

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

WEDNESDAY, 2ND SEPTEMBER, 2026

Afternoon Sitting

3rd County Assembly

5th Session

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COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

WEDNESDAY, 2ND SEPTEMBER, 2026

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

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

PRAYERS

COMMUNICATION FROM THE CHAIR

Honourable members, I wish to make the following communication. At the end of the communication, I'll be committing this document to the Committee on Health and Sanitation for processing and reporting back to the House as soon as possible. This communication is from the;

County Government of Bungoma,
Department of Health and Sanitation,
Office of the CECM

The Clerk,
County Assembly of Bungoma,
P.O.BOX,1886,50-200,
Bungoma.

REF: Request for approval of asset financing with the KCB Bank, Kenya Limited, for the proposed solarization of Public Health facilities in Bungoma County

The above refers to a hereby request for the approval of the County Assembly for the proposed asset financing arrangement to facilitate solarization of the Health facilities in the County. The proposed project is intended to provide reliable and sustainable electricity to health facilities, particularly those experiencing challenges associated with unreliable grid power and high energy costs. The solarization program will support uninterrupted provisions of essential health services, reduce expenditure on electricity and backup power, and promote the County Government's commitment to adoption of clean and renewable energy.

The proposed asset financing arrangement will enable the County Government to acquire and install solar energy systems, including solar panels, batteries, inverters, and associated equipment, without placing an immediate and inappropriate burden on the County's annual budget. The investment is expected to generate long-term operational savings while improving the quality and eligibility of health services.

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Revision 00

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In view of the foregoing, I kindly request the County Assembly through your office to consider the approval of the proposed asset financing for the solarization of the identified health facilities subject to the applicable legal, financial, and procurement requirements. They have been able to list those facilities. Let me just name them before I read the last part. Facilities to be done for the solarization of Bumula Hospital, Cheptais, Kabuchai, Kanduyi, Kimilili, Elgon, Sirisia, Tongaren, Webuye East-West. They have specified how many Level 1 are there in all of them, Level 3 and Level 2. So, this document, now the last part of it that is important is the justification.

Honourable Members, kindly be able to take up your positions, please.

The proposed solarization project is justified by the following considerations. Service continuity. Majority, take up your positions, please.

The justification. The proposed solarization project is justified by the following consideration. Service continuity.

Solar power with appropriately designed storage and grid or a generator integration will support continuous operation of the essential service during the grid interruption. Patient safety and the quality of care, reliable electricity will improve equipment, uptime, cold chain, integrity, theater and maternity operations, laboratory functionality, emergency response, and security within the facilities. Cost, containment and operation efficiency, reduced dependence on the grid electricity and diesel generators is expected to lower the current energy expenditure and create predictable energy cost over the life of the installation.

Lastly, climate reliance and environmental sustainability, renewable energy will reduce reliance on fossil fuel generation, lower emissions and support the country climate smart development objective. Added financing, life cycle support, partnership framework provides for energy audit, approved EPC contractors, equipment warranties and maintenance arrangements linked to the financial period.

Scalability. A first approach allows the county to test performance, verify savings, strengthen implementation systems and use lessons from phase one to guide future expansions. And lastly now, physical prudence and accountability, cabinet and County Assembly oversight together with facility specified affordability and the legal review will ensure that the financial commitments are transparent, affordable and aligned to applicable public finance procurement requirements.

Honourable members, this document committing the same, the committee of Health and Sanitation for processing and reporting back to the House, I ask that the committee takes it up, look at it as soon as possible for us to look at it as a House a whole.

Thank you.

MOTION

REPORT OF THE SECTORAL COMMITTEE ON LABOUR RELATIONS, MEMBER SERVICE AND FACILITIES
ON THE STATUS OF THE COUNTY PUBLIC SERVICE BOARD OFFICE BLOCK AND THE COUNTY
ASSEMBLY DEBATING CHAMBERS

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Mr. Speaker: Hon. Martin Chemorion, the Chair of the committee, you kindly proceed and be able to move the motion on behalf of the committee.

Hon. Martin Chemorion (Chairperson, Committee on Labour Relations, Members Services and facilities): Thank you Honourable Speaker, allow me to move the motion on the report of the status of construction of the County Public Service Board office block and the new County Assembly debating Chambers

CHAPTER ONE

Preface

Hon. Speaker,

It is my honour and privilege to present this Report of the Committee on Labour Relations, Members' Services and Facilities on the status of construction of the County Assembly Debating Chambers and the County Public Service Board (CPSB) Office Block.

