

**COUNTY GOVERNMENT OF BUNGOMA**

**COUNTY ASSEMBLY OF BUNGOMA**

**COUNTY ASSEMBLY DEBATES**

**THE DAILY HANSARD**

**THURSDAY, 2<sup>ND</sup> APRIL, 2026**

**Afternoon Sitting**

**3<sup>rd</sup> County Assembly**

**5<sup>th</sup> Session**

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## COUNTY ASSEMBLY OF BUNGOMA

### THE DAILY HANSARD

THURSDAY, 2<sup>ND</sup> APRIL, 2026

The House met at the County Assembly Chamber at 2:30 p.m.

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

### PRAAYER

### QUESTIONS AND STATEMENTS

1. IT IS NOTIFIED THAT PURSUANT TO STANDING ORDER 47(2) (A), A MEMBER OF THE HOUSE BUSINESS COMMITTEE SHALL INFORM THE HOUSE OF THE WEEKLY BUSINESS OF THE HOUSE.

**Hon. Johnston Ipara:** Thank you, Honourable Speaker. This is a tentative weekly program of the business of the County Assembly for the week commencing Tuesday 7<sup>th</sup> to Thursday 9<sup>th</sup> April, 2026.

**Tuesday 7<sup>th</sup> April, 2026 at 2.30 p.m.**

1. Papers
  - a. A report of the Public Accounts and Investments Committee on the report of the Auditor General on the County Assembly of Bungoma for the year ended 30<sup>th</sup> June, 2025.
  - b. A report of the Public Accounts and Investment Committee on the report of the Auditor General on;
    - i. The Bungoma Counter Assembly Honourable Members' Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2025.
    - ii. The Bungoma Counter Assembly Employee Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2025. Honourable Speaker, it will be moved by the Chair, Public Accounts.

2. Notices of motion

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- a. That this House adopts the report of the Public Accounts and Investment Committee on the report of the Auditor General on the Counter Assembly of Bungoma for the year ended 30<sup>th</sup> June, 2025.
- b. That this House adopts the report of the Public Accounts and Investment Committee on the report of the Auditor General on:
  - i. The Bungoma County Assembly Honourable Members' Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2025.
  - ii. The Bungoma County Assembly Employee Car Loan and Mortgage Scheme Fund for the year ended 30<sup>th</sup> June, 2025.

They will be moved by the Chair, Public Accounts.

3. Questions and Statements

- a. Statement number 19 of 2026. Member for Lwandanyi Ward, Honourable Tony Barasa to seek a statement from the Chairperson, Sectorial Committee on Tourism, Environment, Water and Natural Resources. The statement is in respect to Bungoma Water and Sewerage Company, BWASCO, Honourable Speaker.
- b. Statement number 20 of 2026. Member for Kibingei Ward, Honourable Aggrey Mulongo, MCA, to get a response from the Chairperson, Sectorial Committee on Lands, Urban, Physical Planning and Housing. This is in relation to the operationalization and financial status of the Bungoma and Kimilili Municipalities.
- c. Statement number 12 of 2026. Member for Kimaiti Ward, Honourable Jack Wambulwa, MCA, to get a response from the Chairperson, Sectorial Committee on Tourism, Environment, Water and Natural Resources regarding the utilization of climate change funds within Bungoma County.

4. Motion

- a. A report of the Sectorial Committee on Public Administration and ICT on the consideration of the financial statements for the period ended 30<sup>th</sup> June 2025. Honourable Speaker, it will be moved by the Chairperson, Sectorial Committee on Public Administration.

**Wednesday 8th April, 2026 at 9.30 a.m.**

1. Questions and Statements

- a. Statement number 21 of 2026. Member for South Bukusu Ward, Hon. Sudi Busolo, to seek a statement from the Chairperson, Sectorial Committee on Health Services. The statement is in relation to the status of the regional blood bank construction and the provisions of ICT, scan and MRI machines.

2. Motion

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a. A report of the Sectorial Committee on Tourism, Environment, Water and Natural Resources on BWASCO operations. It will be moved by the Chairperson, Sectorial Committee on Tourism.  
Honourable Speaker

**Wednesday 8th April, 2026 at 2.30 p.m.**

1. Questions and Statements

a. Statement number 22 of 2026. Member for Kimilili Ward, Honourable Christine Mukhongo, MCA, to seek a statement from the Chairperson, Sectorial Committee on Roads, Transport, Infrastructure and Public Works. The statement is in relation to implementation status.

2. Motion

a. A report of the Committee on Delegated County Legislation on Post-Legislative Scrutiny of Public Finance Management, Bungoma County Disaster Management Emergency Fund Regulations 2021. Honourable Speaker, it will be moved by the Chairperson, Delegated County Legislation.

**Thursday 9th April, 2026 at 2.30 p.m.**

1. Questions and Statements

It is notified that pursuant to Standing Order 47(2) (a), a member of the House Business Committee shall inform the House of the weekly business of the House for the week coming before the House on Tuesday 21<sup>st</sup> to Thursday 23<sup>rd</sup> April.

2. Motion

a. A report of the Budget and Appropriations Committee on the training held at the Centre for Parliamentary Studies and Training. Honourable Speaker, it will be moved by the Chairperson, Budget and Appropriations Committee.

b. Adjournment motion; Honourable Speaker, this will be moved by the Leader of the Majority Party.

With that, Honourable Speaker, this is a tentative weekly programme for the week and I submit.

**Mr. Speaker:** That last motion is important item. As I've spoken earlier before, we are preparing to go to Mombasa for the legislative summit, starting from 13<sup>th</sup> to 17<sup>th</sup>. People like Hon. Anthony Luseneke have already booked their SGR to Mombasa.

I have heard from Hon. Bosire, he will be driving all the way with his passengers to Mombasa. So people have to be there early enough to prepare for the day. We must adjourn to go to Mombasa.

Thank you. Let's proceed.

*(Loud consultation)*

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You did not hear my last statement because you were talking. I said to make the beach lively. You can't make it lively when you are broke.

*(Applause)*

Sometimes be listening to what I say. Let's proceed.

## STATEMENTS

1. MEMBER OF KAPTAMA WARD HON. FRNCIS CHEMION TO SEEK A STATEMENT FROM THE CHAIRPERSON SECTORIAL COMMITTEE ON HEALTH SERVICES REGARDING THE IMPLEMENTATION STATUS OF KEY INFRASTRUCTURE PROJECTS IN KAPTAMA WARD

**Mr. Speaker:** This is a statement being sought by Hon. Chemion...you are the owner of the statement, you have the response? Let us proceed Hon. Jack Wambulwa.

**Hon. Jack Wambulwa:** Thank you Hon. Speaker. This is a progress report on the statement raised by Hon. Francis Chemion in relation to the completion of critical facilities extended to enhance healthcare delivery, especially the staff quarters at Koboyo Health Center and the operationalization of the Twin Lab at Kaptama Health Center.

Honorable Speaker, pursuant to the provisions of Standing Order number (54) (a) of the County Assembly of Bungoma...

**Mr. Speaker:** Of late whatever Hon. Chikati takes is what makes me wonder. Why can't you just sit in peace? Hon. Aggrey there is a problem with yourself. Let's proceed.

**Hon. Jack Wambulwa:** Honourable Speaker, Hon. Chikati is our sharp dog in the House.

*(Laughter)*

**Mr. Speaker:** Hon. Jack, I don't keep dogs around. Can you withdraw that part? It is on HANSARD. Kindly withdraw it.

**Hon. Jack Wambulwa:** I withdraw Honourable Speaker.

**Mr. Speaker:** Let us proceed

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**Hon. Jack Wambulwa:** Standing Order number (54)(a) of the County Assembly of Bungoma, Standing Orders, the Committee on Health Services hereby submits its progress report on the statement sought by Hon. Francis Chemyon in relation to the completion of critical facilities intended to enhance healthcare delivery, especially the staff quarters at Koboyo Health Center and the status of the operationalization of the Twin Lab at Kaptama Health Center.

Honorable Speaker, the Committee during its internal meeting considered the statement and requested for a response from the Department concerned via a letter dated 9th March 2026 reference to CAB/CEC/5 Vol-6. The Department submitted its response and the Committee has shared it with the owner of the statement. The Committee had scheduled for an interrogation of the Department response during its internal meeting of 31<sup>st</sup> March 2026, but the owner of the statement requested for time to comb through the response and highlight the critical areas requiring clarification. The Committee agreed with the request of the Hon. of the statement and has therefore rescheduled the interrogation to 7<sup>th</sup> April, 2026 at 10 a.m.

Honourable Speaker, the Committee hereby requests for a further seven days to enable it interrogate the matter and submit a comprehensive response to this Honorable House.

On behalf of Hon. George Makari and it is signed Honourable Speaker

3. MEMBER OF KAPTAMA WARD HON. FRANCIS \CHEMION TO SEEK A STATEMENT FROM THE CHAIRPERSON SECTORIAL COMMITTEE ON ROADS, TRANSPORT AND INFRASTRUCTURE AND PUBLIC WORKS REGARDING THE STATUS OF KIPTIROK (1) ROAD MAINTENANCE PROJECT

**Mr. Speaker:** I am trying to see where you are... porocceed

**Hon. Johnston Ipara:** Thank you Honourable Speaker. This is a report of Roads, Transport, and Infrastructure and Public works on the statement sought by Hon. Francis Chemion in relation to status of maintenance of Kiptirok 1 road in Kaptama Ward.

