



REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY
1ST ASSEMBLY-4TH SESSION



OFFICIAL REPORT

(The Hansard)

Tuesday 29th March, 2016

The Assembly met at the Assembly Chambers at 2:30 P. M

The Speaker, Hon. Ndegwa Wahome, in the Chair

Prayer

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

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

Speaker: There being no quorum, I direct that the division bell be rung for an initial 10 minutes pursuant to standing order number 34, or, until such a time within the ten minutes, that quorum will have been achieved.

The division bell is rung for 3 minutes and quorum is achieved as confirmed by the clerk-at-the-table.

Speaker: The House having registered a quorum, we can proceed with the business for this afternoon session. First order.

COMMUNICATION FROM THE CHAIR

FINALIZING THE ISSUE OF HARMONIZATION OF COMMITTEES.

Hon. Members, I wish to make the following communication for the purposes of the members' notice and for them to be able to make the necessary preparations. This is to the effect that in the sitting of the House Business Committee (HBC), it has been resolved that this House needs to sit as Committee of the Whole House to be able to finalize on the issue of harmonization of committees once and for all. In addition, the members, in the Committee of the Whole House will deal with the issue of integrity and ethics under the guidance of Ethics and Anti-Corruption Commission (EACC).

The Committee of the Whole House will also look into the issue of the Committee manuals before adoption. It has been resolved that the same would require a timeline of two days to sit. In the morning of the first day, the members will deal with the issue of the committee manuals while in the afternoon of the same day, the members will look into the

issue of harmonization of committees. The second day will involve dealing with the issue of leadership, ethics and integrity. Consequently, the HBC has resolved that the members will travel to Kenya School of Government on Monday the 4th day of April, 2016 and will be expected back on 7th April 2016. The Office of the Clerk will communicate all the other infrastructure relevant for your travel and information appropriately.

Next order.

PAPER LAID

REPORT ON A STATEMENT SOUGHT BY HON. JOHN KIERU WAMBUI ON ‘THE OWNERSHIP AND MANAGEMENT OF NYAKANJA WATER AND SANITATION COMPANY’

Speaker: Yes, Chairperson Committee on Water, Environment and Natural Resources, hon. Kiruka Mburu.

(Hon. Kimani Njiraini rises on behalf of hon. Kiruka Mburu)

Hon. Kimani Njiraini: Thank you Mr. Speaker. On behalf of the Chairman Committee on Water, Environment and Natural Resources, I wish to table the report on a statement sought by hon. John Kieru Wambui on ownership and management of NYAKANJA water and Sanitation Company. Thank you Mr. Speaker, I beg to table.

Speaker: Very well. The report is duly tabled and HBC shall give directions on how the motion on that particular report shall be processed. Next order.

NOTICES OF MOTION

Speaker: Yes, Chairperson Committee on Water, Environment and Natural Resources, Hon. Kiruka Mburu.

Hon. Kimani Njiraini rises on behalf of hon. Kiruka Mburu.

Hon. Kimani Njiraini: Thank you Mr. Speaker. On behalf of the Chairman Committee on Water, Environment and Natural Resources, I beg to give notice of the following motion:

That this House does adopt the report of the committee on water, environment and natural resources on a statement sought by Hon. John Kieru Wambui on ownership and management of NYAKANJA water and sanitation company, as a report of this House and the recommendations therein as the resolutions of this House.

Thank you Mr. Speaker.

Speaker: Very well. The notice is duly given and the House Business Committee shall give directions on that matter.

MOTION

REPORT OF THE COMMITTEE ON INDUSTRIALIZATION, TRADE AND COOPERATIVES
ON A ‘RESPONSE TO A STATEMENT SOUGHT BY HON. JANE MWATHE ON THE STATUS
OF IMPLEMENTATION OF MARKET SHEDS IN THIS COUNTY’.

Speaker: Yes, Chairman, Committee on Industrialization, Trade, and Cooperatives. Member for Gathaara, Hon. Daniel Kibebo.

Hon. Daniel Kibebo: Thank you Mr. Speaker. I beg to move the following:

That this House does adopt the report of Committee on Industrialization, Trade, and Cooperatives on a response to statement sought by hon. Jane Mwathe on the status of implementation of market sheds in this county as a report of this House and recommendations therein as the resolutions of this House.

Mr. Speaker Sir, pursuant to Standing Order No. 44(c), Hon. Jane Mwathe sought a statement on Thursday 29th October, 2015 on the status of implementation of the construction of market sheds project in the County. The matter was referred to the Industrialization, Trade, Co-operatives, Tourism & Wildlife Committee and the Chair asked to respond to the statement providing information on the following;

1. Variance in design of the sheds being constructed;
2. Variance of the size of the market sheds being constructed;
3. Variation from the original plans of the market sheds with the actual structures constructed.
4. Consideration of review of the bill of quantities of the constructions

Committee’s Mandate

Mr. Speaker sir, the Sectoral Committee on Trade, Co-operatives, Industrialization and Enterprise Development is one of the ten Sectoral Committees established under the First Schedule of the Nyandarua County Assembly Standing Orders. The committee’s mandate is properly rooted in article 191 of the Standing Orders.

Site Visits Itinerary

Mr. Speaker Sir, the Committee discussed and resolved to visit the market sheds constructed in the County.

The committee was guided by the following itinerary during the market site visits;

S/NO	DATE	DAY	SUB-COUNTY	WARDS	MARKET SHED
1	25/01/2016	Monday	OI - Kalou	Mirangiine Kanjuiiri-Ridge Kaimbaga	Mirangiine Ngorika Captain

2	26/01/2016	Tuesday	OI - Jororok	Gatimu Weru	Nyakariang'a OI Jororok
3	27/01/2016	Wednesday	Kipipiri	Kipipiri Wanjohi	Miharati Wanjohi
			Kinangop	North Kinangop	Ndunyu Njeru
				Njabini- Kiburu Nyakio Murungaru	Njabini Karangatha Murungaru
4	03/02/2016	Friday	Ndaragwa	Leshau Pondo Shamata Central	Gwa Kung'u Shamata Ndaragwa
			OI - Jororok	Charagita	Ngano

Mr. Speaker, the Committee visited Nakuru County from 3rd to 5th February, 2016 where it made visits to the different market sheds and stalls that the County Government of Nakuru has constructed. Some of the market sheds there are still under construction while most of the market stalls are complete and in use.

Acknowledgement

Mr Speaker Sir, I wish to thank your Office and the Office of the Clerk to the Assembly for the support accorded to the Committee in ensuring that it delivers its mandate. Further, the Committee wishes to recognize and appreciate the MCAs and officers from Nakuru County who were present during the committee site visits.

Mr Speaker Sir, allow me also to salute the Members of the Committee and Staff of the Assembly for the commitment exhibited during the site visits and the compilation of this report which was done from 25th – 28th February, 2016.

Finally, Mr Speaker Sir, On behalf of the Members of the Committee, it is my duty and pleasure to present to the House, the Committee's Report on the Implementation of the construction of market sheds project in the County, for adoption.

Mr Speaker...

Excessive Consultations.

Can you control the House me Mr Speaker?

Laughter.

Speaker: Order members, I think the member for Gathaara is asking for the intervention of the speaker and is duly granted. So, order members!

Hon. Daniel Kibebo: Thank you Mr Speaker. Development of markets is the prerogative of the executive department of Trade. On the other hand, the respective Committee on Industrialization, Trade, Co-operatives, Tourism & Wildlife is mandated to

investigate the trade agenda in the county and make proposals to the CEC Member for Trade regarding the implementation of timely and sound projects.

The Committee was guided by the statement sought in the House by Hon. Jane Mwathe citing variations in design, size and original plans of the market sheds constructed in the County.