This Report is submitted pursuant to the provisions of the County Assembly Standing Orders and in fulfillment of the Committee's oversight mandate as enshrined under Article 185(3) of the Constitution of Kenya, 2010, which empowers County Assemblies to exercise oversight over the County Executive Committee and all county organs. In executing this mandate, the Committee undertook a structured assessment of the two projects with a view to evaluating their implementation status, compliance with the applicable legal framework and overall performance in relation to their intended objectives.

The construction of the County Assembly Debating Chambers and the CPSB Office Block constitutes a critical investment in strengthening institutional capacity, enhancing governance and improving service delivery within the County. The Debating Chamber is central to the legislative function of the Assembly; providing an appropriate and dignified environment for deliberation, representation and oversight. Similarly, the CPSB Office Block is intended to facilitate the effective functioning of the County Public Service Board by providing adequate infrastructure to support human resource management and administrative operations within the county public service.

In the course of its work, the Committee undertook a comprehensive review of project documentation, conducted site visits and engaged relevant stakeholders to establish the factual position regarding the implementation of the projects. The findings of the Committee indicate that while the Debating Chamber project is progressing within the expected framework and in compliance with the law, the County Public Service Board Office Block project has encountered significant challenges, including site related disputes, design alterations and contractor abandonment; which have adversely affected its progress.

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The observations and recommendations contained in this Report are therefore intended to guide the County Government and the County Assembly in addressing the identified challenges, strengthening project management practices and ensure the timely and efficient completion of the projects. The Committee has also sought to propose measures that will enhance accountability, safeguard public resources and promote adherence to the principles of good governance.

Hon. Speaker,

The Committee remains committed to supporting the County Assembly in attaining its constitutional mandate and ensuring that public investments deliver tangible value for money to the citizens.

It is therefore my pleasant duty, on behalf of the Committee, to table this report before this Honorable House for consideration and adoption.

Executive Summary

Hon. Speaker,

This Report presents the findings of the Committee on Labour Relations, Members' Services and Facilities following an oversight exercise on the status of construction of the County Assembly Debating Chambers and the County Public Service Board (CPSB) Office Block.

The Committee undertook this assessment in fulfillment of its constitutional mandate to oversee the utilization of public resources and the implementation of development projects within the County. The exercise focused on evaluating project performance, compliance with the applicable legal framework and the extent to which the projects are achieving their intended objectives.

The Committee established that both projects were procured in full compliance with the Public Procurement and Asset Disposal Act; thereby meeting the legal requirements governing public procurement. The processes adhered to the principles of transparency, fairness and competitiveness.

The works progress on the County Assembly's Debating Chambers project whose project cost is Kshs. 399,734,190 was satisfactory. The contractor was on site and construction works were ongoing in accordance with approved plans and contractual provisions. The Committee observed that payments made are consistent with the status of work completed. This indicates effective financial management and active contract supervision. The project is therefore on course to enhance legislative efficiency and institutional capacity of the County Assembly.

Conversely, the CPSB Office Block project valued at Kshs 52,497,282.94 has encountered significant implementation challenges. A dispute during execution led to a change of project site and subsequent alteration of design plans, which disrupted the project timelines. The situation was further intensified by the contractor's abandonment of the project site in October, 2025. At the time of conclusion of this report, the CPSB had extended the contract for a further forty (40) weeks

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Revision 00

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and the contractor had resumed works on site. The expected completion date for the project is 31st December, 2026. A copy of the extension agreement is annexed.

Committee Membership

Hon. Speaker,

The Committee on Labour Relations, Members' Services and Facilities comprises of the following Members: -

1. Hon. Martin Chemorion - Chairperson
2. Hon. Catherine Kituyi - Vice Chairperson
3. Hon. Everton Nganga
4. Hon. Anthony Lusenaka
5. Hon. Godfrey Mukhwana
6. Hon Francis Chemion
7. Hon. Everlyn Anyango
8. Hon. Linda Kharakha
9. Hon. Alice Kibaba
10. Hon. Brigid Katasi
11. Hon. Dorcas Ndasaba
12. Hon. Metrine Nangalama
13. Hon Sheila Sifuma
14. Hon. Aggrey Bosire

Acknowledgment

Hon. Speaker,

I would like to thank the Members of Labour Relations, Members' Services and Facilities Committee for their dedication, commitment, integrity and valuable contributions in carrying out the visit to the two facilities and eventually coming up with this report.

