

REPUBLIC OF KENYA

NYANDARUA COUNTY ASSEMBLY

1ST ASSEMBLY- 5TH SESSION

OFFICIAL REPORT

Thursday 8th June, 2017

The Assembly met at the Assembly Chamber at 2.30 p.m.

[Temporary Speaker (Hon. Dorcas Kihara) in the Chair]

PRAYER

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

(The clerk-at-the-table confirms that there is no quorum)

Temporary Speaker: There being no quorum I invoke the provisions of Standing Order No. 34 and direct that the bell be rung for an initial ten minutes or until such time that quorum will have been achieved within the ten minutes.

(The bell is rung for one (1) minute and quorum is achieved as confirmed by the clerk-at-the-table)

Hon. Members, quorum having been achieved we can proceed to transact the business for the sitting.

First order.

PAPER LAID

CABINET SECRETARY'S SPEECH

(Hon. Michael Kirumba rises on behalf of Hon. Kariuki Muchiri)

Yes Hon. Michael Kirumba.

Hon. Michael Kirumba: Thank you Madam Speaker. I beg to table the speech by the Cabinet Secretary in charge of the national Government's Ministry of Public Service, Youth and Gender Affairs. Thank you.

Temporary Speaker: Thank you Hon. Michael Kirumba. The paper is duly tabled.

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Next order.

NOTICE OF MOTION

CABINET SECRETARY'S SPEECH

(Hon. Michael Kirumba rises on behalf of Hon. Kariuki Muchiri)

Yes Hon. Michael Kirumba.

Hon. Michael Kirumba: Thank you Madam Speaker. I beg to give notice of the following motion:

That the thanks of the Assembly be recorded for the exposition of the public policy contained in the address of the Cabinet Secretary in charge of the national Government's Ministry of Public Service, Youth and Gender Affairs.

Temporary Speaker: That notice of motion is duly given.

Next order.

STATEMENT

STATUS OF ROADS IN MIRANGINE WARD

(Hon. Mumba Gichini rises on behalf of Hon. Kimani Gachuhi)

Yes Hon. Mumba Gichini.

Hon. Mumba Gichini: Thank you Madam Speaker. I rise to give the statement response on behalf of my able Chair, Hon. Kimani Gachuhi.

Madam Chair, the Member for Mirangine, Hon. David Ndirangu Ngigi, requested the Chairperson of the Committee on Roads, Public Works and Transport to provide information on the status of specific roads in Mirangine ward.

In the statement, the said Honourable Member stated that the said projects have not been completed despite money having been allocated for the same. He further stated that time has already lapsed within which implementation of some of the road projects was supposed to have been completed, adding that implementation of others has not started. Implementation of projects on the following roads forms the basis of this statement response:

- Mirangine-Chema Road.
- Riverside-Mirangine town Roads.
- Culvert installations
- Matunda Road
- Kibendera Road
- Kamuyu Road
- Kamirita Road
- Mbora-Njaaga Makurata Road
- Murindati-Mbora Road
- Starehe Road
- 169 Nyakiambi Road
- Karabati-Munyamba Road

- Githure-Tumaini Road
- V.I.P toilets in Mirangine.
- Karungo Road.

The Statement further requested the Chairperson of the Committee on Roads, Public Works and Transport to provide information on:

- the status of the above said roads;
- funds allocated for the same;
- the degree of completion of the projects on the said roads; and
- the quality of work done in implementing the projects.

Madam Speaker, Hon. David Ndirangu's request for the statement response is timely as it has made the Committee indulge in a productive discussion on and scrutiny of establishing how well the Department of Roads, Public Works and Transport ensures that the local citizenry has access to roads whose grading, gravelling and maintenance are commensurate with the taxes paid. In view of the foregoing, the Committee forwarded formal requests to the Department of Roads, Public Works and Transport for submission of copies of the bills of quantities (BQs) containing specifications of the works expected to be done and the funds allocated for each road. Moreover, the Committee carried out the following vital activities towards preparation of the statement response:

- a. Perusal of the BQs;
- b. Site visits; and
- c. Comparison of facts gathered from the conducted site visits and information provided in the bills of quantities (BQs).