Honourable Speaker, I rise to respond to a statement that was committed to the chairperson of committee on Roads, Infrastructure and public works regarding the maintenance of Kiptiroko- number 1 road in Kaptama Ward pursuant to standing order 54.

On Wednesday 4th March, 2026 at 9:30 a.m., Hon. Francis Chemion Member for Kaptama Ward sought a statement from the Chairperson of the Committee on Roads, Transport, Infrastructure and Public Works concerning the aforementioned road. In the statement, the Chairperson was tasked to inquire into and report on the following.

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1. The exact budget allocation for the maintenance of Kip Tiroko No. 1 Road for the financial year 2024-2025.
2. A detailed report on the procurement process, including the advertisement, evaluation report, professional opinion and award letter issued to the successful bidder.
3. The current fiscal and financial status of the works on the said road.
4. The plan and timeline from the Department of Roads, Transport, Infrastructure and Public Works regarding the final completion and handover of the road.

Hon. Speaker, pursuant to Standing Order No. (52) (a) the Committee was directed to liaise with the relevant Department and provide a response to the Honourable Member. Accordingly, the Committee deliberated on the statement and resolved to seek a response from the County Executive Committee Member for Roads, Transport, Infrastructure and Public Works.

Honourable Speaker, a response from the County Department of Roads referenced CG/BGM/RPW/CA/Vol.1014 was subsequently submitted through the Office of the Clerk. The Committee considered the response in the presence of the owner of the statement, who expressed dissatisfaction on the grounds that several requested documents had not been provided. This included

1. A copy of the signed contract agreement.
2. The contractor's acceptance letter.
3. Copies of all correspondences between the Department and the contractor.
4. Measures undertaken by the Department to ensure proper implementation of the contract.
5. Pictorial evidence of the status of the road. 6. Evidence of part payment requested by the contractor.

Honourable Speaker, arising from these concerns, the Committee resolved to invite the CECM to appear before it on 31<sup>st</sup> March, 2026 to provide further clarifications on the outstanding issues. However, the CECM, through correspondence, referenced CG/BGM/RPW/Volume 4(033), dated 31<sup>st</sup> March 2026, requested a rescheduling on account of illness that he was unable to attend the meeting and, additionally, his chief officer, who was to accompany him, was also indisposed. Nevertheless, the requested documents were submitted, reviewed by the Committee and the owner of the statement, who thereafter expressed satisfaction with the additional information provided.

The report is signed by Hon. Franklin S. Simotwo, M.C.A. Chepyuki Ward, Chairperson, Committee on Roads, Transport, Infrastructure and Public Works, on 1<sup>st</sup> April 2026.

Hon. Speaker, I submit.

**Mr. Speaker:** Hon. Chemion, you have heard the response. The last part indicates that you are satisfied. Thank you. We proceed.

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4. MEMBER OF KHALABA WARD, HON. CORNERIUS MAKHANU, M.C.A. TO GET A RESPONSE FROM THE CHAIRPERSON, SECTORIAL COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING. THIS IS IN RELATION TO THE STATUS OF KANDUYI D.E.B. AND MUKHAWELI E.C.D. CENTERS

**Mr. Speaker:** The Chair of Education he is smiling I don't know whether the message is what he is conveying but let's be able to hear the Chair.

**Hon. Jack Wambulwa:** Thank you, Hon. Speaker. As far as we are concerned as a committee, we held a joint committee between us Hon. Makhanu and the Department and when he appeared before us last he was satisfied with the response. Thank you.

**Mr. Speaker:** Do you confirm that position?

**Hon. Aggrey Mulongo:** I confirm Mr. Speaker, Sir. The disconnection, the electricity...

**Mr. Speaker:** Hon. Aggrey the moment you confirm that you are satisfied there's nothing called connection again.

**Hon. Aggrey Mulongo:** Thank you.

**Mr. Speaker:** That's the position. If you are dissenting you say I don't agree with this statement. The moment you say you are satisfied it ends there. Let's proceed.

*(Laughter)*

*(Applause)*

Is it why he has gone for a walk before he comes back? Let's proceed.

5. MEMBER OF BUMULA WARD, HON. HENTRY NYONGESA TO GET A RESPONSE FROM THE CHAIR PERSON SECTORIAL COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING REGARDING THE MANAGEMENT AND INFRASTRUCTURE DEVELOPMENT OF ECDE, EARLY CHILDHOOD DEVELOPMENT EDUCATION AND VOCATIONAL TRAINING CENTRES, VTCS BY THE COUNTY GOVERNMENT OF BUNGOMA FOR THE FINANCIAL YEARS 2023/2024 AND 2024/2025.

**Mr. Speaker:** Yes, Hon. Hentry the response you are giving? Yes Honourable.

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**Hon. Jack Wambulwa:** Thank you, Hon. Speaker. I was supposed to respond to Hon. Nyongesa's statement but I am told he already got it from the Executive. Thank you.

*(Laughter)*

*(Applause)*

**Mr. Speaker:** It can never happen that way. It can't. It can't. It must come here. If you are given in a boardroom, it must come here through the committee. It's not yours.

*(Laughter)*

*(Applause)*

It's for this House but you are given a response in the Executive. Let me hear him first.

**Hon. Hentry Nyongesa:** Hon. Speaker that is a disorder of the highest order. I have been sitting eagerly to receive an invitation from the committee which I have not had and seated here as I am talking today, I have received the response here, which I was to listen to the Chair respond to it.

**Mr. Speaker:** You have a response?

**Hon. Hentry Nyongesa:** If the Chair purports that I have a response from the Executive, I don't work with the Executive Hon. Speaker.

**Mr. Speaker:** Maybe through diffusion, like osmosis.

*(Applause)*

Hon. Wambulwa you have a response? You have a response?

**Hon. Jack Wambulwa:** Yes, I have Hon. Speaker.

**Mr. Speaker:** Then how do you lie a response was given to him?

**Hon. Jack Wambulwa:** Hon. Speaker, he engaged the Executive yesterday so I expected him to have gotten the response that's why.

*(Laughter)*

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*(Applause)*

**Mr. Speaker:** Honourable you wait. You wait. Let him have a response from the Chair of Education.

**Hon. Hentry Nyongesa:** Hon. Speaker the clapping is indicating a lot of question marks because there is no way I sleep with the Executive on one bed. Even if she is my wife or my brother or my sister, I can't discharge constitutional duties on the bed. So let the Chair call out his mandate as purported in the Standing Orders.

**Mr. Speaker:** I fully agree with you, Hon. Hentry. The Chair must give us a feedback here. Hon. Jack, proceed.

*(Laughter)*  
*(Loud Consultations)*

You are out of order. Let us have the response, you react. Hon. Aggrey Mulongo if it is the sign of people aging, it is very dangerous. Let us proceed.

**Hon. Jack Wambulwa:** Thank you, Hon. Speaker. The Committee on Education and Vocational Training received a statement sought by Hon. Hentry Nyongesa in this House on 31st July, 2025 referred to Committee for a reply pursuant to Standing Order No. 472C of the Bungoma County Assembly Standing Orders.

A statement raised in the Assembly on Tuesday 4th March, 2026 at 2.30 p.m. In relation to the management and infrastructure development of Early Childhood Development Education, Vocational Training Centres by the County Government of Bungoma for the financial year 2023/2024 and 2024/2025. The Committee requested for a response from the Department by letter reference number CAB/ CC/ Sect/ 4 Vol 545 dated 6th March 2026.

The response was submitted through the letter reference number CG /BGM /ECDE/ CCM / CA/ Vol 511 dated 18th March that was given to the owner of the statement to go through and inform the Committee if the issues raised have been satisfactorily answered or not.

The Committee has invited the Department to clarify on the issue that were raised by the owner and report back to this House. The Committee seeks more time for this is a progress report from this House to interrogate the matter further. In regards, I have signed Hon. Speaker. All I was only trying to say

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Hon. Speaker, I respect you but I, being the Chair of Leaders for Bumula, I want to request my colleague that he should stop engaging with the Executive when the Assembly is serious on matters. Thank you

**Mr. Speaker:** Honourable Members the last statement is out of order. It is out of order. Hon. Vitalis that is out of order. Whether they were engaging vertically is none of our business but feedback be given back the way it was sought by the Honourable Member. Let's proceed.

6. MEMBER OF BUMULA WARD HON. HENTRY NYONGESA TO GET A RESPONSE FROM THE CHAIRPERSON'S SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND COOPERATIVE DEVELOPMENT REGARDING THE MANAGEMENT AND UTILIZATION OF RESOURCES ALLOCATED TO MABANGA AGRICULTURAL TRAINING CENTRE.

**Mr. Speaker:** Honourable Chair, Hon. Wafula Waiti, Okay Hon. Martin.

**Hon. Martin Chemorion:** Thank you, Hon. Speaker.

**Mr. Speaker:** Hon. Hentry, now your concentration, I think now I see why. Proceed, Hon. Martin.

*(Laughter)*

**Hon. Martin Chemorion:** Thank you Hon. Speaker. I rise to give a progress report on the statement raised by Hon. Hentry Nyongesa in relation to the management and utilization of resources allocated to Mabanga Agricultural Training Centre, ATC.

