of the construction of each of the pit latrine.

Mr. Speaker: Thank you Hon. James Barasa. Honourable Members, any member of the said committee on Health and Sanitation. Hon. Sophia on behalf of the Chairperson, after how long do we get feedback? Before we proceed, it is Housing and Sanitation, not health!

Hon. Sophie Marumbu: I am a member of both Housing and Sanitation and Health.

Mr. Speaker: I think you are now saving our face here for today so whichever Chair you are holding brief for...The Chair is present! Hon. Wamusai Sorry!

Hon. Chrispinus Wamusai (Chairperson, Committee on Housing and Sanitation): Honourable Speaker, it is quite in order because I have very able members who can hold brief even in my presence because we have confidence in them.

I take cognisance of the statement and I will request for 4 days to bring the response. Thank you.

Mr. Speaker: Hon. Wamusai you have sought for 14 days which takes us to 27th in our normal sitting like today on Wednesday and in the 9:30 a.m. sitting. We will give you exactly 14 days as sought.

Hon. Chrispinus Wamusai: Most obliged Honourable Speaker.

MOTIONS

THAT THIS HOUSE ADOPTS THE REPORT BY THE COMMITTEE ON YOUTH AND SPORTS ON THE LOOPHOLES IN YOUTH ACCESSIBILITY TO TENDERS

Mr. Speaker: Hon. James Barasa! From where I sit, I am looking at my sitting arrangement and my House is full. Do not worry! Let her...I am seeing my Honourable Members have logged in...enough of them. Don't worry she is going to have her own way out.

Hon. Mutiembu it is your mandate to move the motion, nothing should worry you! Kindly proceed!

Hon. Everline Mutiembu: Thank you Mr. Speaker Sir, I rise to move a motion by the committee on Youth and Sports on the loopholes in youth accessibility to tenders.

Chapter one- We have the preface,

1.2 Mandate of the committee,

1.3 The function of sectoral committee which we all know.

1.4 COMMITTEE MEMBERSHIP

Mr. Speaker Sir, the committee on Youth and Sports comprises of the following members;

1. Hon. Luke Opwora - Chairperson
2. Hon. Elvis Abuka - Vice Chairperson
3. Hon. Rose Imbega - Member
4. Hon. Hildabeda Siang'a - Member
5. Hon. Charles Nangulu - Member
6. Hon. Cheprot Chesibok - Member
7. Hon. Everton Nganga - Member
8. Hon. Rosemary Khisa - Member
9. Hon. Winnie Nyambok - Member
10. Hon. Caviny Lukosi - Member
11. Hon. Fredrick Musebe - Member

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| 12. Hon. Jerusa Aleu | - Member |
| 13. Hon. David Barasa | - Member |
| 14. Hon. Everlyne Mutiembu | - Member |
| 15. Hon. Zeddy Mukhwana | - Member |

1.5 ACKNOWLEDGEMENT

Hon. Speaker,

Allow me to appreciate all members of the Committee and the secretariat for their contribution during the interrogation and report writing on the loopholes in youth agenda in the County planning documents, the County budget and youth accessibility to tenders. I also take this opportunity to thank the Offices of the Clerk and the Speaker for facilitating this exercise.

Further, this Committee extends its gratitude to CECM for Gender, Culture, Youth and Sports and Chief Officer Youth and Sports for their submissions that aided the Committee in discharging its mandate

On behalf of the Committee, I have the honour to present the report on the loopholes in youth agenda in the county planning documents the county budget and youth accessibility to tenders.