RESPONSE TO THE ISSUES RAISED IN THE STATEMENT

Madam Speaker, the tables below contain information in response to the issues raised in the statement request:

Gravelling and Gravel Patching

Table 1

Name of the Road	Description of works	Amount, including signboard and contract administration, in Kshs.	Company awarded	Status of the road

Mirangine– Chema Road	<p><u>Gravel Patching</u></p> <p>Provide crushed rock gravel; place, spread, compact to finished thickness (150mm).</p> <p>Provision of signboards and contract administration.</p>	797,740	Eclat Merchants	The contractor gravel-patched about 100m in parts hence leaving some areas unattended. The Committee approximated that 7 lorries of gravel were used thus very shoddy work was done.
Riverside– Mirangine Town Road	<p><u>Gravel Patching</u></p> <p>Provide crushed rock gravel, place, spread and compact to finished thickness (150mm).</p> <p>Provision of signboards and contract administration.</p>	699,415.20	Equatorial Construction	The level of completion is about 70%. The contractor gravelled about 700m hence work was incomplete.
Matundura Road	<p><u>Gravel Patching</u></p> <p>Provide crushed rock gravel, place and spread to finished thickness (150mm).</p> <p>Provision of signboards and contract administration.</p>	699,715.70	Waheta Contractors	The contractor did shoddy and incomplete work since some areas were left out.
Kibendera Road	<p><u>Gravel Patching</u></p> <p>Provide crushed rock gravel, place and spread to finished thickness (150mm).</p> <p>Provision of signboards and contract administration.</p>	799,900	Exclusive General Merchants	The contractor did shoddy work considering the funds allocated.

Kamuyu Road	<p><u>Gravelling</u></p> <p>Provide crushed rock gravel, place, spread, compact to finished thickness (150mm).</p> <p>Provision of signboards and contract administration.</p>	998,296	Stadan General Contractors	The work on the road was well done.
Kamirita–Barabara Njeru Road	<p><u>Gravelling</u></p> <p>Provide crushed rock gravel, spread and break to finished thickness (150mm).</p> <p>Provision of signboards and contract administration.</p>	499,900	Yarom Enterprises	Gravelled about 300m of the road. Thickness of gravel 50mm instead of 150mm as provided for in the BQs. The part of the road gravelled was very narrow. Road gravelled halfway.
Mbora – Njaaga – Makurata Road	<p><u>Gravel Patching</u></p> <p>Provide crushed rock gravel, place, and spread to finished thickness (150mm).</p> <p>Provision of signboards and contract administration</p>	997,778	Nicon Construction Company	The work was incomplete and shoddy.
Murindati–Mbora Road	<p><u>Gravel Patching</u></p> <p>Provide crushed rock gravel, place, spread and compact to finished thickness (150mm).</p> <p>Provision of signboards and contract administration.</p>	499,930	Stadan General Contractors LTD	The road was gravelled but it was not compacted as provided for in the BQ.

Karungo Road	<p><u>Gravel Patching</u></p> <p>Provide crushed rock gravel, place and spread to finished thickness (150mm).</p> <p>Provision of signboards and contract administration.</p>	488,950	Aquasan Systems	Work was poorly done.
Starehe Road	<p><u>Gravel Patching</u></p> <p>Provide crushed rock gravel, place, spread and compact to finished thickness (150mm).</p> <p>Provision of signboards and contract administration.</p>	488,950	Stelney Enterprises	Work on the road was well done.
C69-Nyakiambi Road	<p><u>Gravel Patching</u></p> <p>Provide crushed rock gravel, place, spread and compact to finished thickness (150mm).</p> <p>Supply, install and backfill 600mm pipe culvert installation.</p> <p>Provision of signboards and contract administration.</p>	998,038	Randunya Enterprises	The work was incomplete. Drainage work not done hence no culverts installation as specified in the BQ.