Hon. Speaker Pursuant to the provision of Standing Order 54A of the County Assembly of Bungoma, Standing Orders, the Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development hereby submits its progress report on the statement sought by Hon. Hentry Nyongesa regarding the management and utilization of resources allocated to Mabanga Agricultural Training Centre, ATC.

Hon. Speaker the statement was tabled before the Committee on Thursday, 5 March 2026. Subsequently, the Committee requested a response from the CECM to the issues raised vide the letter reference CECM/CAB/SECTOR/2 VOL30 dated 9th March 2026. In response the County Executive Committee Member for Agriculture submitted a report referenced at dated 16th March, 2026 through the Office of the Clerk to the County Assembly.

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The report was also shared with the owner of the statement Hon. Hentry Nyongesa thereafter the committee invited the CECM to a consultative meeting vide a letter reference CAB/ CEC / SECT/ 2 VOL 334 dated 8th March 2026.

The CECM subsequently reappeared before the committee today Thursday, 2nd April 2026 at 11.40 a.m. to respond to concerns arising from the submissions. Hon. Speaker, the committee just concluded the consultative meeting with the CECM and seeks the leave of the House to be granted additional time to finalize its report and submit to this Honourable House. Thank you. Signed by Hon. Wafula Waiti

**Mr. Speaker:** I have a problem with this response in the previous one. You are seeking more time which is indefinite. So starting with the Chair Education, you equally sought for more time. You didn't specify how long would you want.

**Hon. Jack Wambulwa:** Hon. Speaker I will request for two weeks to respond back to this House.

**Mr. Speaker:** If you are given two weeks from the initial stage, why should I grant you two more weeks?

**Hon. Jack Wambulwa:** It is because of the holidays and the engagement we are going to be away

**Mr. Speaker:** The whole of next week is not a holiday, we will be here. Tuesday is a working day. Wednesday is a working day. Thursday is a working day. Let's have a feedback next week, Thursday.

**Hon. Jack Wambulwa:** It's alright Hon. Speaker.

**Mr. Speaker:** Yes, so that you push your people because now we become an Assembly that is going to give, look at the report continuously and we don't move on. So you have one week, next week Thursday. Equally, you also sought for more time. We will have a feedback next week Thursday, before we adjourn for the long recess. Thank you. Next item?

## MOTION

1. REPORT OF THE SECTORAL COMMITTEE ON FINANCE AND ECONOMIC PLANNING ON THE CONSIDERATION OF THE DISBURSEMENT SCHEDULE TO THE COUNTY ASSEMBLY FUND FOR THE FINANCIAL YEAR 2025/2026.

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**Mr. Speaker:** Yes Chair, Finance and Economic Planning, kindly proceed.

**Hon. Polycarp Wandabusi:** Thank you, Hon. Speaker, Sir. I wish to move a motion on behalf of the Finance and Economic Planning Committee on consideration of the disbursement schedule to the County Assembly Fund for the financial year 2025/2026. Allow me move the page of content. Then there is a preface. Also, allow me move on the establishment and mandate of the committee.

#### Committee membership

The Committee on Finance and Economic Planning as currently constituted comprises the following Members:

- |                    |           |                  |
|--------------------|-----------|------------------|
| 1. Hon. Polycarp   | Wandabusi | Chairperson      |
| 2. Hon. Godfrey    | Mukhwana  | Vice Chairperson |
| 3. Hon. Stephen    | Wamalwa   |                  |
| 4. Hon. Joan       | Kirong    |                  |
| 5. Hon. Aggrey     | Mulongo   |                  |
| 6. Hon. Vitalis    | Wangila   |                  |
| 7. Hon. Anthony    | Lusenaka  |                  |
| 8. Hon. Violet     | Makhanu   |                  |
| 9. Hon. Tony       | Barasa    |                  |
| 10. Hon. George    | Makari    |                  |
| 11. Hon. Jack      | Kawa      |                  |
| 12. Hon. Grace     | Sundukwa  |                  |
| 13. Hon. Hentry    | Nyongesa  |                  |
| 14. Hon. Milliah   | Masungo   |                  |
| 15. Hon. Catherine | Kituyi    |                  |

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**Acknowledgement**

The Committee is grateful to Bungoma County Treasury for submission of the disbursement schedule to County Assembly Fund for Financial year 2025/2026 which is a facilitative planning tool for budget execution by the County Assembly of Bungoma.

The Committee is grateful to the offices of the Speaker and the Clerk of the County Assembly for the logistical support in discharging its mandate. I also thank Members of the Committee for their sacrifice and commitment in the successful completion of the assigned task within the stipulated timeline.

Finally, on behalf of the Committee on Finance and Economic Planning, I now have the honour to present this report on consideration of the disbursement schedule to County Assembly Fund for Financial Year 2025/2026 before this honourable House.

**Sign.....Date.....**

**HON. POLYCARP KIMETA–MCA WEST NALONDO WARD**

**CHAIRPERSON, COMMITTEE ON FINANCE AND ECONOMIC PLANNING**

**CHAPTER TWO**

**CONSIDERATION OF THE DISBURSEMENT SCHEDULE**

The disbursement schedule to County Assembly Fund for Financial Year 2025/2026 was communicated in the House and referred to the Committee on Finance and Economic Planning on 31<sup>st</sup> March, 2026 for consideration and reporting back to this House.

In reviewing the schedule, the Committee held a consultative meeting with the County Assembly Accounting Officer and analyzed the approved 1<sup>st</sup> Supplementary Budget estimates of the County Assembly for the Financial Year 2025/2026 and further assessed the timelines and adequacy of the proposed releases.

**COMMITTEE FINDINGS**

The Committee made the following findings:

1. The proposed disbursement schedule is consistent with the approved 1<sup>st</sup> Supplementary Budget estimates FY 2025/2026 of the County Assembly.
2. The schedule provides for phased releases on a monthly basis to ensure continuity of operations.
3. Adequate provisions have been made to cater for:
  - a) Personnel emoluments
  - b) Operations and maintenance
  - c) Development projects.

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4. The schedule complies with Section 109E of the County Public Finance Laws (Amendment) Act, 2025 and relevant treasury regulations.

### CHAPTER THREE

### COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

#### OBSERVATIONS

The Committee observed that:

There is need for strict adherence to the provisions of section 109E of the County Public Finance Laws (Amendment) Act, 2025 which states that;

- (1) The County Treasury shall, at the beginning of every month, and in any event not later than the fifteenth day from the commencement of the month, disburse monies to the County Assembly Fund for the expenditure of the following month.*
- (2) The disbursement referred to in subsection (1) shall be done in accordance with a schedule prepared by the County Treasury and submitted to the County Assembly for approval together with the County Appropriation Bill under section 129(7).*

#### RECOMMENDATIONS

The Committee recommends that:

- (a) This House approves the disbursement schedule as submitted by the County Treasury;
- (b) The County Treasury ensures timely and full release of funds as per the approved schedule.

#### CONCLUSION

The approval of this disbursement schedule is critical in ensuring the County Assembly effectively executes its constitutional mandate of legislation, oversight, and representation. The Committee therefore urges this House to adopt this report and approve the proposed disbursement schedule.

Then last, we have the adoption schedule by members, Vice Chair and the Chair, then the schedule itself is behind. Mr. Speaker, Sir, allow me call Hon. Henry Nyongesa. He has left. Allow me call Hon. Tony Khaoya to second.

**Mr. Speaker:** Hon. Tony you are called upon to second the motion. Kindly proceed.

**Hon. Tony Khaoya:** Thank you Hon. Speaker. This is the first time as Assemblies we are going to enjoy autonomy. It has become a frustration that all along we have been going through the Executive for us to get what is due to for our people, for our members and the staff.

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Yesterday was a very sad day. You remember as an Assembly we were supposed to get the Chief Officer to sign our releases from exchequer from Nairobi but it is very unfair that the Chief Officer, Finance deliberately did not pick the Clerk's call, Leader of Majority calls, nor your calls. It forced us yesterday to compel the Chief Officer through... after Governor and we informed him that why should we be under the mercies of the Chief Officer Finance for us to get our dues.

So this time round if we are going to pass this particular motion, it will be express autonomy for County Assemblies and we are not going to beg any Chief Officer to be like a semi-god. This is going to give us an autonomy and independence of our financial matters. So Hon. Speaker, I beg to support and second.

*(Applause)*

**Mr. Speaker:** Honourable members allow me first and foremost, appreciate the chair for moving this report. Secondly, appreciate Hon. Tony Khaoya for seconding this report. Now, I will be proposing a motion but from what they have explained there's nothing to add there because the last communication you were shown Honourable members, we approve everything before we allow the flow of funds independently.

We have had the challenges as I have said I am not contributing. We have kept on chasing the officers to approve our payments at the mercy of some few individuals who came here for vetting now they are behaving like small gods. So I will allow you to approve this thing so that we are able to have our money flowing independently as you heard from the President.

*(Applause)*

So that when I am talking about people going to Mombasa, we don't have to keep on chasing a CEC, Chief Officer to approve our money so that when you go ahead, you keep on asking the Clerk as your accounting officer. It's very painful for Clerk to keep on chasing people to approve our money and you know the painful part, it is not their mother's money; it's our money.