Signed by **Hon. Luke Opwora**

Chairperson–Youth and Sports Committee

CHAPTER TWO

2.0 BACKGROUND INFORMATION AND COMMITTEE FINDINGS

2.1 Background Information

Mr. Speaker Sir, a statement was raised by **Hon. Tony Barasa** on the floor of the House pursuant to Standing Order 41(2) (c) which sought the department of Youth and Sports to give response on the following concerns:

1. Explain why CIDP and ADP do not have various youth agendas and majorly dwells on sporting facilities alone

2. What structures has the County government put in place to ensure active involvement of the youth in County development planning documents (CIDP, ADP) budgeting and implementation particularly of the youth programmes.
3. Documented proof for involvement of the youth in County development planning documents (CIDP, ADP), budget making process and implementation of the same.
4. What structures have been put in place to ensure that youths have access to county government information and documents including budgets and reports of development programs implementation by the County Government.
5. The interventions put in place so that in future youth participate in the development of the statutory county planning documents so that their agenda are well covered.
6. What the departments within the County Government have been doing in terms of the youth programs.
7. Provide proof of mechanisms through which the sector working groups involves the youths in the development processes and provide the names of the youth representatives in each sector working groups.
8. How many tenders have so far been awarded to the youth groups, providing the names of the same, since 2017 to date across all County departments and entities?

The Clerk to the County Assembly communicated the concerns to the County Executive Committee Member Gender, Culture, Youth and Sports vide a letter dated 17th November, 2020. The responses were scheduled to be submitted on or before 25th November, 2020 but they were submitted on 16th February, 2021 REF: CG/BGM/MGCYS/CA/VOL.II (07). And the response was committed to the Committee on Youth and Sports to interrogate it and report to the House.

The Committee went through the response and identified some gaps and went ahead and wrote a letter to the department on 28th February, 2022 highlighting the gaps in the response.

The Chief Officer in her report submitted that the youth agenda is the development of the capacity of the youth to take charge of the affairs in their own county through leadership, training, knowledge generation and dissemination and facilitating platforms for them to engage in governance and development processes. She added that youth agenda cross cuts national government through the state department of Youth, County Government and other partners working with youth.

The national and county government runs the youth centered programs with the aim to;

- a) Encourage innovations and inventions

- b) Capacity build the youth
- c) Provide knowledge by giving bursaries
- d) Economic empowerment by giving startup capital
- e) Economic empowerment by giving less interest capital
- f) Intellectual capital by giving opportunity for youth to join vocational training Centers for a less subsidized fee and no fee at all.
- g) Providing a revolving youth fund though the fund has faced challenges as youth borrow but don't repay willingly.

Mr. Speaker Sir, The department of Youth and Sports has engaged the youth through Ajiri program that capacity builds and create online jobs related content for the youth and also organizes fumigation program that engage youth from all the wards.

The department also initiates and runs programs in relation to the youth in other departments in the Bungoma County Government to seal the loopholes in youth agenda. The programs include;

- Capacity building.
- Policy formulation.
- Tendering.
- Financial empowerment.
- Public participation programs.
- Mainstreaming on the employment according to the law.
- Representation on various boards or committees within the County
- Economic empowerment by giving Trading loans

Mr. Speaker Sir, on whether the CIDP and ADP have programs for youth or the department only concentrating on sporting facilities, the department responded that youth programs that drive the youth agenda that include training youth on entrepreneurial skills, talent innovation, youth sensitization on drugs and substance abuse, anti-radicalization support services, online job support programs and youth enterprise funding were incorporated in CIDP and ADP but due to limited departmental ceiling, most of these programs were not implemented.

The County Government complies with the provision of the constitution on public participation for the statutory documents and ensures total adherence and special interests groups including the youth are represented. On County budget economic forum (CBEF), youth were represented and were involved in making decision during the development of

County planning documents, budgeting and implementation. The County Government also in partnership with world vision had youth technical working groups comprising of all youth from all sub counties who come up with a report on priority programs for youths.

To ensure that youth have access to county government information and documents including budgets and reports on development programs implementation, the County Government has put in place both formal and informal channels that include; County website, local media-radio and television stations, whatsapp groups, print media-newspapers and magazines, public barazas through the public administration up to the village level.