This Committee embarked on visiting different market sites within the County. This far, fifteen market sheds have been constructed under the FY 2014/15 by both the Trade and Finance Departments.

The Committee further benchmarked with Nakuru County where the County has used a different strategy to promote commerce by constructing market stalls as well as large capacity markets holding between 1000-2000 traders. The County Government of Nakuru has also gone ahead to partner with the Youth Enterprise Development Fund to construct some sheds.

The committee observed that there were variations in the BQs used to implement the project. Whereas some sheds were fairly constructed, others were not up to standard.

Mr Speaker, I think this is very important. When we visited the sites, we found that some sites were constructed per the B.Q.s, which were sometimes ignored completely in other sites. Once you go through the document, I think what I am talking about will be clearer.

CHAPTER ONE: INTRODUCTION

Mr Speaker Sir, one of the major projects under the county executive department of Trade is the Construction of Market Sheds. The goal behind this project is to foster growth and development of commerce while the objectives include consolidation of products in open market and the provision of a safe, secure and clean working environment.

Upon completion of the project, the department expects that diverse products and services will be in one location and that there will be ease in revenue collection. No allocations for the construction of market sheds were made in the FY 2013/14.

In the FY 2014/15, a total of Kshs. 20, 880, 000 was approved by the Assembly for the purpose of construction of Market Sheds under the Trade Department. A total of five (5) markets were constructed by this department.

Under the department of Finance, the Assembly approved Kshs. 44,500,000 for the purpose of Market upgrading. Ten (10) market sheds were constructed under this department. In this FY 2015/16, Kshs. 27,700,000 has been allocated to the Department of Trade for the same.

CHAPTER TWO: COMMITTEE FINDINGS

It is important that the members understand what we found as a committee during our visit to the sites. The committee first visited Mirangine market shed in Mirangine ward. A market shed and a latrine were to be constructed by Chromawave contractors at a cost of Kshs. 4.2 Million.

Mr Speaker, the market shed structure is laid. The walls of the shed have been plastered and a cemented slab has been laid. The roofing of the structure has been done. Paving blocks around the market shed have been completed. Painting has not been done and the structure is not complete for occupation. The pit latrine is incomplete. There are no windowpanes. Plastering is complete but painting has not been done.

Mr Speaker, the committee then visited Ngorika market shed in Kanjuiri Ridge Ward. A market shed and a latrine were to be constructed by Kenafric contractors at a cost of Ksh. 3,879, 741. The market shed structure is laid. The walls of the shed have been plastered and painted. A ground slab has been laid and completed. Roofing of the structure has been done. Paving blocks around the market shed have been completed. The pit latrine is almost complete. It is tiled and painted. The shed is not in use.

Mr Speaker, this is a shed that we can commend because it was done as per the B.Q.s and value for money can clearly be seen. The committee then visited *Captain Market shed* in Kaimbaga Ward whereby a market shed and a latrine were to be constructed by Endaline contractors at the tune of Kshs. 4,188,191.60.

The market shed structure is laid. The walls of the shed have been plastered and the ground has been laid and cemented. The roofing of the structure has been done. Metal bars for roofing have been erected and roofing of the structure has been completed. Paving blocks around the market shed have been completed. Painting of the shed has been done. The pit latrine was incomplete and was undergoing construction.

Mr Speaker, the committee also visited *Nyakariang'a Market stalls* in Gatimu Ward whereby market stalls were to be constructed by Chagit Builders at a cost of Ksh. 4,106,748. Market stalls have been put up. The stalls are meant to accommodate the many roadside traders selling agricultural produce and operating along the highway under safer working conditions.

Fifteen stalls have been constructed. Roofing of the stalls is complete and the floors have been cemented. Doors and windows have been fixed. Painting of the stalls has been done. Gravelling at the front of the stalls is completed. A pit latrine had not been constructed.

Mr Speaker, the committee visited Oljoro-Orok *Market Shed* in Weru Ward whereby a market shed and a latrine were to be constructed by Chromawave contractors at the cost of Kshs. 4,200,000. The general market shed structure is laid. Roofing is complete. The walls of the shed have been erected although delays in completion of the construction has weakened the walls and has led to their re-construction. Plastering is yet to be done. The ground slab has been laid although painting/cementing has not been done yet. The paving blocks around the market shed have not been completed.

Construction of the pit latrine had not begun yet. The site for construction of the latrine had not been identified. The committee visited *Wanjohi Market Shed* in Wanjohi Ward whereby a market shed and a latrine were to be constructed by El-Gibbor contractors at the cost of Kshs. 4,200,000.

The general market shed structure is laid. Roofing is complete. The walls of the shed have been erected. Plastering has been done. The ground slab has been laid and cementing has been done. The paving blocks around the market shed have been completed. Construction of the pit latrine ought to have resumed since the Assembly passed a resolution to have construction resume.

Mr Speaker, the committee visited *Miharati Market Shed* in Kipipiri Ward whereby a market shed and a latrine were to be constructed by Kanjuiri contractors at the cost of Kshs. 4,106,859.36. The market shed structure is laid. The walls of the shed have been plastered and a ground slab has been laid and cemented. Metal bars for roofing have been erected and the roofing of the structure is complete. Paving blocks around the market shed have been completed.

The structure is yet to be painted. The toilet block is an upgrade of an existing toilet initially constructed via the ESP. It is expected that the market ground will also be levelled. Instead of constructing a new market shed with the allocation that was given, their resources went into ESP's project. From the photo, you can also confirm my claims.

Mr Speaker, the committee visited *Ndunyu Njeru Market Shed* in North Kinangop Ward whereby a market shed and a latrine were to be constructed by Lendabu contractors at the cost of Kshs. 4, 269, 286.50.

The general market shed structure is laid. The walls of the shed have been plastered and a ground slab has been laid and cemented. Metal bars for roofing have been erected and the roofing of the structure is complete. Paving blocks around the market shed have been completed. The structure is painted. The shed is complete with electricity already installed. The shed is in use.

Mr Speaker, the committee visited *Murungaru Market Shed* in Murungaru Ward whereby a market shed and a latrine were to be constructed at the cost of Kshs. 4,269,286.50. The general market shed structure is laid. The structure is slightly bigger in size than other sheds. A new latrine had not been constructed. Instead, the existing one has been upgraded. Water connection in the toilet has been put in place. The market has four openings unlike others that have two.

The iron sheets used for roofing appeared to be of poor quality. There are 16 occupants each occupying a space of 8 feet. The walls of the shed have been painted and the ground slab has been laid and cemented. Paving blocks around the market shed have been completed.

Mr Speaker, the committee also visited *Njabini Market Shed* in Njabini/Kiburu Ward whereby a market shed and a latrine were to be constructed at the cost of Ksh. 4,120,000. The original plan for the market shed was altered. The general market shed structure is laid. Two sheds have been erected in place of the original structure. There are no walls erected and the ground is just a rough gravel. Metal bars for roofing have been erected and roofing of the structure is complete. Gutters for collecting water have been fixed poorly. A pit latrine had not been constructed.

Mr Speaker please protect me from Hon. Njiraini.

Speaker: Order Hon. Njiraini! Proceed Member.

Hon. Daniel Kibebo: The construction of a latrine, which I think was a flagship project, did not follow the BQs. In fact, we did not find the minutes of public participation exercise that approved the undertaking of this particular project.

In Nyakio Ward, the committee visited *Karangatha market shed* whereby a market shed and a latrine were to be constructed by Githioro contractors at the cost of Kshs. 4,123,457.80. The general market shed structure is laid. The walls of the shed have been plastered and a ground slab has been laid and cemented although the floor has potholes and the roofing is loose. Metal bars for roofing have been erected and roofing of the structure is complete.