Kabarati–Munyamba Road and Gathure–Tumaini Road

Madam Speaker, upgrading of the above said roads was allocated Kshs.500,000 and Kshs.1,000,000 respectively. The work on the roads was complete and well done.

Culvert Installation

Madam Speaker, the Committee noted from the BQs that there were 5 sets of culverts installed along various roads in Mirangine Ward with different allocations and specifications. They were as shown in the table below:

Table 2

Road	Item Description	Quantity	Unit Rate	Amount/ Kshs.	Status
Kibendera road	Supply, install and backfill pipe culvert (600mm)	5	19,140	95,700	The contractor did not install the culverts
Tumaini-Githure road	Supply, install and backfill pipe culvert (900mm)	5	23,200	116,000	Culverts well installed
Maelewano Full Gospel Church	Supply, install and backfill pipe culvert (600mm)	6	19,140	114,840	Culverts well installed
Newlife–Rutara Road	Supply, install and backfill pipe culvert (900mm)	5	19,140	95,700	The contractor did not install the culverts

VIP Toilets

Madam Speaker, the Committee had also requested for copies of the BQs for the construction of V.I.P toilets in the said ward, indicating the breakdown of funds allocated. In response, the Department on Roads, Public Works and Transport assured the Committee that the BQs would be submitted at a later date. At the time of preparing this statement response the Committee had not yet received the BQs.

Madam Speaker, from the facts gathered, the Committee noted that:

- There were no sign boards along any of the roads yet erecting the same was provided for in the bills of quantities with an allocation of Kshs.30,000 each;
- The bills of quantities had provided for crushed rock gravel, placing, spreading and compacting to finished thickness (150mm) for some of the roads while they had provided for the same save compacting for other roads as shown in table 1;
- The work done on most of the roads was shoddy and incomplete as shown in table 1;
- The funds allocated were for gravel patching except for Kamuyu and Kamirita–Barabara Njeru road;
- The funds allocated were enough to implement all the specifications provided for in the bills of quantities; and
- It is not clear if the inspection committee of the Department of Roads, Public Works and Transport visited the roads for inspection before paying the contractors.

CONCLUSION

Madam Speaker, in the previous years the Department of Roads, Public Works and Transport had allocated the highest amount of funds for development. Since FY2013/2014, the Department has been allocated a total allocation of Kshs. 2,651,950,010. Nyandarua County has a road network of 1924.1 km. 1170.2km of the same was of earth surface at inception of devolution. It is worth to note that 1km of road costs approximately Kshs1.2 million to grade, gravel and compact. With an allocation of Kshs 2.651 billion over the past years, all roads in the County ought to be well graded, gravelled and compacted by now.

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Madam Speaker, based on this information, the Committee has conducted numerous site visits and compiled reports. It continues to condemn contractors who do shoddy work. It is not clear why the Department of Roads, Public Works and Transport continues to award contracts to such contractors. It is also not clear if the Department conducts supervision before processing payments for work done. For Nyandarua County residents to achieve social, political and economic development, the County Government has to provide the requisite services. These include infrastructure, water, accessible health services and social amenities for inclusive sustainable economic wellbeing.

Madam Speaker, I wish to report that the foregoing are the findings of the Committee following its site visits to inspect and assess the status of the roads in question. Thank you.

Temporary Speaker: Thank you Hon. Mumba Gichini. Before I give directions, I would welcome the Member for Mirangine to state whether he is convinced by the findings of the committee as contained in the statement response.

(Hon. Paul Nderitu rises on a point of order)

What is it the Member for Kiriita?

Hon. Paul Nderitu: Madam Speaker, I think it would be fair if you gave a chance to any Member who would wish to contribute on the statement response. Some of us have something to say about the same.