The Committee further extends its appreciation to officers drawn from the Department of Public Works, Procurement Unit, County Treasury, County Public Service Board and the County Assembly Service Board for their cooperation and availability for consultation at necessary stages of this inquiry.

The Committee is equally grateful to the Office of the Speaker and that of the Clerk of County Assembly for the support it received during the compilation of this report.

I therefore, on behalf of the Committee, present this Report before this Honorable House for consideration and adoption.

The report is signed by Hon. Martin Chemorion, MCA Cheptais Ward and Chairperson Committee on Labour Relations, Member's Services and Facilities

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CHAPTER TWO

Background Information

Hon. Speaker,

The development of institutional infrastructure remains a critical component in strengthening governance, enhancing service delivery and improving operational efficiency within county governments.

The construction of the County Assembly Debating Chambers is intended to enhance legislative capacity, facilitate effective deliberations and uphold the dignity of the Assembly. Similarly, the County Public Service Board Office Block is aimed at providing a centralized and functional working environment for the County Public Service Board to effectively discharge its mandate.

Mr. Speaker: Go to methodology.

Hon. Martin Chemorion: Methodology

In undertaking this assignment, the Committee adopted a structured methodology designed to ensure a comprehensive, objective and evidence-based assessment of the status of construction of the County Assembly Debating Chambers and the County Public Service Board (CPSB) Office Block. The approach was guided by the need to interrogate not only the physical progress of the projects, but also the legal, financial and administrative processes underpinning their implementation.

The Committee commenced its work through an extensive review of relevant project documentation. This included examination of tender documents, contracts, bills of quantities, variation orders, where applicable, payment certificates and progress reports submitted by the implementing departments. Particular emphasis was placed on verifying the alignment between contractual obligations and actual execution, as well as assessing whether payments made were commensurate with the level of work completed. This documentary analysis enabled the Committee to establish a clear baseline regarding the scope, timelines and financial commitments of each project.

In addition to documentary review, the Committee conducted physical site inspections for both the County Assembly Debating Chambers and the CPSB Office Block. These site visits were critical in enabling Members to independently verify the actual status of construction works, assess the quality of workmanship and observe the presence or absence of contractors and personnel on site. The Committee paid close attention to key indicators such as progress against timelines, utilization of materials, structural development and overall site activity. In the case of the County Public Service Board Office Block, the site visit provided direct confirmation of the contractor's absence and the stalled nature of the project thereby corroborating concerns arising from the documentary review.

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Further, the Committee held consultative engagements with relevant county officials drawn from key departments involved in the implementation of the projects. These included officers drawn from the Department of Public Works, Procurement Unit, County Treasury, County Assembly Service Board and the County Public Service Board. The purpose of these consultations was to obtain clarifications on emerging issues including procurement processes, contract management practices, funding flows and challenges encountered during implementation. The engagements also provided an opportunity for the Committee to assess the level of coordination amongst departments and the adequacy of administrative oversight mechanisms.

The Committee also undertook a comparative analysis between the reported progress submitted by the implementing entities and the actual situation observed. This involved cross-referencing progress reports, financial disbursements and contractual timelines with physical evidence from site inspections. Throughout this process, the Committee was able to identify discrepancies between documented performance and actual implementation. This approach was particularly instrumental in evaluating the integrity of reporting mechanisms and ensuring accountability in project execution.

Additionally, the Committee applied a governance and compliance lens in its analysis by assessing adherence to applicable legal and regulatory frameworks including the Public Procurement and Asset Disposal Act and the Public Finance Management Act. This enabled the Committee to determine whether due process was followed at various stages of the project lifecycle and whether there were any weaknesses in contract enforcement, risk management or financial control systems.

The adoption of this comprehensive methodology ensured that the Committee's findings and recommendations are grounded in verifiable evidence, balanced analysis and a clear understanding of both the technical and governance dimensions of the projects under review. It further reinforces the Committee's commitment to upholding its oversight mandate and ensuring that public resources are utilized in a transparent, accountable, and efficient manner.