So let me put a question then we propose then we proceed to the next item quickly being a Thursday at least take a break early enough.

Honourable members, a motion has been moved and been seconded that this House approve the report of the sector Committee on Finance and Economic Planning on the consideration of the disbursement schedule on the County Assembly fund for the year 2025/2026.

I propose. Majority, just a word. We proceed.

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**Hon. Joseph Nyongesa:** Thank you, Speaker. I want to take this opportunity to appreciate the Finance team, committee led by Hon. Polycarp for the quick move to ensure that actually as an Assembly we get the autonomy. What is making me to rise is that now, our own staff also to avoid excuses so that they should work smart we get our money in time. The issue has been maybe we are looking for the Chief Officer, we are looking for *Waziri* but now it's our own issue now.

Let us ensure that actually they work smart. Let us get our dues in time. Let us avoid excuses. As we speak Mr. Speaker, the Honourable member for Chwele/Kabuchai is still following up his dues so Mr. Speaker let our staff also work smart. I support.

**Mr. Speaker:** Hon. Luseneka then I will have Hon. Polycarp to reply. Proceed, Hon. Luseneka.

**Hon. Anthony Luseneka:** Thank you Hon. Speaker. I also support the motion as moved by my Chair, Hon. Polycarp. I just want to request like in the next two weeks or a few days, we will be going to Mombasa. So right now, we are fearing to borrow even from our own mortgage and car loan scheme but now we are sure that our money will come. I was requesting that...

**Mr. Speaker:** That line is not allowed in this motion. There are things that are done behind the tent if it's allowed, stick to the issue of, are you supporting or not

**Hon. Anthony Lusenaka:** I'm supporting, Speaker, but I'm saying that...

**Mr. Speaker:** The extra thing you're adding on cannot be done in this same motion, that's a discussion you can do under *Kamukunji* or under the tent.

**Hon. Anthony Lusenaka:** Speaker, you don't know what I'm trying to say, but it's okay.

**Mr. Speaker:** So you proceed and finish now, I have given you time, finish up!

**Hon. Anthony Lusenaka:** Speaker, I'm done, thank you.

**Mr. Speaker:** Hon. Polycarp Wandabusi you reply.

**Hon. Polycarp Wandabusi:** Thank you, Honourable Speaker, Sir. From the look of things and the contributions that have been done, the House is ready to support and approve this motion in totality, because it's going to streamline a lot of things, ranging from finance and management. It's a request that

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has been done by the majority leader, that we ensure timely operations so that it can be in position to assist our Honourable Members and staff. Thank you so much, Honourable Speaker.

**Mr. Speaker:** Thank you, Honourable Members, I will now put the question;

*(Question put and agreed to)*

The motion is approved. Let me appreciate the Committee on Finance and Economic Planning for first and foremost understanding the situation we are in, because they took 24 hours to prepare this report and to have the same tabled. We will not forget you, we will take care of you once the disbursement starts moving accordingly. We will refund you your days of going through the report writing as it was supposed to have been done. That one we promise we are going to do it. So thank you, Members. We go to the next item.

The other items my brother, Lusenaka, is asking cannot be done in this sitting. We have leadership here. We will see what we are supposed to have in the next week, if there are no available means, we will find a plan B, because I want to go to Mombasa and enjoy. So how do I enjoy as a broke man. So those ones we are all aware, him he has already booked SGR, so we are going to take care of him. Thank you.

2. REPORTS BY THE SECTORAL COMMITTEE ON ROADS, TRANSPORT, INFRASTRUCTURE, AND PUBLIC WORKS ON ACTIVITIES AND PERFORMANCE OF THE DIRECTORATE OF PUBLIC WORKS FOR THE FINANCIAL YEARS 2023/2024 AND 2024/2025

**Mr. Speaker:** The mover of the motion, Hon. Johnston Okasida, before you proceed, look at the quorum membership. Hon. Simotwo, Nangulu, Hentry, Henry stepped out, Hon. Ipara, Nganga, Chikati, Bridgit, Metrine Wilson are present, the quorum is available, in view of Hon. Ali Machani and Hon. Everlyne Mutiambu being away on my permission in Nairobi. There is enough quorum to transact. Let's proceed.

**Hon. Johnstone Okasida:** (Mover) Thank you, Honourable Speaker. This is a report of the Sectoral Committee on Roads, Transport, Infrastructure, and Public Works on the performance of the County Directorate of Public Works in the financial years 2023/2024 and 2024/2025. Honourable Speaker, with your permission, I want to leave the table of contents on page two and move to page three.

Preface

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The Committee on Roads, Transport, Infrastructure and Public Works in the discharge of its oversight mandate and in line with its approved Annual Work Plan for the 2025/2026 financial year, resolved under Minute MIN.RPW.24/07/04/2025 to evaluate the performance of the Directorate of Public Works for the 2023/2024 and 2024/2025 financial years. The purpose of this evaluation was to assess the Directorate's key achievements during the period under review and to interrogate the challenges requiring strategic intervention to enhance its operational efficiency.

Through the Office of the Clerk of the County Assembly, the Committee vide correspondence to the CECM for Roads, Transport, Infrastructure and Public Works referenced CAB/CC/SECT/9VOL. IV (54) dated 31<sup>st</sup> July, 2025 requested for a status report to guide its proceedings on this matter in the following areas;

1. Directorate Activities and Performance Overview
2. Project Implementation Overview
3. Financial Performance Summary
4. Contract Management and Procurement
5. Key Legislative Proposals
6. Human Resource Capacity
7. Challenges and Mitigation Measures

Subsequent to a review of the information provided, the Committee held a consultative meeting with the CECM; who appeared before it alongside the Chief Officer and the Director, Public Works on October 14<sup>th</sup>, 2025 and was able to provide additional insights on the status of overview and performance of the Directorate.

The Committee has compiled a report on the performance of the directorate for the 2023/24 and 2024/25 financial years and presents its findings for consideration by this House.

Terms of Reference (ToR),

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In order to comprehensively review the performance of the Directorate for the 2023/24 and 2024/25 financial years as committed, the Committee set out an approach in which it clearly spelt out specific terms of reference to guide its operations. The terms of reference were as follows;

- 1.To assess the overall performance of the Directorate in the implementation of its annual work plans and contribution to the County’s development agenda.
- 2.To review the status, timelines, and quality of ongoing and completed infrastructure projects across various sectors;
- 3.To evaluate the Directorate’s project planning, supervision, and monitoring mechanisms.
- 4.To examine the processes and systems governing contract awards, implementation, and oversight;
- 5.To review adherence to procurement laws, regulations, and value-for-money principles in project execution.
- 6.To evaluate the adequacy of staffing levels, technical competencies, and institutional capacity within the Directorate;
- 7.To identify key challenges affecting the Directorate’s operations and project implementation;

### Methodology

In the execution of its mandate, the Committee adopted the following approach:

1. Consideration of written submissions presented by the Department;
2. Interrogation sessions with the Department
3. Examination and analysis of other relevant documents reference materials.

### Committee Membership

The Committee membership as currently constituted is as follows;

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1. Hon. Franklin	Simotwo	Chairperson
2. Hon. Charles	Nangulu	Vice Chairperson
3. Hon. Everlyne	Mutiembu	
4. Hon. Stephen	Kaiser	
5. Hon. Jerusa	Aleu	
6. Hon. Hentry	Nyongesa	
7. Hon. Johnston	Ipara	
8. Hon. Violet	Makhanu	
9. Hon. Godfrey	Mukhwana	
10. Hon. Ali	Machani	
11. Hon. Everton	Nganga	
12. Hon. Idd	Owongo	
13. Hon. Timothy	Chikati	
14. Hon. Metrine	Wilson	
15. Hon. Brigid	Katasi	

#### Acknowledgement

I wish to convey my gratitude to all Members of the Committee for their invaluable input throughout the proceedings, up to the conclusion of this report.

The Committee is equally grateful to the County Executive Department for availing the requested information in good time, appearing in person to clarify on issues that the

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Committee was uncertain about; contents which have been relied upon in the production of this report.

The Committee further appreciates the offices of the Honorable Speaker and Clerk of the County Assembly for the support received as it prepared this report.

It is therefore my privilege, on behalf of the Honorable Members of the Sectoral Committee on Roads, Transport, Infrastructure and Public Works, to table this report for consideration and adoption by this Honorable House.

Signed ..... Date.....

(Hon. Franklin Simotwo, MCA-Chepyuk Ward)

Chairperson, Sectoral Committee on Roads, Transport, Infrastructure and Public Works

## CHAPTER TWO

### Introduction

The department of Roads comprises three Directorates, namely Roads, Public Works, and Transport. The Department operates under a consolidated budget which predominantly allocates resources to the Roads and Transport Directorates.

### Mandate of the Directorate of Public Works

The Directorate of Public Works is mandated to provide technical leadership and coordination in the planning, design, construction, supervision, and maintenance of public infrastructure works within the County. Its core functions include ensuring that all infrastructure projects such as roads, public buildings, water and sanitation facilities, and other civil works are implemented in accordance with approved standards, specifications, and statutory requirements. The Directorate also plays a critical role in contract administration, quality control, and enforcement of construction standards to guarantee value for money and sustainable development.