Temporary Speaker: Hon. Paul Nderitu, I will allow the Member for Mirangine to make his contributions and state whether he is convinced by the response. Other Members cannot contribute if he is not convinced by the response.

Hon. David Ndirangu (Mirangine): Thank you Madam Speaker. I thank this House for charging the Committee on Roads, Public Works and Transport with the responsibility to inspect various roads in my ward. I joined the committee in the visits. I commend the committee for a work well done. Works done in the wards should reflect value for money. The work that was done on some of the roads in question was not commensurate to the money paid for the same. The statement response has the right information and this is what will reach *Wanjiku*. Contractors who did shoddy job should be brought to book. They should act as example to those who would think of doing shoddy job.

I do not have any queries pertaining the statement response.

Temporary Speaker: Thank you Hon. David Ndirangu Ngigi for those comments. The work of this Assembly is oversight and the committee did what it was supposed to do. I thank the committee for incorporating the Member for Mirangine.

Yes Hon. Kimani Gachuhi

Hon. Kimani Gachuhi: Thank you Madam Speaker. I apologise for my lateness. I thank Hon. Mumba Gichini for presenting the statement response. As I support the statement response I would like to acknowledge the Governor for releasing a press statement in which he asserted that he is the Governor of Nyandarua County and that he is in control.

There are things that have wrongly been done in the Department of Roads, Public Works and Transport. Before he launches his bid as an independent candidate, he should direct that contractors who were awarded contracts but did shoddy jobs to go back to the shoddily implemented projects and complete the same. A certain company was contracted to gravel 1.3 km of a road in Ol Joro Orok town but it only gravelled 700 meters of the said road. This is impunity.

People may think that we lost to Jubilee candidates; but we are still in power. We should therefore hear authority from the Governor directed towards implementation of resolutions and projects. The electorate and our competitors are castigating us because they think we have failed in some way. But there are those who have been given the power to implement law but their interest is money. They do not know what we are going through to defend our seats.

Companies that did poor work like upgrading 1.8 km of road with only six lorries loads of murrum or gravel should all be blacklisted.

The issues contained in the statement response at hand are just a small percentage of those related to the road sector in our county and the Governor should do something about them. He should remember there are people watching us. Therefore we should do the right thing at the right time.

Thank you Madam Speaker.

Temporary Speaker: Yes Hon. Paul Nderitu

Hon. Paul Nderitu: Thank you Madam Speaker. As you have noted, there are some contractors who have been mentioned in the statement response. In view of this, I this matter should be re-introduced in this House as a motion. Remember a motion is weightier than presentation of a statement response. We would like to hear the recommendations of the Committee on the findings in the statement response. The owners of the said companies should be summoned. Some of them did a shoddy job yet they were paid.

Temporary Speaker: Yes Hon. Michael Kirumba.

Hon. Michael Kirumba: Thank you Madam Speaker. The findings in the statement response at hand are an example of what would be found in every ward. Mahinga and Kagongo roads in Kipipiri, for example, were not upgraded despite contracts for their upgrading having been awarded. I think the Office of the Clerk should propose drafting a bill that will outline what should be done to contractors who do shoddy work.

If we had the luxury of time, the Committee should have assessed roads in all the wards and you would have realized that issues concerning implementation of road works would have repeated themselves.

We have done what we were expected to do. Now we should wash our hands like Pontus Pilate. The rest remains with the Executive. We are suffering as the elected Members because of someone else. In the course of disliking the Governor, the electorate and disliked us. Nature and destiny are sometimes unfair.

Temporary Speaker: Hon. Members, we have done our work and therefore we should not be guilty. History will harshly judge whoever did not do their work as it was supposed to be done. Those who will come to this House after us will see that we really did our work. God will bless us for ensuring prudent use of public money and raising alarm whenever money was not put to good use.

Next order.

MOTION

CABINET SECRETARY'S SPEECH

(Hon. Michael Kirumba rises on behalf of Hon. Kariuki Muchiri)

Yes Hon. Michael Kirumba.