This Report is prepared pursuant to the oversight mandate conferred upon County Assemblies under Article 185(3) of the Constitution of Kenya, 2010 and the applicable Standing Orders.

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CHAPTER THREE

Status of the County Assembly Debating Chambers

Project Overview

The construction of the County Assembly Debating Chambers constitutes a flagship institutional infrastructure project aimed at strengthening the legislative capacity, operational efficiency and institutional dignity of the County Assembly. The project is designed to provide a modern, purpose-built facility that adequately supports the constitutional mandate of the Assembly in legislation, representation and oversight.

The proposed Debating Chamber is envisioned as a comprehensive legislative complex equipped with a fully furnished debating hall, Members offices, committee rooms, public galleries, media facilities and integrated Information and Communication Technology (ICT) systems. The design incorporates modern architectural and functional standards intended to facilitate effective deliberations, enhance accessibility and promote transparency through public participation. The design of the structure further complements the colonial era designed premise that is currently under use which is intended to be preserved as part of the rich culture and as a required by the National Museum and Heritage Act, 2006 and the Physical Land use Planning Act, 2019

In particular, the inclusion of public galleries and media spaces is aligned with the constitutional principles of openness and accountability; enabling citizens and stakeholders to observe legislative proceedings. The integration of ICT infrastructure is expected to support digital legislative processes, including electronic voting, real-time documentation and virtual engagements where necessary, thereby enhancing efficiency and adaptability within the Assembly.

The project is valued at **Kshs. 399,734,190**, representing a significant public investment in governance infrastructure. This allocation reflects the County's commitment to institutional strengthening and the creation of a conducive working environment for Members of the County Assembly (MCAs) and staff. The scale of investment further underscores the need for strict adherence to principles of value for money, quality assurance and timely delivery.

The Committee notes that the development of a modern debating chamber is not merely a physical infrastructure undertaking, but a strategic intervention aimed at enhancing legislative performance, improving working conditions and reinforcing the institutional image of the Assembly. The project is therefore central to the broader objective of promoting effective governance and responsive public service delivery at the county level.

Procurement and Contract Award

The Committee undertook a detailed review of the procurement process relating to the Debating Chamber project with a view to establishing compliance with the applicable legal and regulatory

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framework. The Committee established that the procurement process was conducted in full compliance with the Public Procurement and Asset Disposal Act and adhered to the fundamental principles of transparency, fairness, equity and competitiveness.

The Committee also undertook a comprehensive review of the procurement process relating to the County Public Service Board Office Block project and established that the process was conducted in full compliance with the Public Procurement and Asset Disposal Act. The Committee also undertook a comprehensive review of the procurement process relating to the County Public Service Board Office Block project and established that the process was conducted in full compliance with the Public Procurement and Asset Disposal Act.

The tender for the construction works for the debating chambers was duly advertised through appropriate channels including the Newspaper of National Circulation and the Website allowing for open participation by eligible contractors. It was advertised under tender number **CA/BGM/OT/03-2023/2023** as Proposed Construction and Completion of County Assembly Debating Chambers. It was an open tender with a bid bond sum of **Kshs. 9,000,000**. The bidding process attracted submissions from eight firms thereby ensuring competitiveness and adherence to the principles of fairness and transparency.

The evaluation of bids was undertaken by a properly constituted Tender Evaluation Committee which applied objective and predefined criteria in assessing the technical and financial capacity of bidders. The Committee did not identify any irregularities in the evaluation process and the selection of the successful bidder was carried out in accordance with established procurement procedures. **Shamim Investments** emerged the best evaluated bidder with a score of **88.83** and a bid price of **Kshs. 399,734,190**.

Subsequently, on 26th January, 2024 an award Letter was issued to Shamim Investments. On 29th January, 2024 the contractor accepted the offer through an acceptance letter referenced **SIL/TA/01/02/2024**. The contract agreement was signed on 2nd February, 2024 with clearly defined the scope of works, timelines, payment terms and obligations of the parties. The procurement process, therefore, met all legal and procedural requirements and provided a sound basis for project implementation. The contractor took over the site on 15th March, 2024.