The Directorate of Public Works serves as the county's primary infrastructure implementation unit, delivering projects across multiple client ministries.

## Budgetary allocation for the Directorate

Public works is a directorate under the Department of Roads, Infrastructure, Transport and Public Works. The Department operates under a consolidated budget which predominantly allocates resources to the Roads and Transport Directorates, thereby neglecting the Directorate of Public Works. During the FY 2023/24 there was nil allocation under the Directorate. In FY 2024/25, Kshs. 5M was allocated to the directorate under Boards and Conferences vote, however the funds were not released to facilitate the activities as planned. Consequently, the Directorate heavily relies on the project management fees. However, delays by contractors in disbursing these funds have hindered timely supervision, resulting in substandard workmanship and poor-quality project outcomes.

The CECM submitted before the Committee that despite the Department making budget proposals for the Directorate, the County Treasury cuts down the Directorate's budget proposals during the budget process.

## Legal Framework

Article 185 (3) and (4) of the Constitution of Kenya provides;

(3) A county assembly, while respecting the principle of the separation of powers, may exercise oversight over the county executive committee and any other county executive organs.

(4) A county assembly may receive and approve plans and policies for—

(a) the management and exploitation of the county's resources; and

(b) the development and management of its infrastructure and institutions.

The County Governments Act requires CECMs to answer any question raised by the County Assembly exercising the roles under Article 185 of the Constitution, in relation to their respective functions. Section 39 thereof provides as follows;

### 39. Accountability of members of the executive committee

(1) The members of the county executive committee are individually and collectively accountable to the Governor in the exercise of their powers and performance of their duties and responsibilities.

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- (2) A committee of the county assembly may require a member of the executive committee to—
- (a) attend or appear before the committee; and
  - (b) answer any question relating to the member's responsibilities.

Article 185 read together with section 39 of the County Governments Act therefore mandates the County Assembly to call for documentation and responses from the executive and requires the executive to appear and give responses as required.

#### Termination of contracts

Sections 153(1) & (2) of the PPDA respectively provides that upon the request of the procurement management unit, the accounting officer of a procuring public entity may approve the request for termination of the contract and that a contract document shall specify the grounds on which the contract may be terminated and specify the procedures applicable on termination.

In a nutshell, and before any contract termination is effected the process is summarized as follows:-

1. The user department or the Contract Implementation Team (CIT) needs to identify and flag out the contractor's breach of the contract;
2. The user/CIT as applicable formally communicates the identified grounds of breach to the head of procurement function requesting for the contract termination consideration;
3. The supply chain director then requests for the Accounting Officer's approval of the termination;
4. Should the Accounting Officer approve the request then the contract is terminated in line with the law and the prevailing contractual terms as specifically laid out in the contract;

Important to note is that by dint of section 63(1) (b) of the PPADA, 2015, termination or cancellation for inadequate budgetary provision is only permissible for procurement proceedings and in this case before a successful bidder is identified and notification of the tender award is made. As such the public procurement law doesn't envisage termination of the procurement proceedings after the notification of the award.

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For avoidance of doubt, lack of funds and change of circumstances or priorities by a public entity is not a ground enough to terminate an already awarded contract.

In the case of (R – Vs – Principal Secretary Ministry of Mining Ex-parte Airbus Helicopters Southern Africa (PTY) Ltd (Judicial Cause No. 70 of 2016), (2017) eKLR, Classical incidence and case concerning the controversial termination of the Kshs. 56 Billion Jomo Kenyatta International Airport Greenfield Terminal Project for "change in priorities" and the failure by the Mining Ministry to have the Kshs. 409M procurement contract for the purchase of a chopper entered into with the successful bidder, in this case Airbus Helicopter South Africa Limited citing lack of funds. This is despite the letter of award having been issued to the winning bidder.

Mind you, section 53(4) (8) & (9) of the Public Procurement and Asset Disposal Act, 2015 are against unplanned and/or unbudgeted for procurement. The law even makes it an offence.

It is important for the department to always bear in mind is that any termination of an award or contract without paying homage to the public procurement law and termination procedures laid out in the underlying contract (where one has been entered into by the parties) is often detrimental to the its financial performance owing to the expensive and lengthy litigation and incidental costs associated with such termination. In light of the above it is important therefore that any tender procurement proceedings and contract termination be done with full appreciation of the prevailing provisions of the public procurement and disposal Act 2015/contract in place and governing the parties' legal relationship.

#### Submissions from the Department on Directorate Activities and Performance Overview

During the period under review, the Directorate of Public Works continued to discharge its core mandate as the County's principal implementing agency for infrastructure projects. The Directorate remained instrumental in providing technical leadership and coordination in the planning, design, and execution of public works across various sectors. During the period under review, a total of 129 projects i.e. flagships and client departments were implemented worth 1.586 billion including;

Key events were centred on execution of flagship County infrastructure, health facilities, ECDE facilities, Public Administration facilities, commercial infrastructure, agricultural development and supervision of projects in all 45 wards plus strategic county-wide installations.

#### Key Activities Undertaken

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## 1. Technical Project Implementation

### a) Project Design and Development

The Directorate undertook the preparation of architectural and engineering designs for all County infrastructure projects. A total of 154 project designs were undertaken. These designs formed the basis for project implementations ensuring that all works conformed to approved standards, specifications, and sustainability requirements. The Directorate's technical teams ensured that project designs were aligned with the County's spatial and development plans, thereby enhancing uniformity, functionality, and cost-effectiveness in infrastructure development.

#### a) Bills of Quantities (BQs) and designs Preparation

The Directorate prepared Bills of Quantities (BQs) and cost estimates for 134 projects and 154 project designs across various implementing departments (**annexed**). These efforts ensured accurate technical costing, proper budgeting, and transparency in resource allocation. The Directorate further conducted technical cost estimation and material quantification for 89 projects (FY 2023/2024) and 65 projects (FY 2024/2025)

#### b) Contract Administration

The Directorate effectively managed one hundred and twenty-nine (129) active contracts spanning multiple sectors, including health, roads, education, trade, and agriculture.

Through this function, the Directorate ensured adherence to contractual obligations, timely delivery of works, and compliance with approved technical standards.

#### c) Procurement Support

In fulfilling its technical advisory role, the Directorate provided critical support to the County Procurement Unit, particularly in the evaluation of bids for works and supplies. The Directorate's technical officers participated in the evaluation of contractors and suppliers to ensure that only competent and qualified firms were engaged. This collaborative approach enhanced transparency, competitiveness, and accountability in the procurement process.

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## 2. Project Supervision and Quality Assurance

During the period under review, the Directorate of Public Works continued to undertake comprehensive supervision and monitoring of infrastructure projects across the County. The Directorate maintained a consistent presence on project sites to ensure quality assurance, adherence to timelines, and conformity with approved designs and specifications and daily monitoring of construction activities across all 45 county wards.

The following key activities were undertaken:

### a) Site Supervision

The Directorate conducted site supervision across all wards where County projects were undertaken, providing continuous technical oversight throughout the contract period. Through resident and visiting engineers, the Directorate ensured that contractors adhered to approved drawings, specifications, and safety standards. As a result 2500 site inspection reports were generated. No evidence of the reports was submitted.

### b) Progress Monitoring

The Directorate implemented a structured monitoring framework involving weekly site inspections and monthly progress assessments.

### c) Quality Control

The Directorate carried out regular technical inspections and material testing to verify compliance with engineering standards and building codes. The quality assurance teams ensured that construction materials met the required specifications and that works were executed in accordance with design parameters. Building standard had no budgetary allocation for the period under review.

### d) Photographic Documentation

The Directorate maintains a systematic photographic documentation process capturing each stage of project implementation. This visual record served as an important accountability tool, providing verifiable evidence of progress and aiding in audit and reporting processes.

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**e) Third-Party Monitoring**

For major infrastructure projects, the Directorate coordinated with external agencies to ensure objectivity and compliance with statutory requirements.

**3. Payment Certification and Financial Controls**

The Directorate of Public Works plays a pivotal role in ensuring prudent financial management and accountability in the execution of infrastructure projects. The Directorate's financial control mechanisms are anchored on strict adherence to technical verification, certification procedures, and compliance with relevant financial regulations. During the period under review, the Directorate undertook the following key activities:

**f) Interim Payment Certificates (IPCs)**

The Directorate undertook technical assessments and prepared Interim Payment Certificates (IPCs) for works completed by contractors. Each certificate was issued upon verification of physical progress against contractual milestones, ensuring that payments were commensurate with the actual volume and quality of work executed. For the period, 450 IPCs were issued.

**g) Final Payment Certification**

Upon project completion, the Directorate conducted inspections and verifications prior to the issuance of final payment certificates.

The Directorate reviewed and technically evaluated all variation orders arising from changes in project scope, design adjustments, or unforeseen site conditions. Each variation was subjected to a cost-benefit analysis to ensure justification and alignment with project objectives.

**h) Performance Bond Management**

The Directorate maintained oversight on contractor performance bonds, ensuring that all contracted firms furnished valid securities prior to commencement of works. It closely monitored compliance with

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performance obligations and, where necessary, initiated bond invocation procedures in cases of non-performance or contract abandonment.

**i) Value Engineering**

In its commitment to cost efficiency, the Directorate applied value engineering principles to optimize project costs without compromising on quality and functionality.