Hon. Michael Kirumba: Thank you Madam Speaker. I beg to move the following motion:

That the thanks of the Assembly be recorded for the exposition of the public policy contained in the address of the Cabinet Secretary in charge of the national Government's Ministry of Public Service, Youth and Gender Affairs.

The CS appreciated that this Assembly has passed quite a number of Bills, especially bills touching on gender. This is something we, the Members, should be proud of.

We should appreciate that we have done many things to improve on the health sector. Floodlights have also been erected.

Members of this Assembly have served the people diligently despite various challenges. We, for example, passed that virement of the money allocated for the airstrip to the vote head on roads.

This Assembly has gone out of this country only once while other Assemblies have travelled around the globe. But we are not complaining; all we know is that, as far as our mandates are concerned, our conscience is clear.

The CS appreciated that we are in the campaign mood. In view of this, we should preach peace and urge the people to come out in large numbers to exercise their democratic right on 8th August this year.

I thank the CS for being the first in the current national government administration to address this Assembly.

Thank you Madam Speaker.

Temporary Speaker: Yes Hon. Mumba Gichini.

Hon. Mumba Gichini: Thank you Madam Speaker. The key point in the address by the CS is that we have done our job. It is true that we have done our job and we cannot walk with guilty conscience.

I beg to second. Thank you Madam Speaker.

(Question proposed)

Temporary Speaker: Yes Hon. Kinyanjui Gachari.

Hon. Kinyanjui Gachari: Thank you Madam Speaker. By stating that this House has passed many bills, the CS was acknowledging that we have done what we were elected or nominated to do. The candidates who were nominated on a Jubilee ticket were invited to listen to the address by the CS and they heard how she enumerated our performance record. They should be bold enough to tell the people the accomplishments of the first Assembly of Nyandarua. Some of them, in their campaigns, claimed that we have done nothing. I was happy to hear the CS appreciate us for having done a lot. This proved to the candidates who were nominated on a Jubilee ticket that we, the sitting MCAs most of who are running on an independent ticket, are not children; we have done something.

Hon. Michael Kirumba, deputizing the Leader of Majority, has done a lot, as Hon. Kieru Wambui has, Hon. David Ndirangu Ngigi and all the other Members. I should also be recognized; I have done my work. I thought Hon. Kieru Wambui would rise and commend me. As the Majority Whip I went to court and compelled the same to make a certain ruling. That is history of this House.

I appreciate the compliant and respectful staff of this Assembly. I appreciate the Speaker and the House Business Committee which made things happen. Things in this House were done in a very organized manner. I am not vying for any political post, so I am outgoing and I have nothing to regret about it.

(Applause)

Thank you Madam Speaker.

Temporary Speaker: Yes Hon. David Ndirangu Ngigi.

Hon. David Ndirangu (Mirangine): Thank you Madam Speaker. I am appreciative of the address by the CS. In it she outlined matters of national importance including the accomplishments of the Jubilee administration. But I had one thing to worry about: the invitation of certain 'elements' who are the jubilee nominees. All candidates for the seat of MCA, regardless of party, should have been invited to listen to the address, not only the Jubilee nominees.

Thank you Madam Speaker.

Temporary Speaker: Yes Hon. Kieru Wambui.

Hon. Kieru Wambui: Thank you Madam Speaker. I appreciate Hon. Kinyanjui Gachari. He did a lot as the first Majority Whip. I also thank all the Members of this House. I further thank the leadership of this House for successfully inviting the Cabinet Secretary in charge of the national Government's Ministry of Public Service, Youth and Gender Affairs.

The CS was very clear on the achievements of the national government. She delivered her speech clearly, soberly and softly.

She said that the national government has reimbursed to our county fifteen billion shillings. I would like to state that this money has come to us through; the national government transfers and the CDF transfers. Considering that part of the said fifteen billion shillings, I can say that the money that the county government has received from the national government for its expenditure does not exceed Kshs. 12 billion. So those who have been claiming that our county government has received about Kshs. 25 billion should stand informed. Our competitors used this misconception as their ace.