2.2 Submission of various County departments on youth mainstreaming in their programs

Agriculture, Livestock, Fisheries, Irrigation and Cooperatives

The department prioritized the youth in the planning and implementation of its policies, projects, programs and the initiatives. The youth issues have been well mainstreamed in the sectoral planning framework that involves policies, bills, regulations, and sectoral plans.

Policies, strategies, programs, projects and initiatives targeting youths includes:

- a. **The Agricultural Sector Transformation and Growth Strategy, 2019-2029** prioritizes groups and it is targeting 3, 000 youth led and digitally enabled extension agents.
- b. **The Agricultural Sector Development Support Programme II (ASDSP), 2017-2022** aims at revolutionized crop, livestock and fishery production into commercially aligned programs to enable sustainable food and nutrition security by developing ecologically resilient and socially inclusive value chains.
- c. **The Third medium Term Plan (MTP) 2018-2022.** It prioritized green jobs promotion and the expansion of the manufacturing sectors to raise its contribution to a GDP of 15% from 9.2% in 2017 and agro-processing to at least 50% of the total agricultural production. In the document gender equality, empowerment of women, youth and persons living with disability have been prioritized.
- d. **The Kenya Youth Agribusiness Strategy 2017-2021**
It coordinates the ministry of Agriculture, Livestock and Fisheries, identifies strategic objectives to address the challenges that hamper constructive and sustainable youth participation in agribusiness, and includes:
 - Development of agribusiness skills, knowledge and information

- Transform youth perception towards agribusiness
- Improved access to affordable and youth friendly financial services for agripreneurship
- Youth engagement in research and development of innovative agricultural technologies
- Improved access to affordable suitable output markets for the youth
- Promote youth-inclusive climate smart agricultural technologies and create green jobs for environmental suitability
- Support implementation, reviews and development of policies that create an enabling environment for youth in agripreneurship.

e. **The Kenya Climate Smart Agriculture Strategy (2017-2026).** It targets enhancement of the capacity of women, youth and vulnerable groups to take part in climate smart agriculture (CSA) projects.

In general the department granted special programs and positions for the youth such as agricultural shows, exhibitions and field, youth are represented in the vetting committee for farm input support, youth are considered in the employment that is in the recent recruitment of 137 technical agricultural staff 98 are youth, NARIGP offers funding to youth groups, German Development Cooperation interventions, Green Growth Employment Program and the Agribiz Program.

Trade, Energy, and Industrialization

According to the department, it engages youths through internships and attachment programmes. The data provided outlines 84 interns and attachés were involved in 2017-2021.

While the tender allocated to youth were as follows:

The 1st quarter financial year of 2018-2019 had only one tender awarded while in the 2nd quarter financial year 2018-2019 two tenders were secured. The 3rd and 4th quarter financial year 2019-2020 saw the six tenders granted to the youth.

Education and Vocational Training

Since 2017 to date only ten (10) tenders have been awarded to the youth in the ministry. They include:

No.	Tender description	Company awarded	Amount
1	Supply and delivery of stationary	M/sNetwork Holdings Limited	772,550/=
2	Supply and delivery of office furniture	HQ printers int limited	799,500/=
3	Construction of ECDE classroom at Kaptama	M/S Neso LTD	3,366,540/=
4	Supply and delivery of stationary	M/S Elagoria General supplies and services	687,840/=
5	Supply of electronic items	M/S Zilca Joy Enterprise	147,600/=
6	Supply and delivery of ICT items	M/S Dawnrise two enterprises	960,800/=
7	Supply and delivery of tonners	M/S Shedmat LTD	418,000/=
8	Supply and delivery of tires	Evadhi Enterprises	303,200/=
9	Office labels	Ackline General supplies	59,200/=
10	Construction of ECDE classroom in Bukembe West	Jerich Company Limited	3,434,230/=

Finance and Economic Planning

The County Government budget and economic forum provided a structure that caters for youth participation in the county planning and budgeting. The ministry of finance and economic planning involves County Budget and Economic Forum in the budgeting and planning process and there is a youth representative in the forum.