Hon. Speaker,

The Committee is satisfied that due process was followed in the procurement and award of the contract for the Debating Chamber project. This compliance provides a strong foundation for

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accountability and enhances public confidence in the management of the project. It also ensures that the project is insulated from procurement related disputes that could otherwise hinder its implementation.

3.3 Implementation Status

Hon. Speaker,

Following the review of documentation and the physical site inspection, the Committee observed that the implementation of the Debating Chamber project was progressing in a satisfactory manner and within the framework of the contractual obligations.

The contractor is actively present on site with visible deployment of personnel, equipment and materials. Construction activities were ongoing and there was clear evidence of progress across key components of the project. Structural works have advanced significantly with major elements of the superstructure either completed or nearing completion. Internal works including partitioning, finishes and installation of essential systems were also underway.

The Committee further observed that the pace of construction was consistent with the project timelines and there were no indications of undue delays or disruptions. Site operations appear to be well-coordinated with effective supervision by the relevant technical departments. The presence of qualified personnel and adherence to construction standards suggest that the project is being executed in accordance with approved specifications.

In terms of financial management, the Committee established that payments made to the contractor are commensurate with the level of work completed. This indicates adherence to proper financial controls and certification processes; where payments are based on verified progress and approved interim certificates. The alignment between financial disbursements and physical progress reflects prudent utilization of public funds and minimizes the risk of overpayment or financial mismanagement.

Hon. Speaker,

The Committee did not find any evidence of contractual breach or significant disputes between the contractor and the procuring entity. The working relationship between the parties appears stable and there are no reported challenges that would materially affect the continuation of the project.

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Additionally, the Committee noted that the implementation of the project has benefited from effective contract management and oversight by the relevant authorities. Regular supervision, monitoring and adherence to contractual provisions have contributed to the steady progress observed on site.

The project is under the supervision of the Permanent Secretary, State Department of Public Works. It was further noted that certified works were at 56% and payment status recorded at 30% of the contract sum.

The Committee ascertained physical works on the project to have reached the final slab on the third floor and that the works remaining were the installation of the final floor and finishes on the project. The expected completion date for the project is September 11th, 2026 after an extension of time for a period six months from the initial period that was set at March, 2026. The project details are elaborated in the data sheet below.

Project:	PROPOSED CONSTRUCTION AND COMPLETION OF THE COUNTY ASSEMBLY DEBATING CHAMBERS
Tender Sum:	Ksh. 399,734,190.00
Date of Handover:	16 th February, 2024
Commencement Date:	15 th March, 2024
Original Contract period:	2 years (104 weeks)
Date of completion:	13 th March, 2026
Revised contract period (26 weeks extension via approval letter dated 30th march, 2026, Ref. No. CAB/PW/4 Vol. I (29))	130 Weeks
Revised completion date	11th September, 2026

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Time elapsed:	116 weeks
Approx. % of contract period elapsed:	89.23%
% of works done to date (approx. physical progress weight against the scope):	76%
Amount certified to date:	Ksh. 113,679,015.25
Amount paid to date:	Ksh. 113,679,015.25
Week No:	116
Date of this report:	5th June, 2026

Table 2

PROJECT TEAM

<u>CLIENT</u>	<u>PROJECT MANAGER</u>
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COUNTY ASSEMBLY OF BUNGOMA P.O BOX 1886 – 50200, <u>BUNGOMA.</u>	WORKS SECRETARY, STATE DEPARTMENT OF PUBLIC WORKS, P.O BOX 30743-00100, <u>NAIROBI</u>
<u>ARCHITECT</u> CHIEF ARCHITECT (SDPW) P.O BOX 30743 – 00100 NAIROBI.	<u>QUANTITY SURVEYOR</u> CHIEF QUANTITY SURVEOR (SDPW) P.O BOX 30743 – 00100 NAIROBI.
<u>STRUCTURAL AND CIVIL ENGINEERS</u> CHIEF ENGINEER (SDPW) P.O BOX 30743 – 00100 NAIROBI.	<u>ELECTRICAL ENGINEER</u> CHIEF ENGINEER (SDPW) P.O BOX 30743 – 00100 NAIROBI
<u>MECHANICAL ENGINEER</u> CHIEF ENGINEER (SDPW) P.O BOX 30743 – 00100 NAIROBI	<u>MAIN CONTRACTOR</u> M/S SHAMIM INVESTMENT LIMITED P.O BOX 4925 – 00506 NAIROBI.
<u>ELECTRICAL SUB-CONTRACTOR</u> M/S SHAMIM INVESTMENT LIMITED P.O BOX 4925 – 00506 NAIROBI.	<u>MECHANICAL SUB-CONTRACTOR</u> M/S SHAMIM INVESTMENT LIMITED P.O BOX 4925 – 00506 NAIROBI.
<u>CLERK OF WORKS</u> WORKS OFFICER COUNTY ASSEMBLY OF BUNGOMA P.O Box 1886 – 50200	