**3. Contract Management and Enforcement**

**a) Default Notice Administration**

The Directorate administered formal enforcement measures against underperforming contractors, including the issuance of default and remedial notices in accordance with contract provisions. It was noted that four (4) flagship projects were currently under remedial management following contractor delays and performance deficiencies. These are;

**Active Contract Management Issues**

At the time of this report, the following flagship projects were under remedial management due to performance related challenges:

1. County Executive Office Block- The contractor had been issued with a default notice on account of slow progress; with the project achieving only 19 per cent completion against the expected implementation schedule.
2. County Aggregation and Industrial Park – A default notice was issued to the contractor citing unsatisfactory performance.
3. Governor’s Residence – The contractor was not on site and an extension of time was under review.
4. Deputy Governor’s Residence – A default notice had been issued following the contractor’s prolonged absence from the project site.

**b) Extension of Time Evaluation/Variation**

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The Directorate undertook technical assessments of requests for extensions of time submitted by contractors. Each request was subjected to scrutiny to ascertain the validity of the justifications provided, such as adverse weather conditions, site constraints, or scope variations.

**c) Dispute Resolution**

The Directorate facilitated mediation and technical arbitration processes for resolving contract disputes arising during project execution. Through structured engagements between contractors, supervising officers and client departments, the Directorate promoted amicable settlements and minimized costly litigation.

**d) Performance Monitoring**

The Directorate implemented continuous contractor performance monitoring and evaluation mechanisms throughout the project life cycle. Regular assessments were conducted to rate contractor performance based on quality of workmanship, adherence to timelines, safety compliance, and responsiveness to instructions.

**e) Defects Liability Management**

Following project completion, the Directorate maintained oversight during the defects liability period to ensure prompt correction of identified faults and deficiencies. The Directorate enforced contractual warranties and retained liability clauses to guarantee that completed works met the expected standards of durability and safety.

**5. Multi-Departmental Coordination**

The Directorate of Public Works continues to play a pivotal role in fostering inter- departmental coordination and technical collaboration within the County Government

Through its cross-cutting functions, the Directorate ensures that infrastructure development is undertaken in a harmonized, efficient, and cost-effective manner across all sectors. The Department holds joint inspections on all projects in the following instances/ occasions

**Inspection and Acceptance Committees-** as part of the procurement process preceding all payments once the client receives the Payment certificates for processing.

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**Site meetings-** as may be convened at any given stage of the projects.

**Audit Queries-** brought to the attention of the Directorate and may require site visits.

**1. Project Implementation Overview**

**A. Flagship County Infrastructure Projects**

A total of six (6) major projects valued at Kshs. 1.216 billion were undertaken, five (5) of which are under contractual implementation. The projects constitute strategic county development infrastructure aimed at enhancing service delivery and promoting socio- economic growth. The projects are as listed below;

1. County Executive Office Block - KSh 498.8 million (19% complete, active with remedial measures)
2. Kanduyi Bus Park & Market Stalls - KSh 248.1 million (89% complete, nearing completion)
3. Kamukuywa Market Development – KSh. 272.7 million (65% complete, extension of time processing)
4. County Aggregation & Industrial Park – KSh. 156.1 million (ongoing, active with remedial measures)
5. Governor's Residence - KSh 40.1 million (44% complete, extension of time requested)
6. Deputy Governor's Residence

**B. client Department**

**Health and Sanitation**

For Financial Year 2023/24 and 2024/25, the Public Works Directorate was engaged in supervising a total of 74 projects from the Health and Sanitation Department **Annexed**. The table below shows a summary of the projects and percentage performance for the projects completed and those stalled with a recommendation for termination in the Health Department.

**Summary of the status of projects by the Directorate F/Y 2023/24 and 2024/25**

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Financial year	Total number of projects	Completed projects	Stalled projects recommended for termination contracts	Ongoing projects
2023/24	50	28 (56%)	20 (40%)	2 (4%)
2024/25	24	14 (58%)	9 (38%)	1 (4%)

A detailed list of the project location and specifications was submitted. Below is a summary of the status of projects for the Health Department that stalled as per the submission by the Directorate.

S/NO.	PROJECT	FY	STAGE OF STAGNATION
1.	Construction of a pit latrine at Mung'ore market	2023/24	Ring beam
2.	Erection and completion of Wards at Kimaeti Dispensary	2023/24	Roofing
3.	Construction of 4 number door pit latrine at Kisawayi	2023/24	Excavation
4.	Construction of outpatient block at Mateka Dispensary	2023/24	Ring beam

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5.	Completion of maternity wing at Mukhweya Dispensary	2023/24	Roofing
6.	Construction of modern maternity wing at Luuya Dispensary	2023/24	Roofing
7.	Construction of proposed Maternity wing at Butieli Dispensary	2023/24	Roofing
8.	Outpatient wing at Sacho dispensary	2023/24	Roofing
9.	Construction of staff house at Kaboywa dispensary	2023/24	Finishes
10.	Construction of Lwakhakha dispensary	2023/24	Mechanical works
11.	Maternity wing at Ndalul Health centre	2023/24	After roofing
12.	Construction of 4 number door pit latrine at Kayaya dispensary	2023/24	Finishes
13.	Construction of maternity wing at Khalala dispensary in Sitikho ward.	2023/24	Roofing

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14.	Erection and completion of maternity wing at Mang'ana dispensary in Sitikho Ward.	2023/24	Roofing
15.	Proposed sentry and gate for Webuye Health Centre.	2023/24	Finishes and mechanical works
16.	Erection and completion of laboratory at Makunga dispensary.	2023/24	Roofing
17.	Construction of proposed 4 door pit latrine at Chepkurkur dispensary.	2023/24	Finishes
18.	Construction of proposed 4 door pit latrine at Chepyuk market.	2023/24	Ring beam
19.	Proposed construction of maternity wing at Machakha dispensary.	2023/24	Roofing
20.	Erection and completion of radiology department.	2023/24	Ring beam
21.	Construction of 3 no. door pit latrine at Tunya dispensary	2024/25	Finishes

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22.	Construction of maternity wing at Matulo dispensary	2024/25	Substructure works
23.	Proposed construction of 6 number door pit latrine at Sango market	2024/25	Substructure
24.	Construction of Bunjosi dispensary	2024/25	Roofing
25.	Construction of 2 number door modern pit latrine at Kachoiywa, Chemositet, Chebchebai ECDE.	2024/25	One, two number structure done. Two pending commencement.
26.	Proposed construction works of maternity wing at Mung'ore Health centre.	2024/25	After strip excavation
27.	Proposed construction works for Kibingei dispensary.	2024/25	Ring beam
28.	Renovation works for Chesikaki dispensary and completion of maternity wing at Kaptoka dispensary.	2024/25	Finishes
29.	Erection and completion works for outpatient wing at Lunao dispensary.	2024/25	Ring beam

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**1. Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development**

The Directorate supervised a total of 13 projects from the client department of Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development with seven (7) Projects relating to F/Y 2023/24 and six (6) projects relating to F/Y 2024/25. The projects undertaken in the Department includes; slaughter house renovation, coffee drying tables, cattle dips, chain link fence

All works were certified to be completed by the Directorate of Public Works. The table below provides the summary;

<b>F/Y</b>	<b>No. of projects</b>	<b>Remarks</b>	<b>Percentage</b>
2023/24	7	Works certified as complete	100%
2024/25	6	Works certified as complete	100%

The client department did not have any project stall for the F/Y 2023/24 and F/Y 2024/25.

**2. Trade, Energy and Industrialization Department**

A total of 33 projects valued at KSh 137.8 million were implemented under the Trade Department. The projects primarily focused on the development of commercial and market infrastructure, with key deliverables including the installation of street lighting systems, construction of auction rings, boda boda shades, and high-mast floodlighting to enhance business operations and promote a secure trading environment.

Notable Achievements: County-wide solar and grid lighting network, 4 modern auction rings

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completed.

The table below highlights the incomplete projects.