The Kenya's public finance management act 2012 restrains the appropriation of public funds outside county planning scheme. It further recommended the involvement of the public in the

budget process through public participation. The department also engages ward administrators, civil society in mobilizing the needed public for public participation exercise with defined instructions to ensure all sections of society including the youth are represented accordingly.

The CECM Finance and Economic Planning submitted the list that showed all the tenders that have been awarded to youth since 2017 to date as summarized below;

No.	Department	Number of tenders awarded to youth
1	Water and Natural Resources	2
2	Tourism and Environment	3
3	Finance and Economic Planning	24
4	Roads and Public Works	2
5	Education and Vocational Training	4
6	Public Administration	4
7	Gender and Culture	2
8	Governor's officer	1
9	Land, Urban and Physical Planning	2
10	Trade, Energy and Industrialization	8
11	Health	16
12	Bungoma Municipality	7
13	Kimilili Municipality	3

CHAPTER THREE

3.0 Committee observations and recommendations

3.1 Committee observations

Mr. Speaker Sir, the Committee made the following observations:

1. The department of Youth and Sports clearly understands its mandate in promoting youth agenda in the County Planning documents and youth accessibility to tenders.
2. The CIDP and ADP incorporates basic youth activities that includes, training youth on entrepreneurial skills, talent innovation, youth sensitization on drugs and substance

abuse, anti-radicalization support services, online job support programs and youth enterprise funding.

3. The department of Youth and Sports is not able to implement most of its planned programs due to the limited budget ceiling.
4. Untimely and unreliable submission of documents and by the department of Youth and Sports, some documents and information requested by the Committee was not provided.
5. In public participation, the County Government involve the youth and further the youth are represented in the County Budget Economic Forum (CBEF) where they have a chance in making decisions during the development of County planning documents, budgeting and implementation.
6. The County Government formulated a partnership with world vision creating a youth technical working groups constituting all youths from the nine sub counties that come up with the report of priorities in the youth agenda for implementation by different departments.
7. Some departments submitted their own proof record of the involvement of the youth.
8. The county government has also both formal and informal strategies that ensure information is accessed by the youths. They include: county website, public barazas through the public administration all the way to the villages, print media magazines and newspapers, local media radio and television stations.
9. The department of Youth and Sports does not have a director of youth and the sub county youth and sports officers as per its organogram.
10. It has not been indicated how the department of Youth and Sports is enforcing the implementation of the 30% AGPO rule on procurement across all the departments in Bungoma County Government.

3.2 Committee recommendations

Mr. Speaker Sir, the Committee made the following recommendations;

1. **That**, despite the department of Youth and Sports being aware of their mandate to promote youth agenda, little has been done on the issue. The committee recommends that the Chief Officer Youth and Sports be submitting quarterly reports on what the department has done to promote the Youth Agenda in the County.

2. **That**, the department should not concentrate on the sports facilities but prioritize youth programs in the subsequent budget.
3. **That**, the County Government to enhance the allocation for the youth and sports department for fully implementation of the youth programs.
4. **That**, the Chief Officer Youth and Sports should execute her mandate fully by being accountable to the County Assembly and it's Committees by submitting the requested document in time.
5. **That**, the department of Finance and Economic Planning should incorporate the views of the youth in the county planning documents and create a channel of giving the youth feedback after public participation.
6. **That**, in order to realize the youth agenda there need to have a youth policy in place, the Committee recommends that the County Government should prioritize budgeting for the pending bill in respect to the policy.
7. **That**, the County Government should sensitize the youth on the available channel where youth can get information and communicate their views on county planning and budget documents.
8. **That**, County Public Service Board should fast track the employment of the director youth and sub county youth and sports officers.

We have the adoption schedule and members appended their signatures. The report was adopted by the committee members and...

Mr. Speaker: Hon. Mutiambu your options are very limited. Just invite your seconder.