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<u>MECHANICAL ENGINEER</u>	<u>MAIN CONTRACTOR</u>
CHIEF ENGINEER (SDPW)	M/S SHAMIM INVESTMENT LIMITED
P.O BOX 30743 – 00100 NAIROBI	P.O BOX 4925 – 00506 NAIROBI.
<u>ELECTRICAL SUB-CONTRACTOR</u>	<u>MECHANICAL SUB-CONTRACTOR</u>
M/S SHAMIM INVESTMENT LIMITED	M/S SHAMIM INVESTMENT LIMITED
P.O BOX 4925 – 00506 NAIROBI.	P.O BOX 4925 – 00506 NAIROBI.
<u>CLERK OF WORKS</u>	
WORKS OFFICER	
COUNTY ASSEMBLY OF BUNGOMA	
P.O Box 1886 – 50200	
<u>BUNGOMA.</u>	

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Status of the CPSB Office Block

Project Overview

The construction of the County Public Service Board (CPSB) Office Block is a strategic infrastructure project aimed at enhancing the administrative efficiency, institutional independence and operational effectiveness of the County Public Service Board.

The County Public Service Board plays a critical role in the management of human resources within the county public service including recruitment, appointments, promotions and disciplinary control. As such, the provision of adequate and functional office space is essential to enable the Board to effectively discharge its constitutional and statutory mandate.

The County Public Service Board Office Block project was conceptualized as a modern administrative facility designed to house offices for Board Members and Secretariat staff, meeting rooms, records management facilities and supporting amenities.

The facility is intended to provide a centralized and structured working environment that promotes professionalism, efficiency and coordination in the management of county public service functions.

The project is valued at **Ksh. 52,497,282.94**, representing a significant investment in strengthening public administration and institutional capacity within the County Government. The development of this facility is expected to reduce reliance on fragmented office arrangements, distinguish the Board from the Executive as an independent body, improve service delivery and enhance accountability in human resource management processes.

The Committee notes that the CPSB Office Block is not merely a physical structure but a critical enabler of governance and service delivery. Its successful completion is therefore integral to the broader objective of building an efficient, responsive and accountable county public service.

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Revision 00

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Procurement and Contract Award

The Committee undertook a comprehensive review of the procurement process relating to the CPSB Office Block project and established that the process was conducted in full compliance with the Public Procurement and Asset Disposal Act, 2015.

The tender for the construction works was duly advertised through appropriate channels including the Newspaper of National Circulation and the Website allowing for open participation by eligible contractors. It was advertised under tender number **BGM/CNTY/CPSB/OT/01/2022/2023** negotiation number **188553-2022/2023** as Proposed Erection and Completion of County Public Service Board Offices in Bungoma County. It was an open tender with a bid bond sum of Kshs. 1,000,000. The bidding process attracted submissions from four firms thereby ensuring competitiveness and adherence to the principles of fairness and transparency.

The evaluation of bids was undertaken by a properly constituted tender evaluation committee which applied objective and predefined criteria in assessing the technical and financial capacity of bidders.

The Committee did not identify any irregularities in the evaluation process, and the selection of the successful bidder was carried out in accordance with established procurement procedures. **MS Gaspas Engineering Works** emerged the best evaluated bidder with a score of 70 and a bid price of Kshs. **52,497,282.94**

Subsequently, on 29th March, 2023 an Award Letter was issued to Gaspas Engineering Works and on 5th April, 2023 the contractor accepted the offer through an acceptance letter referenced **GEW/CPSBB/07/07/23**.

The contract agreement was signed on 13th April, 2023, with clearly defined the scope of works, timelines, payment terms and obligations of the parties. The procurement process, therefore, met all legal and procedural requirements and provided a sound basis for project implementation.