S. No.	Project	FY	Stage of Stalling
1	Installation, repair and maintenance of grid powered streetlights	2024/25	1st IPC raised
2	Installation, repair and maintenance of solar powered streetlights	2024/25	1st IPC raised
3	2 No. solar powered floodlights in Luuya Bwake	2023/24	Project terminated
4	1 no solar powered floodlights in Mihuu Ward	2023/24	Project terminated

### 3. Education and Vocational Training

The Directorate supervised implementation of 65 projects. The status of completed, ongoing and stalled projects across Bungoma County for the Financial Year 2023/2024 was 35 projects and 30 projects in the FY 2024/2025. The projects primarily focus on the construction and renovation of ECDE classrooms, pit latrines, and vocational training facilities (VTCs). The table below shows a summary of the projects and percentage performance for the projects completed and those stalled with a recommendation for termination:

#### **Summary of the status of projects by the Public Works Directorate in the Education Department for F/Y 2023/24 and 2024/25.**

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Financial year	Total number of projects	Completed projects	Stalled projects recommended for termination of contracts	Ongoing
F/Y 2023/24	35	17(49%)	17 (49%)	1 (2%)
F/Y 2024/25	30	16 (53%)	12(40%)	2 (7%)

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## Stalled projects for FY 2023/24 and 2024/25

S/No.	PROJECT	FY	STALLED STAGE
1.	Construction of 4 classrooms at St Joseph's Sudi VTC	2023/24	Slab level
2.	Construction of 1 No. ECDE Classroom and 2-door latrine at Wamunyiri Primary	2023/24	Roofing
3.	Construction of 1 ECDE classroom and 2 number door pit latrines at Kibochi, Mabanga and Luuya	2023/24	Not commenced
4.	Construction of 1 No. ECDE classroom and 2-door latrine at Luucho Primary	2023/24	Ring beam
5.	Construction of 1 No. ECDE classroom at St Patrick Maasai	2023/24	Not commenced
6.	Construction of 1 No. ECDE classroom at Binyenya, Sibumba and Kaptenai Primary	2023/24	Not commenced

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7.	Construction of 2 No. ECDE classroom at Soysambu S.A and 3 no ECDE classroom at St Paul's Narati.	2023/24	Ring beam
8.	Construction of 1 number ECDE classroom at Namawanga and ACK Mbakalo	2023/24	Roofing
9.	Construction of 1 number ECDE classroom at Wenyila	2023/24	Ring beam
10.	Construction of 1 No. ECDE classroom at Bunjosi and Sirende	2023/24	Roofing pending finishes
11.	Construction of 1 No. ECDE classrooms and 2-door pit latrines at Mapera, Kamukuywa & Sulwe Primary	2023/24	Not commenced
12.	Construction of ECDE classroom at Bukhula primary	2023/24	Ring beam

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13.	Construction of 1 No. ECDE classroom and 2 number door latrines at Sossaplek, Kapkisei, Cheptoror, Kewangoi & Marchikut	2023/24	2 No. pit latrines at finishing, 2 number not started, 1 no. at Ringbeam (Cheptoror, Kapkisei, Marchikut, Sosaplek and Cheptor respectively)
14.	Construction of 1 No. ECDE Classrooms at Kapchebuk, Kibumet, Chepyuk & Kaburu Primary	2023/24	Ring beam
15.	Construction of 1 No. ECDE Classroom at Kiptungurwo Primary	2023/24	Ring beam
16.	Construction of 1 No. ECDE classroom at Khasoko primary	2023/24	Not handed over to the contractor
17.	Construction of 1 No. ECDE classroom and 2 no. door pit latrine at Mabusi and Dorofu	2023/24	Ring beam

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18.	Construction of 2 No. ECDE Classrooms at Namasanda and Sifuniame Primary	2024/25	Not Commenced
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19.	Construction of 3 No classrooms at Wamunyiri VTC	2024/25	Stalled at 98% (finishes done awaits terrazzo laying)
20.	Construction and renovation of ECDE classrooms at Matunda and Namikelo,  Renovation of ECDE at Marobo.	2024/25	Namikelo class done to ring beam Marobo renovation completed  Matunda not commenced
21.	Construction of ECDE classrooms at Teremi and Baraka Primary	2024/25	Roofing
22.	Construction of 1 No. ECDE Classroom and 3 door pit latrine at Sipala Primary	2024/25	Classroom done to Ring beam, pit latrine completed
23.	Construction of ECDE classroom at Namawanga Primary	2024/25	Roofing pending finishes
24.	Constructions of Kamosong model ECDE classroom	2024/25	Roofing finishes

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25.	Construction of ECDE Classroom at Kebee and Kopsiro Primary.	2024/25	Not commenced
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26.	Construction of ECDE classrooms at; Chesinende, Kaborom, Kongit and Tomoi Primary.	2024/25	Not commenced
27.	Construction of 2 No. ECDE classroom at Sesik and Chengeywo	2024/25	Not commenced
28.	Renovation of ECDE classroom at Mukhaweli and Kanduyi DEB	2024/25	Mukhaweli complete Kanduyi DEB not complete
29.	Construction of the office and 1 No. ECDE class at Bungoma DEB	2024/25	Finishing-tilling at verandah.

#### 4. Public Administration Department

A total of 16 projects valued at KSh 55 million were implemented under the administrative infrastructure development programs.

Key deliverables included the construction of Ward Administrator offices, County Public Service Board office blocks, and other government administrative facilities. Notable achievements include enhanced local government service delivery and improved administrative capacity at the ward level

The table below highlights the projects undertaken in the Department;

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Financial year	Total number of projects	Completed projects	Stalled not handed over	Ongoing partially certified
F/Y 2023-/2024	6	2 (33.3%)	2 (33.3%)	2 (33.3%)

The table below provides a summary of status of the projects and the stalled stage.

S/NO.	PROJECT NAME	FY	STATUS
1.	Construction of Ward Administration block at Mateka	2023/2024	Stalled at finishes level
2.	Erection and Completion of Public Service Board Offices	2023/2024	Stalled Walling at First Floor
3.	Construction of a Ward Administration Block at Kapkateny' Ward	2023/2024	Contract terminated before commencement
4.	Construction of a Ward Administration Block at Milima Ward	2023/2024	Contract terminated before commencement

#### Human Resources and Capacity Current Staffing Level:

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The Directorate of Public Works operates under a severe staffing deficit that significantly impacts service delivery capacity. According to the approved Staff Establishment for the Directorate of Building Services, the Department has an approved establishment of 60 technical positions but currently operates with only 20 staff members, representing a 33 per cent staffing level with a critical shortage of 40 positions.

The table below presents a summary of the staff establishment in the Directorate;

S/NO	CADRE	DESIGNATION	JG	IN-POST	OPTIMAL	VARIANCE
1.	Directorates	Director Public works	R	1	1	0
<b>Degree holder</b>						
2.		Engineer (Structural)	K-Q	1	5	(4)
<b>Diploma holder</b>						
3.	Structural Assistants	Engineering Assistant (Structural)	H-P	1	4	(3)
<b>Diploma holder</b>						
4.	Electrical Assistants	Engineering Assistant (Electrical)	H-P	0	4	(4)

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**Degree Holder**

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5.	Electrical officers	Engineer (Electrical)	K – Q	1	4	(3)
<b>Diploma Holder</b>						
6.	Mechanical - Building services Assistants	Engineer Assistant (Mechanical)	H – P	0	4	(4)
<b>Degree holder</b>						
7.	Mechanical Engineer  building services	Engineer (Mechanical - building services)	K – Q	0	3	(3)
<b>Degree holder</b>						
8.	Architectural officer	Architect	L – Q	1	4	(3)
<b>Diploma Holder</b>						
9.	Architectural Assistants	Architectural Assistant	H	1	4	(3)
<b>Diploma holder</b>						

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10	Building superintendent	Superintendent (Building)	H – P	7	10	(3)
<b>Degree Holder</b>						

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11	Quantity Surveyor	Quantity Surveyor	K – Q	0	4	(4)
<b>Diploma Holder</b>						
12	Quantity Survey Assistant	Quantity Survey Assistant	H – N	3	5	(2)
<b>Certificate Holder</b>						
13	Laboratory Technician	Senior, Laboratory Technician	G – K	5	5	0
<b>Diploma Holder</b>						
14	Laboratory Technologist	Laboratory Technologist	H – P	0	3	(3)
	<b>Total</b>			<b>20</b>	<b>60</b>	<b>40</b>

The table below presents a summary of the staff establishment in the Directorate;

S/NO	CADRE	DESIGNATION	JG	IN-POST	OPTIMAL	VARIANCE
1.	Directorates	Director Public works	R	1	1	0

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<b>Degree holder</b>						
2.		Engineer (Structural)	K-Q	1	5	(4)
<b>Diploma holder</b>						
3.	Structural Assistants	Engineering Assistant (Structural)	H P	-1	4	(3)
<b>Diploma holder</b>						
4.	Electrical Assistants	Engineering Assistant (Electrical)	H P	-0	4	(4)
<b>Degree Holder</b>						
5.	Electrical officers	Engineer (Electrical)	K Q	-1	4	(3)
<b>Diploma Holder</b>						
6.	Mechanical - Building Services Assistants	Engineer Assistant (Mechanical)	I - P	0	4	(4)
<b>Degree holder</b>						

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7.	Mechanical Engineer building services	Engineer (Mechanical - building services)	K Q	-0	3	(3)
<b>Degree holder</b>						
8.	Architectural officer	Architect	L Q	-1	4	(3)
<b>Diploma Holder</b>						
9.	Architectural Assistants	Architectural Assistant	H	1	4	(3)
<b>Diploma holder</b>						
10	Building superintendent	Superintendent (Building)	H P	-7	10	(3)
<b>Degree Holder</b>						
11	Quantity Surveyor	Quantity Surveyor	K Q	-0	4	(4)
<b>Diploma Holder</b>						
12	Quantity Survey Assistant	Quantity Survey Assistant	H N	-3	5	(2)

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<b>Certificate Holder</b>						
13	Laboratory Technician	Senior, Laboratory Technician	G K	5	5	0
<b>Diploma Holder</b>						
14	Laboratory Technologist	Laboratory Technologist	H P	0	3	(3)
	<b>Total</b>			<b>20</b>	<b>60</b>	<b>40</b>

From the above, the staffing analysis reveals significant human resource gaps across key technical cadres within the Directorate of Public Works. Out of the 60 optimal positions, only 20 are currently filled, reflecting a deficit of 40 officers, equivalent to a 67% staffing gap.