The CS said the national government has equipped both JM Memorial Hospitals and issued Kshs. 96 million to the hospitals for maternal health care in the financial year 2016/2017. Part of this money was used by the two hospitals for install dialysis and cancer diagnostic machines. She knew very well that construction of structures in the two hospitals were a responsibility of the county government.

The people should know what the County of Nyandarua has done.

It is good that she stated the national government has initiated three technical institutes: Ndaragwa, Kipipiri and Kinangop Technical Institutes. This insinuates that our county desperately needs a university. When the CS for Education, Dr Fred Matiang'i visited our county, he stated that the national government will lay infrastructure and provide resources for construction of a university in our county. It is laudable that the county government in collaboration with Salient Secondary School has provided fifty four acres for the construction of the same. The university should be located in Ol'Kalou. Dr Matiang'i was happy to hear that the land was already secured.

We are very happy about Huduma Centres. Somebody visited Huduma Centre today to file KRA returns. They told me that at the centre the whole exercise does not take more than twenty minutes. The national government has also created jobs for the youth and women. I can attest that in my ward many youths and women have been employed and they are earning good wages and salaries. This has decreased the rate of crime. We are very happy for the three groups that benefited with Kshs. 7.3 million.

We would want to know what Nyandarua County got from the Kshs.210 million that was given out for women empowerment. It has been rumoured that Nyandarua County has gotten Kshs.

3.4. Other counties got Kshs.7.4 million from the same. I wish she stated what Nyandarua County got out of this kitty. The CS said that out of the national government's affirmative action fund our county government got Kshs.72 million. Is it Kshs.72 million or Kshs.7.2 million? I do not understand how it could be Kshs.72 million. Consequently, the office of the Clerk should clarify this.

We have always complained that the money for the vulnerable groups has always been poorly managed. MCAs should be involved in the management of the same. The chiefs do not grant this money to the right people when it comes. If the national government, for instance gives out Kshs.200 million to Nyandarua County for the vulnerable groups, how much reaches the county commissioner? How much reaches the deputy County Commissioner? How much reaches the assistant County Commissioner? How much reaches the respective chiefs? How much reaches the *Wazee wa Vijiji*?

The next county government should establish village councils. It should also create positions of village administrators. This will help the county government expedite its mandate.

On energy, many primary schools have been connected with electricity. I can confirm that all primary schools in Gatimu ward have been connected with electricity. Unfortunately, in many primary wiring has been done in only one classroom from which computer literacy is taught. How much would it cost to do wiring and install fluorescent tubes in all classes in the public primary schools that we have in the county? I believe not much. We only need to know the number of classroom in which wiring can be done. We face a lot of challenges during election when voting goes past six O' clock yet the classrooms that act as polling stations have no electricity.

I am very happy about the SGR. She stated that the Huduma centre branch in our county cost Kshs.84 million. I do not whether this money catered for purchase of equipment.

One of the duties of an MCA is to give advice to the County Assembly through debate. One thing I observed during the address by the CS is that the stand from which she was giving the speech was too high for her. Proper ergonomics demand knowledge on the height of human beings. In future the height of dignitaries visiting the Assembly should be established so as to reserve for them stands that befit their height. As she read the speech, you could see that the CS could raise her arms in order to place her hands on the stand's platform that was almost the level of her chin.

I support the speech. Thank you madam Speaker.

Temporary Speaker: Thank you Hon. Kieru Wambui. Hon. Members, the Standing Orders dictate that an address by a visiting dignitary can be debated for sittings. So, since there is no other Member who has risen to contribute during this sitting, I adjourn the debate until the next sitting.

Next order.

ADJOURNMENT

Hon. Members, having exhausted the business in the order paper this House stands adjourned to Tuesday 13th day of June, 2017 at 2.30 p.m.

(The House rose at 3.42 pm)