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The Committee was satisfied that the procurement and contract award process for the County Public Service Board Office Block was lawful, transparent and compliant with the applicable legal framework. However, as will be demonstrated in subsequent sections, compliance at the procurement stage did not fully translate into effective implementation.

Implementation Status and Challenges

The Committee observed that the implementation of the County Public Service Board Office Block project has been significantly affected by a series of challenges which led to the stalling of the project for some time.

During the initial stages of implementation, a dispute arose relating to the project site, which necessitated a relocation of the project from Ndengelwa area in Bukembe West Ward to an alternative site adjacent to the County Assembly administration block in Township Ward.

This development required adjustments to the original project design to accommodate the new site conditions. The Committee notes that such changes, while sometimes unavoidable, have the potential to disrupt project timelines, increase costs and introduced uncertainties in project execution if not properly managed.

The alteration of design plans and relocation of the site contributed to delays in the commencement and continuation of construction works. These changes required additional planning, approvals and coordination, which slowed down the pace of implementation and affected the overall project schedule.

The situation was further aggravated by the contractor's abandonment of the site in October, 2025 citing the client's breach in terms of delayed payments on certified works. The Committee established that the contractor has resumed works after the client had cleared the outstanding payment.

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The client, that is, the County Public service Board had formally approved an extension of the contract time for a further forty (40) weeks; thus extending the project contract time up to December, 2026.

At the time of the conclusion of this report, the contractor was on site and committed to clearing the pending works within the new project timelines. The on-going works include formwork for slab casting for the second floor of the office block.

The project is under the supervision of the County Department of Public Works. Certified works were at 56% and payment totalling to Kshs. 12 million had been made to the contractor, representing 23% of the contract sum.

CHAPTER FIVE

Committee's Observations and Recommendations

Committee's Observations

The Committee made the following observations:

The County Public Service Board Office Block project

1. The County Public Service Board Office Block project has deviated significantly from its original implementation plan due to site-related disputes, design alterations and payment delays.
2. That the County Public Service Board has granted a six month extension of the project implementation period to facilitate the completion of the remaining works and enable the occupation and operationalization of the County Public Service Board Office Block.

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Revision 00

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3. The contractor's abandonment of the County Public Service Board site represents a serious breach of contractual obligations; as a result, the delay in project completion poses risks of cost escalation, deterioration of partially completed works and inefficient utilization of public funds.
4. The Committee observed that the absence of audit and risk assessment reports, together with inadequate internal control mechanisms has weakened the County Government's capacity to effectively monitor, evaluate and ensure contractor performance during the implementation of the County Public Service Board Office Block Project.

The County Assembly Debating Chamber project

5. There is effective coordination on the County Assembly Debating Chamber project between the contractor and the implementing agencies. That upon extension of time, the project is progressing in accordance with the contractual framework and approved implementation plan

Committee's Recommendations

In light of the foregoing findings, the Committee recommends as follows;

1. The County Public Service Board should ensure completion of the County Public Service Board Office Block project within the extended six months implementation period by resolving all outstanding contractual, financial and technical issues. The Accounting Officer alongside the project supervisor should enforce the contractual provisions, closely monitor the contractor's performance through regular progress reports and apply appropriate contractual remedies, including penalties or termination should the contractor fail to meet the revised implementation schedule. A status report on the project should be filed to this committee 90 days upon adoption of this report
2. The County Government should strengthen project governance by instituting robust audit, risk management and internal control mechanisms for all capital development projects. This should include conducting periodic technical, financial and risk audits as well as establishing a structured project monitoring and evaluation framework and submitting regular progress and compliance reports to the oversight committee to ensure accountability, timely decision making and value for public resources.

The County Assembly Debating Chamber project

3. THAT the Contract Implementation Team alongside the project supervisor for the debating chambers project of the County Assembly should continue to provide strict technical supervision and enforce adherence to quality standards and specifications. The team should report on whether

Version 00

Revision 00

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the project is progressing within the agreed timelines. Further, the validity of the performance bond should be ascertained and a progress report filed with the sector committee on Labor Relations, Members' Services and facilities 30 days upon the adoption of this report.

4. THAT, upon completion of the County Assembly Debating Chambers, the County Assembly Service Board should ensure proper equipping and operationalization of the facility to fully realize its intended benefits.