While the position of Director, Public Works is filled, there is inadequate top and mid-level technical support to effectively implement and supervise projects.

The Quantity Survey, Electrical and Mechanical sections show the greatest gaps, with zero Electrical Assistants and no Mechanical Engineers or Assistants currently in post. This limits the Department’s ability to provide technical input in building services, installations, and maintenance.

Impact on Service Delivery:

**Honorable Speaker,**

The Committee noted that the critical shortage of technical staff has significantly undermined the Department’s capacity to effectively oversee and manage the infrastructure portfolio valued at Kshs 1.586 billion, comprising 129 active projects. The staffing gaps have particularly affected;

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1. The Department's ability to provide adequate technical supervision across various project sites;
2. The efficiency and consistency of quality assurance and certification processes;
3. Timely preparation of designs and Bills of Quantities;
4. Effective contract administration and enforcement; and
5. The provision of specialized technical services, including electrical, mechanical, and quantity surveying functions.

### **Current Mitigation Measures**

#### **Honorable Speaker,**

At the time of this report, the Department submitted that it had instituted several interim measures to address the staffing challenges, including;

1. Assigning available technical officers to undertake multiple responsibilities across various project areas;
2. Engaging specialized service providers on a need basis to support the implementation of critical projects;
3. Intensifying supervision schedules to enhance field coverage and project oversight; and
4. Partnering with private consultants and volunteers to provide technical support for complex and specialized project requirements.

## **CHAPTER THREE**

### **COMMITTEE'S FINDINGS, OBSERVATIONS AND RECOMMENDATIONS**

#### **Committee's Findings Honorable Speaker,**

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The Committee made the following findings

1. Delayed and Underperforming Flagship Projects. Four major projects i.e. Kamukuywa Market, County Aggregation and Industrial Park, Governor’s Residence and Deputy Governor’s Residence are under remedial management due to delayed implementation, poor contractor performance, and weak supervision mechanisms
2. The Directorate received no allocation in FY 2023/24 and only Kshs. 5 million in FY 2024/25, which was not released. Consequently, the Directorate relied entirely on project management fees, often delayed by contractors, thereby crippling operational effectiveness and timely supervision.
3. Across the five client departments, the Directorate oversaw 129 projects worth approximately KSh 1.586 billion. Out of these, 21% were ongoing, 7% stalled, and 15% substantially complete.
4. The Education Department recorded the highest number of stalled projects due to contractor incapacity, delayed funding, and weak follow-up mechanisms.
6. The Directorate operates with only 20 technical officers out of an approved establishment of 60, representing a 67% staffing deficit. Key positions such as Electrical and Mechanical Engineers, Quantity Surveyors, and Architectural Assistants remain vacant, significantly impairing project design, costing, and supervision capacity.
7. The Directorate owns only two operational vehicles, making it difficult to carry out effective supervision and inspection across the 45 wards. This undermines quality control and timely reporting.
8. The reliance on project management fees remitted by contractors creates a conflict of interest and exposes the Directorate to financial uncertainty, undermining independence in quality assurance.

### **Committee’s Observations**

#### **Honorable Speaker,**

The Committee made the following observations:

1. The Directorate remains a critical technical unit in the implementation of county infrastructure projects but continues to face operational neglect and budget marginalization compared to the

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Roads Directorate. The lack of an independent budget impairs planning, supervision, and compliance with building standards and quality control.

2. Understaffing has led to overstretched personnel handling multiple projects, thus reducing supervision frequency and increasing the risk of substandard works. The Directorate has a glaring staffing shortage with a staff establishment of 60 technical staff but with only 20 in-service which compromises on effectiveness of service delivery.
3. Incomplete and stalled projects reflect weak feasibility assessments, inadequate contractor vetting, and poor contract enforcement.
3. The Directorate's role in contract management and performance evaluation is inadequately supported, resulting in weak enforcement of contractual obligations and performance bonds.

### **Committee's Recommendations**

#### **Honorable Speaker,**

The Committee recommends that;

1. The Directorate of Public Works should be allocated a dedicated annual budget commensurate with its cross-cutting mandate. The County Treasury, in consultation with the CECM for Roads, should prioritize this in the FY 2026/27 budget cycle.
2. The County Public Service Board should immediately initiate recruitment of technical officers to fill existing vacancies, especially in Quantity Surveying, Electrical, and Mechanical Engineering. A phased recruitment plan should be implemented to achieve optimum staffing capacity within the Directorate.

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3. The County Executive should allocate funds for the purchase of vehicles, survey tools, IT equipment, and testing kits to enhance supervision and project management. A separate vote head should be created for operational logistics and field facilitation.
4. The Department should establish a Construction Supervision and Quality Assurance Unit within the Directorate to standardize inspection, testing, and reporting. Project inspection reports should be submitted quarterly to the County Assembly.
5. The department of Roads, Transport, Infrastructure and Public Works should prioritize Capacity Building and Continuous Training/professional development for engineers, architects, and quantity surveyors through their respective professional bodies i.e. IEK, BORAQS, and IQSK.

### **Conclusion**

#### **Honorable Speaker,**

The Committee upholds that the Directorate of Public Works remains central to the County's infrastructural projects management and execution. However, persistent underfunding, understaffing, and weak operational systems threaten infrastructure quality, public safety, and value for money. Implementation of these recommendations will significantly enhance performance, accountability, and service delivery in Bungoma County's infrastructure sector.

On the next page is the adoption schedule which is signed by most of the members and the rest are the annexures which are attached for reference by the Honourable members.

At this juncture, allow me to call upon Hon. Everton Nganga to second the adoption of this report.

**Temporary Speaker:** Thank you Hon. Okasida Johnston Ipara for moving that motion.

*(Applause)*

Hon. Everton, you can proceed and second the report.

**Hon. Everton Nganga:** Thank you Hon. Speaker. First, I would like to laud the mover of the motion, Hon. Ipara who is a member of the Roads committee. To my understanding, it's like Hon. Ipara had not reached the age of retirement. He is very energetic and when you listen to his phonological pronouncement of words, this Honorable member is audible and you cannot question...

**Temporary Speaker:** Which age of retirement are you referring to because you can only retire in one aspect but you are still very active in others so you have to be very specific.

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**Hon. Everton Nganga:** Thank you, Hon. Speaker. First, I would like to laud the mover of the motion, Hon. Ipara, who is a member of the Roads Committee. To my understanding, it is as if Hon. Ipara has not reached the age of retirement. He is very energetic, and when you listen to his phonological pronunciation of words, this Honourable Member is audible, and you cannot question...

**Temporary Speaker:** Which age of retirement are you referring to because you can only retire in one aspect, but you are still very active in others? So you have to be very specific.

**Hon. Everton Nganga:** Hon. Speaker, do not pin me down to be so specific, but Hon. Okasida is smart, eloquent, and members from his ward should give him more time, up to 2032, to represent them. The Department of Public Works in our County is like a laboratory that normally performs diagnostic work to diagnose patients before any patient is treated in a health facility.

This is a department that has a lot to do when it comes to the implementation of any project in our County. First, it normally monitors the performance of projects that are constructed in Bungoma County by establishing the timeline within which each project must be completed in our County Government. Again, it also monitors the quality and workmanship of the projects, as well as safety compliance.

This is a department that is understaffed, as has been well stated in the report. It is a department that has only 20 technical officers, so there is a deficit when it comes to staffing. It has a 67 percent staffing gap.

This report must be sent to the County Government so that they can actually ensure that the department is fully staffed to serve the County Government effectively.

The department had an allocation of 5,000,000 in FY 2024/2025. This was the budget required to monitor projects in the County Government, but these monies were not released to the directorate to perform its mandate.

You will discover that we have very many delayed or unfinished projects, such as the flagship projects at Kamukuywa, the Governor's residence, the Deputy Governor's residence, and the Industrial Park. There is a problem of delayed projects because the directorate is not well funded; it has no vehicles to move around and supervise the work.

This is a department that normally monitors the defect liability period, which means that after completion, it monitors any defects, deficiencies, or defaults that may occur in the projects.

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It also handles issues relating to dispute resolution and normally facilitates mediation and technical arbitration processes for solving contract disputes that may arise during project execution.

This is a very important department, and from our recommendations, the issues of delayed projects, human resources (staffing), and supervision costs have to be adhered to by the County Government, particularly the Finance Department.

I would like to urge Honourable Members present, as I second this report, to adopt it as it is, together with the recommendations therein. I second.

*(Applause)*

**Temporary Speaker:** Thank you, Hon. Everton Nganga, for your seconding remarks. Well, I will now propose the question;

*(Motion proposed)*

Well, Members, I think the mood of the House is positive. I will proceed and put the question;

*(Question put and agreed to)*

The Ayes have it.

*(Applause)*

Honourable Members, our report is duly adopted, and therefore I call upon the Table Clerk to ensure that, together with the recommendations, the necessary action is taken.

### **ADJOURNMENT**

Members that was our last item on the Order Paper. We shall adjourn the House and reconvene on Tuesday, the 7th of April 2026, at 2:30 p.m. Enjoy your Easter holidays as you prepare to be crucified. I wish you well so that you can be resurrected on Monday evening. We adjourn.

*The House rose at 4.24 p.m.*

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