This market shed actually astonished the committee because despite it being incomplete, the slab has innumerable ruts. The floor is completely dilapidated. Worse still, the latrine is yet to be constructed. When we contractor learnt of our presence, he began the construction of the latrine the day after. As you can see, the work has been done in a very haphazard way.

Mr Speaker, it is worth noting that the paving blocks around the market shed have been completed. The structure has been painted. The committee also visited Ngano market shed in Charagita Ward. The contractor was given the task of constructing a market shed and a latrine at a cost of Kshs. 4,169,179. I wish to report that the general market shed structure is laid. Roofing is complete. The walls of the shed have been erected. Walls have been painted. Roofing is well fixed. The ground slab has been laid and cementing has been done. The paving blocks around the market shed have been completed. Construction of the pit latrine is done.

The latrine is tiled and painted. Water connection has been done and therefore, the committee considered it as one of the best constructed latrines in this programme. The committee also visited *Gwa Kung'u market shed* in Leshau Pondo Ward. The Chromawave contractors was given the task of constructing a market shed and a latrine at an unknown amount. The general market shed structure is laid. Roofing is complete. The walls of the shed have been erected poorly. The shed is yet to be painted. The ground slab has been laid and cementing has been done. The paving blocks around the market shed have been completed. A new pit latrine had not been constructed. Instead, an existing pit latrine had been renovated.

Mr Speaker, this market shed was not done in line with the provisions of the BQ and ultimately it did not meet our expectations. The committee also visited Ndaragwa market shed in Nyandarua Central Ward. The Nyonjoro contractors was given the task of constructing a market shed and a latrine at the cost of Kshs. 4,292, 249.40.

Mr Speaker, the market shed structure is laid. The walls of the shed have been plastered and a ground slab has been laid and cemented. Metal bars for roofing have been erected and the roofing of the structure is complete. Paving blocks around the market shed have been completed. The structure is painted. The shed has been partitioned into 24 units using stone walls. A pit latrine had not been constructed.

The committee also visited *Shamata market shed* in Shamata Ward. The COLTI contractors was given the task of constructing a market shed and a latrine at the cost of Ksh. 4,294,494. The market shed structure is laid. The walls of the shed have been plastered and a ground slab has been laid and cemented. Metal bars for roofing have been erected and the roofing of the structure is complete. Paving blocks around the market shed have been completed. The structure is yet to be painted. A new pit latrine has not been constructed and the existing one has been poorly renovated.

Mr Speaker, what we have done here is nothing comparable to what Nakuru County has done. The county has constructed very good market sheds and given places to the hawkers and they are very decent. In fact, number 18 of the report depicts a mega market shed. The market has floors each of which is designated for specific type of business. The road side stalls are very well constructed and have generated a lot of revenue for the county.

CHAPTER THREE: COMMITTEE OBSERVATIONS

The following were the committee observations following the site visits;

1. The general market shed structure is the same for all the 14 sheds except Nyakariang'a Market Stalls.
2. Despite the general market shed structure being similar throughout the county, the committee observed that alterations to the BQs were made in several cases. Some of the instances noted are as follows;
 - Alterations in size of the market shed where a shed was slightly larger such as the Murungaru Market Shed
 - A new latrine was not constructed as per the approved BQ that required that both a market shed and a pit latrine be constructed such as in Njabini-Kiburu Market Shed and Karangatha Market shed
 - Existing pit latrines were renovated e.g. Shamata Market Shed, Gwa Kungu Market Shed, Kipipiri Market Shed
 - Partitioning of the sheds has been done e.g. Ndaragwa Market Shed
- 3) For all the sheds in the county, the following has been completed;
 - Laying of the general market structure
 - Roofing
 - Erection of walls
 - Laying of the ground slab
- 4) For several markets, new pit latrines have not been constructed. Instead, existing ones have been renovated.
- 5) In a few markets, new pit latrines had neither been constructed nor were the existing ones renovated e.g. Karangatha Market shed-Nyakio ward, Oljoro-Orok Market Shed- Weru Ward

- 6) Most of the sheds have not been handed over to the client department as yet by the contractors.
- 7) The sheds are susceptible to bad weather. The traders are not adequately sheltered from rains.
- 8) There are delays in completion of construction of the market sheds by some contractor e.g. Mirangine Market Shed, Oljororok Market Shed
- 9) The committee noted there are gaps in public sensitization where some traders said their views were not sought prior to implementation of the projects.
- 10) Some of the sheds have been constructed poorly. Generally, some of the poor workmanship noted include;
 - Cracks on the walls e.g. Gwa Kungu Market Shed, Ol Jororok Market Shed
 - Loose roofings e.g. Karangatha Market Shed
 - Potholed floors e.g. Karangatha Market Shed
 - Poorly fixed gutters e.g. Njabini-Kiburu Market Shed
 - Chipped paintings e.g. Shamata Market Shed
- 11) The committee further noted that Nakuru County Government has explored ways of collaborating with the national government to implement a devolved function, that is, trade, where it has partnered with the Youth Enterprise Development Fund to construct market stalls in Gilgil.
- 12) The County Government of Nakuru has constructed about three large market sheds to accommodate traders within the CBD, mainly hawkers. In addition to the sheds, several market stalls have been constructed along the roadsides (upon seeking authority from the relevant bodies). These sheds are capable of accommodating many traders, providing them with safe and better working environments for them.

RESPONSE TO THE STATEMENT

Mr Speaker Sir, Pursuant to Standing Order No. 44(c), Hon. Jane Mwathe sought a statement on Thursday 29th October, 2015 on the status of implementation of the construction of market sheds project in the County as follows;

Mr Speaker Sir, Aware that the County government of Nyandarua has identified the acute need for provision of markets to the traders within the county in line with County Integrated Development Plan. Further aware that the County government had in the financial year 2014/2015 supplementary budgetary appropriation allocated a total amount of Kenya shillings twenty million, eight hundred and eighty thousand (Kshs. 20,880,000/=) for the

construction of markets in the county. Further taking note that in the financial year 2015/2016, the county government made a budgetary allocation of (Kshs. 27,700,000/=). Concerned that the construction of the market sheds has faced several challenges in implementation of the projects, key among them being:

- 1) Variance in design of the sheds being constructed;
- 2) Variance of the size of the market sheds being constructed;
- 3) Variation from the original plans of the market sheds with the actual structures constructed.

This is despite the budgetary allocation for each market being of equal amount. it is on the aforementioned premise that I hereby request for a statement by the Chairman of the Committee on Industrialization, Trade, Tourism and Cooperatives on the status of implementation of the construction of market sheds undertaken in the County addressing the issue of variations as afore-stated as well as consideration of the review of the bill of quantities of the constructions. In view of this report, the committee noted the following;

a) ***Variance in design of the sheds being constructed*** Indeed, there was variation in the general design of the market sheds where two different designs were implemented

b) ***Variance of the size of the market sheds being constructed***

There was a slight variation in size of the market sheds as illustrated in Murungaru Market Shed.

c) ***Variation from the original plans of the market sheds with the actual structures constructed.***

The requirement of the originally approved BQs was a Market Shed and a pit latrine. The market sheds have been constructed but not all markets have a new pit latrine as per the BQ. In some cases, existing latrines have been renovated. In other cases, neither have new latrines been constructed nor existing ones renovated.

CHAPTER FOUR: RECOMMENDATIONS

The committee made the following resolutions unanimously;

- 1) That the BQs be reviewed in future to eliminate the shortfalls of the current market sheds that do not adequately shelter traders from bad weather especially rains.