Hon. Everline Mutiambu: Of course I was looking for a seconder.

Mr. Speaker: Hon. Mukhongo had hinted to you that that is the only savior so let the savior save you.

Hon. Everline Mutiambu: I want to call upon Hon. Hildabeda Sian'ga to second the motion. Thank you.

(Applause)

Hon. Hildabeda Siang'a: Thank you Mr. Speaker. I stand to second the motion.

Mr. Speaker: Thank you Hon. Hilda. Honourable members I will now propose a motion for the House to debate. What is the issue Hon. Nyongesa!

Hon. Joseph Nyongesa: Thank you Mr. Speaker. I just want also to comment on this report...

Mr. Speaker: Hon. Nyongesa! Why can't I propose first before you contribute? This energy of contributing let it come at the rightful time.

(Honorable Nyongesa resumes his seat)

Honourable members, a motion has been moved and seconded that this House adopts the report by the Youths and Sports committee on the loopholes in the youth's accessibility to the tenders. I propose.

Hon. Joseph Nyongesa: Thank you Mr. Speaker. You know I was having my PA he was briefing me on various issues so I got mixed up but sincerely I want to thank the members although the report is very tricky. Without following keenly you may not understand it.

First, I want to appreciate the initiator of the statements that brought about this report because he was keenly following up the issue of tenders especially for youths. But from the report, it is like the committee was not so keen, because if you see what was requested for and what we are being given does not add up. The first issue was explain why CIDP and ADP do not have various Youth agendas and majorly dwells on sporting facilities alone.

I thought the committee could dig deeper into the CIDP and come up with some information that could be of priority to the youth, but I do not see where fumigation can come in since it was just an emergency which could not help youths the way we thought.

Members of this committee are aware that some programs which were there in the last regime and never appeared in this current regime; but I have seen they have also included the issue of economic empowerment through issuance of trade loans.

I do not know if maybe these trade loans were selectively given but I have seen the committee has done it.

On page 12 they have said clearly that since 2017 to date, only 10 tenders have been awarded to the youth in the ministry. They have been numbered though we do not know, there is no

title bearing youth, only MS network holdings limited. How sure are we that it is for the youth?

When you move to page 14, this is where the committee is also contradicting itself. That the CEC Finance and economic planning submitted the list that showed all the tenders that have been awarded to youth since 2017 to date.

Water and Natural resources - two tenders,

Tourism and environment - three,

Finance and Economic planning 24

So when you add up this and compare with what is on page 12 you can see that the committee was not so keen to have the same in its observations and recommendation. So as we support, let us also urge especially our committee clerks to be somehow keen so that at least we come up with reports that can be of future reference in this Assembly. Otherwise I support.

Mr. Speaker: Thank you Hon. Nyongesa. Hon. Mutiambu in view of Hon. Nyongesa's contribution, you will be called upon to reply to the motion accordingly.

Hon. Everline Mutiambu: Thank you Mr. Speaker. I want to take this opportunity to thank our leader of majority for contributing to this motion. I think this was a statement that we were given as a committee from Hon. Tony Barasa and these were the responses that we got from the CECM of Youths and Sports. I think from there we as the committee will have to move forward and make sure that the youth are captured in society.

Mr. Speaker: Thank you Hon. Mutiambu and I am very sure that you are praying that this House adopts this report without any alterations to what has been put before this House.

Honourable members, I will now execute the last function on this motion; that is putting a question for this House to make a decision over.

Honourable members, a motion having been moved and seconded and debate having ensued that this House adopts the report by committee on Youths and Sports on the loopholes in the youth accessibility to the tenders.

(Question put and agreed to)

The ayes have it.

This report with its recommendations and observations should be forwarded to the relevant department for implementation as we move forward.

Honourable members, that was the last item on our order paper. We will adjourn this sitting and resume our sitting in 2:30 p.m. I will keep on thanking you for filling the entire sitting as it has been seen on my laptop. Thank you. Have a good morning.

House adjourns