ADOPTION SCHEDULE

We, the undersigned members affix our signatures adopting this report with the contents therein. These are 14 members, all of them affixed their signatures. We have the annexures for your perusal, project extension contract for the CPSB office block

ANNEXURES

- I. Project extension contract for the CPSB office block project.
- II. County Assembly Debating Chambers Project

Allow me to invite the seconder of this motion to come and second the motion. I invite Hon. Francis Chemion to second the motion. Thank you.

Mr. Speaker: Thank you Hon. Martin for moving the report of the committee.

(Applause)

Allow me be able to invite the seconder of the motion Hon. Francis Chemion to proceed.

Hon. Francis Chemion: Hon. Speaker, thank you for allowing me to second this very important report that has been read to us ably by the Chair of Labor Committee, Hon. Martin Cheseto Chemorion. I will only deal with very few areas because this is a very self-explanatory report. In fact, there is a summary of this report in terms of the table that can easily help members be able to get what has been written in form of paragraphs.

The cost of the debating chambers for the benefit of members who are not members of this committee is 399,734,190 and the cost of the County Public Service Board offices is 52,497,282.94. That is the much that is going to be expended in constructing the two infrastructure.

Another point to note is that the debating chambers is one of the flagship projects of the County Assembly that is why it is consuming that substantial amount and you could see those Honourable Members who can hear, they can hear what is happening there, work is going on.

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After the completion of this project, members will have a very good area to do their oversight, representation and legislative work. This debating chamber that we are using currently was built many years ago and it has stood the effects of weather, climate and time. But because of the new things that are coming up, it was the design and a plan... and a strategic plan of the County Assembly to have new debating chambers so that we could do what we are supposed to do in a dignified environment where there is a good working environment also and that is why that project was funded.

So, the debating chambers will have many spaces. We will have a debating hall like this one that we are in, we will have member offices, a few of us. There will be committee rooms, public galleries, media centres. It will be one of the best debating chambers in the Republic of Kenya.

Members if we are through, this debating chamber plus our administration block that we have, Bungoma will be the leading County Assembly in terms of infrastructure and even other legislative works because we are already approaching that position. We can't compare ourselves to other areas which I may not want to put on HANSARD. When you go to other County Assemblies, you will ask whether you are in a County Assembly or in a marketplace but we are doing very well.

Members, we are doing well courtesy of the County Assembly Board. These things cannot just happen, they happen if the leadership of the County Assembly are focused. That is why we have that administration block complete now we are having the debating chambers. So, Hon. Speaker, plus your team you are doing well to this county.

The completion date of the debating chambers, I know members are asking, will we occupy this before we go for elections? That is a question that is begging. From the documentation that we have the completion date is 11th of September, 2026. Today is the 2nd. How many days are left for this building to be completed? Around nine days and because we cannot anticipate debate, as a committee we know the building will be completed by 11th because we have not reached there and if there will be challenges, I know the relevant bodies and teams will always work out to ensure that there is an extension to ensure that it is cleared.

On the office block, first of all, this one is being done by a company called MS Shamim, this one. Then the office block is being done by a company called Gas Pass Engineering Works and there are issues with the county public office block because of the relocation of site from Ndengelwa to where it is now.

It delayed and it will eventually bring cost implication because there were demolitions that were done there. That office block also has had challenges in terms of honouring of a certificate. The county government delayed honouring a certificate of 1million plus for a very long period of time. That is why that project has delayed and the completion date has been moved now to 31st of December this year for the completion of that office block.

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So, members, in summary, that is what is contained in that report and in the two sites. Work is on-going. The goodness is that members are able to see the construction in both the debating chambers and also the county public service board. We expect that this work goes on as planned so that they are useful to the county government of Bungoma. With those remarks, I second the report that was ably moved by Hon. Chemorion Thank you.

Mr. Speaker: Thank you, Hon. Chemion for seconding the committee report. Allow me Honourable members to propose a motion for debate.

(Question proposed)

(Question put and agreed to)

(Applause)

The report is approved by the House accordingly.

ADJOURNMENT

Honourable Members I am informed that was the main item on our Order Paper. Therefore, we adjourn our sitting today and resume tomorrow on Thursday, 3rd of September, 2026 in our 2.30 p.m. session.

The House rose at 3.32 p.m.

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