- 2) Thorough and constant supervision of works by the client department should be enhanced to guarantee satisfaction and value for money.
- 3) That project completion timelines should be strictly adhered to, to avoid delay of completion of projects. Monitoring should be enhanced.
- 4) That the department should consider constructing *market stalls* for traders in the major towns.
- 5) That the County should seek collaboration/partnership with other government agencies such as the Youth Enterprise Development Fund in implementation of projects
- 6) That public participation prior to and during implementation of projects should be heightened.
- 7) The traders should be sensitized to form Saccos through which they can empower themselves economically
- 8) That an internal audit be done on the project of construction of the market sheds to assess compliance with the bill of quantities.
- 9) That this matter be referred to the Public Accounts and Investments Committee for further investigation as to whether the county got value for its money following the implementation of this project

CHAPTER FIVE: CONCLUSION

Mr Speaker Sir, most people within the county are small-scale farmers who informally sell their produce from their farms in the nearby markets. Women and Youth have also taken up small and micro enterprises as a source of their livelihood with most of them putting up small kiosks in the town centres.

The Committee appreciates the efforts made by the County Government to facilitate growth and development of commerce by providing consolidation of products in open markets and the provision of a safe, secure and clean working environment. The committee further appreciates the department's efforts in constructing at least one market shed in every ward.

The department should fast track the completion of this project and ensure compliance to the approved bill of quantities. The concerns raised in this report should be addressed to mitigate such problems in future. In conclusion, Mr Speaker Sir, it is my pleasant duty and privilege on behalf of the Industrialization, Trade, Cooperatives & Enterprise Development Committee to present this report to this honourable house for adoption.

Without much ado Mr Speaker, I beg to move and I now call upon Hon. Ndirangu to come and second.

Speaker: Member for Mirangine, Hon. David Ndirangu Ngigi.

Hon. David Ndirangu (Mirangine): Thank you Mr Speaker, I rise to second the motion that has been moved by the Chairman of the Committee, Hon. Daniel Kibebo. Much has been highlighted regarding what we saw as a committee when we visited these market sheds. The committee noted that many BQs were altered and as a committee, we thought this was not right because it would have required our approval. Very soon, *Wanjiku* will be fed up with the manner in which projects are being implemented. This is unacceptable!

Mr Speaker, the moment the people will realize that such an amount of money was used to construct such market sheds, they will be disappointed. The next issue I would to discuss is about Gwa Kung'u and Shamata market shed in Leshau Pondo and Shamata wards respectively. We realized that despite money having been allocated to construct new pit latrines, the contractors went ahead and renovated the existing latrines. At Gwa-Kung'u specifically, the latrine is about 20 metres from the market shed while in Shamata market, the latrine is located about 400 metres from the shed and people have to bypass other buildings. This implies that the work that has been done is quite shoddy and I am happy that when the committee informed Hon. Gachari about the issue, he told us he would take it upon himself to see to it that the job is done as it should be. I believe he will follow it up on the contractor as he told me he had already had a conversation with contractor.

The committee also realized that some wards have an exemplary job Mr. Speaker. Specifically, North Kinangop ward has done a good...

Hon. Kinyanjui Gachari rises on a point of clarification

Speaker: What is it member for Shamata, Hon. Kinyanjui Gachari?

Hon. Kinyanjui Gachari: Mr Speaker, I would like to clarify that I have never met the contractor contrary to what hon. Ndirangu has insinuated.

Speaker: Hon. Member, I will give you an opportunity when the motion is proposed so that you can respond to that appropriately. Proceed Member for Mirangine.

Hon. David Ndirangu (Mirangine): I would like to clarify that the member did not inform the committee on that issue, rather, he informed me as an individual. There are wards whose market sheds were well constructed as I was saying. They include North Kinangop ward whereby the contractor did an excellent job and I would recommend him to be given contracts when it comes to building market sheds. In addition, Kanjuiri Ridge Ward's

Ngorika market shed was done in an excellent way. Charagita ward also did quite well and people can clearly see the value for money.

Mr Speaker, in my ward, I cannot tell my people that the market shed consumed almost Kshs. 4 million for fear of being roughed up. This is the case with majority of the members in this House. When the committee went for benchmarking in Nakuru, the difference is quite clear. The two counties are incomparable in terms of how they have constructed the market sheds. I would like to say that in Nakuru County, the MCAs do not interfere during the implementation process of those structures. In the contrary, we have a lot of interference here. For instance, in Njabini/Kiburu ward...

Hon. Silvester Kagiri rises on a point of order

Speaker: What is it member for Githioro?

Hon. Silvester Kagiri: I think it is not in order for the member to insinuate that members of this Assembly have been interfering with implementation of projects. He ought to withdraw or else, he withdraws completely. Thank you.

Speaker: I think the concern of the member are well founded because you have indicated that some of the work is very shoddy and insinuated that it might be as a result of interference by members of county assembly. Unless you can substantiate that, it would be prudent to apologize. Please proceed.

Hon. David Ndirangu (Mirangine): Thank you Mr Speaker. My concern was that the manner in which the sheds have been constructed in our wards differ significantly from one ward to another. According to me, I can only conclude that there was interference and therefore I ought not to apologize for that...

Laughter.

Speaker: Order member for Mirangine! We have no doubts that the BQs might have been changed. The committee has told us that the BQs were clearly altered but there is no insinuation or innuendo, however remote, within the report that the members might have been responsible for instigating such alterations. If you aren't sure and certain about whom altered, you are called upon to withdraw and apologize.

Hon. David Ndirangu (Mirangine): Mr Speaker, I withdraw and apologize. However, Mr Speaker, if anything comes up about those market sheds, I believe that the committee will be answerable. To that end, I second this report and propose that in future the projects should be implemented as per the BQs Mr Speaker. Thank you.

Question proposed.

Speaker: Yes Majority Whip and Member for Shamata, Hon. Kinyanjui Gachari.

Hon. Kinyanjui Gachari: Thank you Mr Speaker. I rise to support this report because the committee has done a very comprehensive report having moved from ward to ward to ensure that they bring us the true picture of the project. I am very glad for the comments Hon. Ndirangu has made, being a member of the committee because they found out that what was being implemented in Shamata was improper. If you go to Shamata, you will be surprised. When it rains, the shed is of no use because it cannot provide shelter. The reason is that the roofing has been constructed in a substandard manner.

Mr Speaker, the contractor who responsible for this particular project did not show up even once to evaluate and monitor the progress. He only used to send the workers. Therefore, if I raised some queries, I could not get proper answers. Worse still, the contractor decided to renovate an old latrine despite have been given enough funds to construct a new pit latrine. As hon. Ndirangu asserted, the latrine is almost 400 metres from the market shed. The work was shoddy and I am wondering whether we could not get a better contractor in the entire county.

I will not repeat what Hon. Ndirangu has said but I doubt whether the contractor will do a better job. Unless they are given more money to finish that one first. But how can the county government continue paying people who never did their jobs? My recommendation is to have those contractors reconstruct these markets. They should even be surcharged.

These are not market schedules; they are mere structures. I do not even understand how he got the tender in the first place. Let it be noted that there is no market in Shamata. It was not constructed. I would urge the chairman of the committee on Trade, because I know he is able, to invite the CEC Member who authorized these constructions so that he can tell us how they sourced these contractors.

They did not even consult the area MCAs. We are not even aware who was given the tender for the construction of the Shamata market shed. Let the Speaker authorize the chair to furnish this House with a comprehensive report of the construction of the Shamata market shed. I support this report and thank the committee for exposing the contractors. Thank you Mr Speaker.

Speaker: Yes Member for Murungaru and the leader of Majority, Hon. Kariuki Muchiri.

Hon. Kariuki Muchiri: Thank you Mr Speaker, I wish to support this report and make the following observations. Mr Speaker, in the first place, the people who did the BQs gave erroneous reports. They ought to have gone to the ground on which the sheds were to be

constructed. It is common knowledge that the soil texture of these places vary, the sheds are not the same size yet they came with the same BQs for all of them. We have instances where there were toilets already constructed by the defunct local authorities. There really was no need to construct other toilets. If they had gone to the ground, they would have noted this. Clearly, they sat in the office and gave a blanket figure for all the places.

We cannot continue to bury our heads in the sand. We cannot deny that the work done was shoddy. We did not get value for our money and neither did the public. I believe, and I will state it here without fear that the public works officers exaggerated the BQs and as a result, this county was hurt. I am not sure what ought to be done but maybe we could try outsourcing the contractors because I believe the ones contracted were working in collaboration with the public officers. 4.2 million shillings is a lot of money sufficient to construct chambers similar to these ones. Should word get to the public that 4.2 million was used on these sheds, I promise you the public will be up in arms. Especially against us, the MCAs, who have had, been bestowed upon us, the oversight role.

There is also the issue of monitoring and evaluation of these projects. This is a key component of project planning process because it serves as a baseline for what is working and what is not. This however, is lacking in our government, especially the monitoring aspect. Why do we allow these people to construct these projects all the way to their completion without ever visiting the grounds to ascertain that we are getting value for our money, that the work meets the set standards? How did it escape us that they were doing a shoddy job? We need to ascertain that the government is not being duped. This brings me to the issue of the recommendations the House committees do, and I have to congratulate them for the good work they do.

We expect the PIC/PAC to recommend that stringent measures be taken against these contractors, they can even be blacklisted. This House is bestowed with the powers of the High Court. Once a committee makes such recommendations, we expect the Implementation committee to make rigorous follow up to ensure that the recommendations are implemented to the letter. Last time we were complaining about the road contractors who did a shoddy job yet nothing was done. Those charged with the responsibility of executing these recommendations are a major let down to us. I say let those contractors be surcharged and blacklisted, never to be contracted to do any work for this county. They have been nothing but a disappointment. We need to stamp our feet and say enough is enough. Thank you Mr Speaker, I support.

Speaker: Yes County Member from Njabini Kiburu, Hon. Beth Wahito

Hon. Beth Wahito: Asante Bwana Spika. Nimesimama nami kuunga mkono mswada huu. La kwanza ningetaka kuwashukuru waliochukua hatua ya kwenda kukagua miradi hio, nikiwa mmoja wao. Cha kusikitisha ni kwamba, hakuna mmoja wetu hapa ambaye alishauliwa katika ujenzi wa miradi hiyo. Aibu iliyoje kwa mheshimiwa mteuliwa ambaye hana habari kuhusu mradi ulio katika Wadi yake? Iweje kwamba *Wanjiku* akilalamika kuwa hana habari kuhusu hii miradi, pia wewe, wewe ambaye alikuchagua kama mwakilishi wake, walalamika pia? Ulikuwa wapi wakati ujenzi ulianza hadi ukakamilika? Ulikawa umeenda safari gani hiyo muda huu wote hadi ukakosa dakika tano tu kwenda kukagua jinsi ujenzi unaendelea? Na kama ulikagua huo mradi na hukuridhika, mbona hukulalamika?

Ningetataka kumpongeza mwakilishi wa wadi ya Njabini Kiburu maana alipogundua kwamba mambo yanaenda mrama, haswa pale maji machafu yanapoelekezwa, alienda na akalalamika na mhandisi alipofika, alikubaliana naye ilhali mwana kandarasi alikuwa tayari kakamilisha kazi hiyo. Sisi kama wabunge wateule mara kwa mara hujitolea kwenda kukagua hii miradi lakini wenzetu waliochaguliwa wanaona kana kwamba tunaingilia kazi zao. Juzi nilielezwa kwamba iliwagharimu milioni tano kujenga kibanda cha soko kilichoko Njabini. Milioni tano! Najua waheshimiwa wengi hapa wamejenga nyumba zao za kifahari lakini nina uhakika kwamba hazikuwagharimu kiwango hicho cha pesa. Swali langu Mheshimiwa Spika ni je, nani hao wanaotengeneza hizi BQs ambazo haziwezi badilishwa? Hata wanakandarasi wanaona aibu kusema pesa ambazo zimetumika.

Nawahisi wanasiasa wenzangu, tafadhali msikubali miradi duni katika wadi zenu. Sasa hivi najua Mheshimiwa kutoka wadi ya Gathaara ana shida kubwa. Kibanda kilichojengwa katika soko lake hakina uwezo wa kustahamili mvua. Mabati iliyotumiwa ni duni kiasi kwamba hakiwezi wazuia wanabiashara kutokana na mvua.

Bwana Spika, je umuhimu wa vibanda hivi ni nini? Cha kusikitisha ni kwamba kuna afisa wa serikali alitumwa kuhakikisha kwamba mradi huo ulikuwa umekamilika na akaenda akatia sahihi kwamba mwanakandarisi huyo amefanya kazi nzuri ambayo inastahili malipo. Kwa hivyo, sisi wanasiasa, ndio tunaolaumiwa na wapiga kura.

Katika wadi ya Mheshimiwa Muriithi, wananchi wanamlaumu kwa kazi duni iliyofanywa katika ujenzi wa kibanda ilhali hakushauriwa hata. Wanabiashara hawajaridhika Bwana Spika. Hatujawasaidia hata kidogo. Nikimalizia ningetaka kumshukuru mheshimiwa aliyeleta mswada huu kwani una umuhimu chungu nzima. Ningewaomba waheshimiwa wote wajumuike katika utekelezaji wa kazi zao. Katiba iwazi kwamba letu ni kuhakikis kwamba kazi inatendeka. Nawasihi waheshimiwa wenzangu letu lisiwe kungoja hadi mambo yaende mrama ili tuingilie kati. Mheshimiwa Ndirangu (Weru) ukienda kuomba kura wanainchi

watakushtuma kwa kutohakikisha kwamba miradi imetekelezwa vilivyo ilhali ulikuwa katika bunge. Asante Bwana Spika.

Speaker: Yes county member from Engineer, Hon. Tiziana Mwangi

Hon. Tiziana Mwangi: Thank you Mr Speaker, I rise to support this report because I am the vice chairperson of this committee. The work done, Mr Speaker is extremely shoddy. Of all the markets we visited, only three sheds in Murungaru, Ndunyu Njeru and Charagita were better off but still, they did not meet the requirements. The public did not get value for their money. Some of these markets, like the one in Nyakio, are already leaking even before they are used. These contractors ought to be blacklisted. Let them never construct any public project in Nyandarua.

I am telling you, members, if we are not careful, we will all go home. How are we going to convince *Wanjiku* that we were not involved in these constructions yet they sent us here to represent them? *Wanjiku* does not understand that there is a distinction between the Assembly and the executive. They do not even know the CECs and the chief Officers. A resident of Githioro ward will always blame Hon. Kagiri, whether or not he was involved notwithstanding.

I also feel that there is need to change the BQS next time so that more people are accommodated in these sheds as is the case in Nakuru.

Excessive consultations

Mr Speaker, please protect me.

Speaker: I have also noted that there is another centre for debate that ought to be disbanded so we can listen to one Member at a time. Proceed County Member from Engineer.

Hon. Tiziana Mwangi: Thank you Mr Speaker. As I was saying, let us have BQs that will accommodate more people as we witnessed in Nakuru when we went for benchmarking. One of the MCAs of Nakuru told us that one of the stalls goes for one million shillings. Much has been said and I do not intend to repeat but I would like to say that I support this report. Thank you Mr Speaker.

Speaker: Yes member for Kaimbaga, Hon. Kimani Njiraini.

Hon. Kimani Njiraini: Thank you for your eye catching me. I also thank the committee for the good work done. I thank the committee for visiting Captain Market in Kaimbaga. The people of Captain opted for a park rather than have another toilet constructed, since they already had an *Iko* toilet. At the time of the committee's visit, work was still in progress. However, I feel that 4 million is quite a lot of money. It can, and should, construct a flagship project.

There are so many exaggerations in the BQs. Additionally, it is important that we vet the contractors that are awarded these tenders. I can see one contractor has been given over four market shed to construct. We need to ascertain their interests. I support that we allocate more money to ensure that these projects are completed and have others initiated in the mushrooming town centres like Kariamu. It is also important that these market sheds be connected to the electricity grid so that the traders can conduct their businesses even at night. The initial idea was very good and it should be executed as originally planned.

We may be blaming the executive for failing to implement the resolutions we pass here but we also have a role to play. The Hon. Members of this House should be furnished with the BQs of every project that is to be implemented in their wards and the money allocated for the projects. Thank you Mr Speaker, I support.

Speaker: Yes member for Nyakio, Hon. Joshua Muriithi Muigai

Hon. Joshua Muriithi: Thank you Mr Speaker, I rise to support this report. I would first off like to congratulate the committee for visiting the various wards that had been awarded these projects. I am a very worried man. The members who have spoken before me have registered their disappointment with the project in Nyakio. This market shed was initially meant to be constructed at Kwa Haraka. I do not know at what point they moved that project to Karangatha. It is important to know that the money allocated for this project was around four million yet the only structure we have there is a market shed. Additionally, this project had the same BQs with the market shed at Ndunyu Njeru and Murungaru yet the standards of the structures are extremely varied.

When the contractor learnt that the committee had visited the site, he went to the shed and immediately repaired the floor that previously had major potholes. The work done at Nyakio is shoddy and embarrassing to say the least. The roof still leaks yet the very essence of the shed was to shelter the people from the rains. The people of Nyakio do not understand that there is an executive that is bestowed with that role. All they know is that they have a representative in one Joshua Muriithi who should represent them. Mr Speaker, I am disappointed. Thank you, I support.

Speaker: Yes County Member from Wanjohi, Hon. Jane Mwathe.

Hon. Jane Mwathe: Thank you Mr Speaker, I rise in support of this motion. As a member of this committee, I really wonder if our county is getting value for its money. When I learnt what was going on at Wanjohi, I alerted the committee concerned and together we were able to stop the construction only to learn much later that the contractor had already raked in a colossal amount of money despite the fact that the work was shoddily done.

During our investigations, we found out that some of the markets were done by the finance department and others by the department on Trade which left us wondering what, really, is the role of the Finance department.

We also request the committee to sit with the CECM and agree to change the BQs. When we visited Nakuru County, we saw good market sheds that had doors and the business people close their businesses and leave. The CECM told us that if the elected members had proposed a place with toilets for construction of the market shed, the sheds would be bigger. We went round the county and found out that the market sheds were almost the same size. In Shamata ward they were renovating the old toilets with about more than Kshs. 1 million. This has happened in many other wards and there is need for PICPAC to do the investigations. We need to get value for money. Thank you Mr Speaker sir.

Speaker: Yes member for Leshau-Pondo Hon. Josphat Kamau Njoroge

Hon. Josphat Kamau: Thank you Mr Speaker, I rise to support the motion. I would have liked it if the committee was clear on whether the BQs had an allowance for monitoring the projects. If the amount was there then it was not properly used because we can see that the projects were not monitored.

I would also like to know the person who decided that there was need to do the market sheds in Nyandarua. We can see that these BQs were done in a boardroom. The person who did them did not even do the need assessment in the county. Wherever the sheds were done in every ward is unique. In my ward they did the sheds in a place where there is little space. It was only enough for the shed and nothing more. The only option they had was to renovate the existing toilet because there was no space for a new one. The person who did the BQ for Gwa-Kung'u ought to have realized that there was no space for a new toilet and therefore the BQ should have been different from where there was enough space for a new toilet. The other question is when the BQs were being done had they projected the amount for the finishing of these sheds?

If you visit the sheds, you will see that the pavements adjacent to the sheds are muddy. You cannot imagine that 90% of these sheds are not in use because no one can see the value of these sheds. Under normal circumstances, people scramble for good resources. If we look at the amount of money used to do the project, we can say that this was a mega project in the county. No one, the governor and the MCAs want to be associated with this project. No one has bothered to go and open even a single one and say that it has been done by the county government of Nyandarua. Try that and you will be stoned. Much of this money was pocketed by a cartel of contractors.

The contractors are not guilty; the one who did the BQs and awarded them contracts is the one who should be answerable. What frustrated us is that these contractors never bothered to discuss the BQs with us. We had to go and get the BQs from other offices. When one questions, you find that a person was awarded the contract by the finance department, another by the trade department. This is where the mistake occurred. If these kind of projects will be done in Nyandarua then we are headed in the wrong direction. No one will ever say openly that this is what Nyandarua county government did. Is this the value we are getting from the huge amount of money we have used? Let us avoid such projects and consult the people. Did we need these sheds in the first place? An example is the shed that was supposed to be done in my ward. It has not kicked off because there is no space. Someone sat in the office and said that we need a market shed in Mairo-Inya. In that place we do not even have space for a public toilet and yet you set aside more than Kshs. 4 million for that.

It is probably there without use or has been pocketed. If money was allocated why was it allocated to a place like Mairo-Inya where we do not have space? We need people that understand Nyandarua County and where we have land for projects and where we do not have for projects and the needs for specific places. I am very sure that at the end of this term no politician will own these projects including us. If we try this we are going to lose. Thank you Mr Speaker

Speaker: Yes member for Gatimu Hon. John Kieru Wambui.

Hon. Kieru Wambui: Thank you Mr Speaker, I appreciate the committee for coming up with this report. I am aware of the observations that they have made. Being a professional in the construction industry, I would like to say that I do not have any problem with the market sheds but I would have a problem with the workmanship of the said projects. What was done are not market sheds.

The concept was adopted by this assembly. I have worked at Muthurwa and the concept of the said market sheds is the same as the one in Muthurwa. You do roofing and do a slab. Let there be a difference in what we are talking about. We were not doing markets but sheds. Were the sheds done properly? That should be the first question if we were expecting a market to be done, a structure with four walls and a roof that is not a market shed.

The problem that the said sheds have is the quality of work done. Few days after sheds were done the floor started to crack. Even before the contractor handed over the project the roof was leaking. We know that steel is an enemy to water and oxygen. It is supposed to be treated before using it, while using it and after using it and then paint it. We know that the steel that has been used was treated but they have not painted it. The prime that has been used

will corrode because of weather and then peel and leave the steel bare, which will within a period of two years collapse. If you look at the BQs there was no paint so the contractors did what the BQs required. Who should be answerable for this? Mr Speaker allow me to read one of the observations;

That the general market structure is the same except for Nyakariang'a market stalls.'

All the rest were sheds except the one at Nyakariang'a. You will also realize that in that BQ there was an item for steel treatment and a provision for steel painting. That makes it durable. In the BQs for the other market sheds you will realize they have not provided for steel painting. We can save the situation now, treat the steel and paint it to make it durable. Otherwise, it will be eaten up and the roofs may collapse on the public. In addition, this is something that this county has gotten all wrong.

Did we want market sheds or complete markets? If we understand what we want, then we would move towards the right direction. I listened to the members and in their minds, it is like they wanted full markets like the one in Ol'kalou. If we needed a market, there is a design for a market. This one requires a physical planned to plan for the market area so that he or she can have the aspect of all the goods that are sold in a market. For instance setting a place for selling livestock, cereal, clothes and perishable goods. What was done was a market shed and they can be used for selling any goods?

Mr Speaker before I finish, I would like to say that there was need for physical planning before doing a market shed from the physical planning department. What are the factors to consider before doing a market? It is not only the trade department that was supposed to do the sheds. They are were supposed to include the other relevant departments such as health and planning. If there was no planning, you find that they got it wrong. For instance the place to put up a toilet should not be decided by the MCA or the contractor, it is supposed to be decided by the planning department and approved by the public health department.

In Nyandarua, things are done in a very disorganized manner. You can see that the weather has started changing and we have not started doing the roads because we always rush at the last minute. What was the Roads Department doing since the budget was passed until now when the financial year is coming to an end?

In Gatimu, the market was supposed to be done at Kianjata but before the contractor was taken to the site, I called the public so that they would hear what the county government wanted to tell them. After the meeting, one mzee came and told me let me report directly, "Mheshimiwa Kieru, maneno ya hii shamba iliisha?" I asked "Unamaanisha nini?" He said,

“Hii shamba iliibiwa.” We were about to put up a market on land that had been grabbed during Karue’s era. That is why we put it at Nyakariang’a. I went to Cheruiyot and we found out that the land had been split into eight plots with different title deeds. The department of trade may not be aware of that. There is need for these departments to work together. Let us not do one thing on the left hand the right hand does not know.

These problems begin at the top. I understand that those people are now meeting weekly. For instance, the cabinet has met for three consecutive Tuesdays now and yet we don’t know what they are doing. So, let them tell us what they are doing because they might be doing the rightful duties or else doing the same errors. Bearing in mind that they are rushing and we are almost closing the year. In fact, I hear that tomorrow the IFMIS is closing and so if you have not procured, you won’t be able to do so after then. This means that we will have to take back so much money amounting to hundreds of millions. God will have saved Nyandarua if this will not happen.

Mr Speaker, in as much as we support our Governor whom I respect so much hence the title that some of the members use on me, that is, the ‘Governor’s errand boy’ of which I have no problem with Mr Speaker, you cannot be offered all that support and act like you have none. We never give him any headache. He is not like other Governors who are being impeached. For us we have given him the freedom to work and perform but he does not seem to understand this. It should be known that it is not that we cannot impeach some people. So then, can we know what he and his people are doing? They fail him because they do not know how to operate a ministry.

Speaker: Member for Charagita Hon. Paul Kiruka Mburu

Hon. Kiruka Mburu: Thank you Mr Speaker, I rise to support this motion. I really wonder what kind of government this is. You cannot tell me that Kshs. 4.2 million was set apart to construct a market shed. That is why people on the ground are saying that we are corrupt. How can one construct a shed and it does not have a top to put your goods on display? They did not ask the community on the ground the kind of structures they would have liked. I had told people that they were going to have a market and then they came and made sheds.

They want to start grading roads in my ward and they are saying that they are going to erect roads signs but we know that the people who collect scrap metal cannot let them remain there. Some of the people in the executive are not supposed to be there because they are failing the government. Graveling has not started in my ward and the rains are about to start.

It is the high time that these people who are doing nothing go home. We have other people who are capable of doing what they are supposed to do.

Speaker: Yes Member for Geta Hon. Mwaniki Githinji.

Hon. Mwaniki Githinji: Thank you Mr Speaker, I belong to this committee and I want to thank you for the support you accorded this committee. I support the motion. I am concerned because we are not getting value for money. The amount allocated for those markets is Kshs. 4 million. We visited all the market sheds that were constructed in the county. The structures that had been elected would not cost anything above Kshs. 1.5 million.

The contractors that were awarded those jobs they did not engage the public officers. They implemented the project on their own. They were supposed to make a market shed and a toilet. Most of the sheds do not have toilets and yet the contractors have been paid. It is like everyone is looking around for every way of filling his or her pocket with huge amounts of money.

The other thing is that the chief officers or any other executive members are not owning these projects. They have undertaken the project and they do not want to visit those places. That is my greatest concern. I support the motion and I call the mover to respond.

Speaker: The mover.

Hon. Daniel Kibebo: Thank you Mr Speaker, I appreciate the support that you have accorded the committee and also appreciate the members for their contributions to this motion. We had asked for the BQs from the CECM for trade and she only brought two. She said that 14 of the sheds had the same BQs but Nyakariang'a had a different one. Now that the 14 had the same BQs, we expected that they would have been done similarly. We also had the public works officer and he was not aware of how those sheds were to be done. He was not informed.

We cannot allocate more money to projects that we had allocated money for and it was misappropriated. As the member for Geta has said, if you go and see those sheds, they are not worth more than Kshs. 2 million. We have tried to ask for more documents on this issue and the CECM does not want to give them to us. Sometimes she is summoned and she says that she is in a meeting even after sending her a letter seven days before the date of appearing before the committee. I can openly say that they have a problem. Remember the case of the contract awarded to clear the caves at Aberdare, they did not go there to see what had been done. We asked for documents to see how much they had spent and we saw that there was no such a vote head in the budget.

The CECM is playing hide and seek with us. Please intervene so that we can get information whenever we ask for it. This report has come at the right time because most of the contractors are almost being paid yet they had not completed the work. The others have been partly paid and they are trying to get the remaining amount. They want to be paid because they know that when the campaign period comes, no one will care whether they have been paid or not. As a committee, we have blown the whistle and now we know that you are going to do the next thing.

Question put and agreed to.

Speaker: The resolutions thereof will be communicated adequately to the executive for the necessary action. The office of the clerk knows what to do on the recommendations particularly the issue of audit and the matter being referred to PICPAC.

Hon. Members, I am happy about the debate that has taken place on the floor of the house. In democracies the representatives of the people, normally the assemblies are always on the side of the people. If the people are throwing stones, they throw together with their representatives. When the people are demonstrating they demonstrate together within their representatives. As an assembly, we are called upon to be counted on this.

Even though I am vibrant on social media, I am unable to respond to the claims that we have constructed toilets worth Kshs. 4.2 million and market sheds worth Kshs. 4.2 million. Actually, I have no way of responding to the same. These are very serious issues and we need to wash our hands. We have to do what we are supposed to do. On our side, it is not fair for such things are done to the people that we represent. Our people are the ones who gave us the honour and space to sit in this House.

Hon. Members, I know that as a matter of law, no money can be charged from public coffers for payment of contracted works if it is not certified by issuance of a certificate. If those contracted to construct market sheds construct the sheds, for example, up to the slab level, they should write invoices for payment of the work and the public works officers should write certificates, that actually work worth Kshs. 300,000 has been done in order for payment to be effected. But it is not fair to the people of this county for Kshs. 4.2 million to be paid for work of constructing the market sheds which has not even been halfway done. In addition, as the representatives of the people, we are not treated fairly by this and we should take the necessary steps to deal with it. Actually, we are going to communicate this to the Executive as we have been doing dutifully and faithfully. We are now going to take a step further because instead of improving, things are becoming worse.

That is my main worry. We thought that the sentiments we give and the resolutions we make in this House would make things better yet we are getting into more darkness where there seems to be no hope of changing things. We, the people's representatives, are the only people who can change the issues at hand because it is within our constitutional mandate, which is the mandate to protect public resources within this county, we must do it. Clearly, I am very sad to see what is happening pertaining to the issue at hand. But we are going to take the necessary steps and issue the necessary warnings because things cannot continue this way.

Next order.

MOTION

REPORT OF THE COMMITTEE ON EDUCATION, LABOUR AND SOCIAL SERVICES ON
KYISA 2ND EDITION HELD IN KWALE COUNTY.

Speaker: Yes member for Leshau Pondo and the chairperson of the Committee on Education, Culture and Social Services, Hon. Josphat Kamau.

(Hon. Samuel Thuita rises on behalf of Hon. Josphat Kamau)

Speaker: Yes member for Gathanji.

Hon. Samuel Thuita: Mr Speaker, I have risen to move the motion on behalf of the chairperson of the Committee on Education, Culture and Social Services

Speaker: Very well, proceed member for Gathanji.

Hon. Samuel Thuita: Thank you Mr Speaker. I beg to move the following motion:

That this House does adopt the Report of the Committee on Education, Labour and Social Services on KYISA 2nd Edition held in Kwale County as a report of this House and the recommendations therein as the resolutions of the House.

Mr Speaker, I am a member of the Committee on Education, Labour and Social Services. The committee has sought leave to move the motion on this report more than once. The content of this report is informed by the Hon. Members' concerns on how the games were conducted.

We have to ensure that things are moving right and that value for money in the sports is attained. All the 47 counties participated in the KYISA 2nd Edition sports and money to organise the same was allocated. The following were among the conditions set to govern the KYISA Championship.

- The participant must be between 19-30 years of age.
- The participant must be out of school.

- The participants should not be a player of major soccer or volleyball clubs.

The people mandated to organise these sports have a culture of doing it the last minute. Concerned people cite lack of funds whereas in reality it is usually due to confusion created.

This report is not a big one. But the committee came up with a lot of findings. The findings include:

1. Kenya Youth inter-counties Sports Association championship kicked off at the ward level on 14th November 2015, each ward was supposed to produce two male soccer teams, one soccer female team, one volleyball male team, one volleyball female team.
2. On 21st and 22nd November 2015 sub-county championship were held at Ol'kalou sub-county.
3. On 22nd Nov 2015 the finals were played at catholic ground where Nyati Men football (Kipipiri ward) emerged the winner in male soccer, Passenga team for female soccer (Rurii ward), Oljoro-Orok female team volleyball and Ndaragwa male team volleyball.
4. The Department on Youth, Sports, Tourism and Wildlife gave a very short notice to the ward representative on the kick-off of the ward level KYISA championship.
5. The facilitation allocated for teams from the various ward to sub-county championship by Department of Youth, Sports, Tourism and Wildlife was not sufficient for lunch, transport and allowances.
6. It took two weeks for the department of tourism, youth and sports to identify the team to represent the county at Kwale. This time is not adequate to sufficiently prepare the team for such tournament.
7. During the Kenya Youth Inter-counties Sports Association ward and Sub-county championship there was conflict arising from insufficient playing ground and other sporting equipment such as balls, nets, field markers.
8. Conflicts arising from unqualified referees was witnessed during Kenya Youth Inter-counties Sports association ward and sub-county level.
9. County team representing Nyandarua County at Kwale drew its composition from the winning team and best players selected from other teams.

10. KYISA ward and sub-county championship was left to be managed by ward administrators, most of them are not conversant with rules and regulations of sports. Somebody felt that if the elected leaders were allowed to manage the championships they would use it as a platform for building their political popularity. But that was not the case. Some of the ward administrators did not even know the rules; neither were they so passionate about the games. They did not even know where to start the process of managing the sports leave alone knowing the youths in the wards who would participate in the championships.
11. There were incidences of player importation in the ward and sub-county KYISA 2nd edition championship.
12. A team of 67 players including referees and other officials left on 26th day of November 2015 for KYISA 2nd edition which was held at Kwale County
13. The participants in 2nd edition KYISA games were provided with full board accommodation at Kwale boys, for male participants, and Kwale girls, for all the female participants at a cost of Kshs.850 per person.
14. The participants of KYISA 2nd edition were given a daily subsistence allowance of Ksh.1000.This was an increment from what the participants in the KYISA 1st edition received.
15. There were 34 counties participating in Kenya Youth Inter counties Sports Association Championship 2nd edition held at Kwale County from 29th Nov 2015 to 7th Dec 2015.This was an increase from the counties that participated in KYISA 2nd edition championship.
16. Nyandarua County soccer men's team lost at the quarter finals after playing against Meru County, this was a poor performance compared to Kyisa 1st Edition where Nyandarua Soccer men's team took position two overall, only coming second to Kajiado County.
17. Nyandarua County Soccer women's team, volleyball men and women team lost at the preliminary stage. This was a dismal performance in comparison to KYISA 1st edition.
18. Kenya Youth Inter-counties sports association championship is governed by guidelines drawn and adopted by county Executive Committee Members in charge of sports of the various counties.

19. Kenya Youth Inter-counties Sports Association championship is meant for out of school aged between 19-30 years old, teams from other counties did not adhere to this guideline.

This House, Mr Speaker should recommend that the CECMs who preside over the championships should ensure that all relevant rules and guidelines are followed to the letter.

20. Kenya Youth Inter-counties Sports Association Championship did not include the youth living with disability. The youth living with disability ought to have been included in the championships. In future they should be included. Remember they have talents which need to be nurtured.

Mr Speaker, the recommendations of the committee include the following:

1. There is need to have a Constitution governing the Kenya Youth Inter counties sports.
2. Sufficient funds should be allocated to the sports department to enable it to effectively carry out its duties. Also, partnerships with the private sector, development partners and other stakeholders should be sought to support the venture.
3. County sports should be an ongoing exercise conducted throughout the county all year round. This will create a pool of talented sportsmen in the county who stand a better chance of winning the National Championships tournaments.
4. The Department of Youth, Sports, Tourism and Wildlife should organize for grass root soccer, among other games, to ensure that the youth is engaged positively as its talent is also nurtured.

The youth should not be involved in sports during KYISA championships; sports even at the grassroots level should be a continuous event.

5. County recreation facilities should be established as well as improving and facilitating the youth ability to access recreation and sporting facilities within the country. The sporting facilities should have trained personnel to assist in identifying and developing young people talent. These facilities should also be disability friendly.
6. Sporting facilities should be gazetted as a way of protecting them from being acquired by individuals.

7. The sports grounds should be of required standards and adequate to host inter-sub county sports and other tournaments and this can earn the County Revenue.

It is good that there was money allocated in the budget for the rehabilitation of the Ol'kalou stadium. Every sub-county should have a standard playing field.

8. County government should ensure that youths living with disability are actively engaged in sporting activities. A team of youths living with disability could be formed in order to enhance their talents in sports.
9. The Department of Youth, Sports, Tourism and Wildlife should ensure that the grass root teams (wards) are provided with sufficient sporting attire and other sports equipment like balls, nets and field markers.
10. The county should consider absorbing members of the county team into the workforce and at the same time finding a way of attaching them to already established institutions that can help them earn a living.
11. The county team should be facilitated to join the Football Kenya League (FKL) in order to expose the talents.
12. Coaches and referees should be competitively sourced through the department of Youth, Sports, Tourism and Wildlife to avoid conflicts brought about by the unqualified referees and coaches who participate in the said championship.

In conclusion, Mr Speaker, developed countries are well aware of the worth of their youth and hence regard them as an asset to the country. In view of this, these countries cater for the needs of their youth and provide them with quality education, employment, and recreational activities. Considering the youth bulge in the developing countries such as Kenya, and the limited labour market, if not well taken care of, the youth may end up engaging in social vices such as drug and substance abuse, prostitution, among others.

It's time for rebirth of Sports for development in Nyandarua County. A county like Kwale had a very good female soccer team. We must engage the youth in development. If we invest in the youth they will stop languishing in menaces like drug abuse. We must make the youth know that they are an important 'asset' in our county. We must also invest in sports. If managed properly, sports can be used to reverse some of the destructive courses that our youth are charting, since it provides an opportunity for youth to learn some of the important lessons. We should allocate adequate money in the 2015/2016 budget for the sports sector.

Proper management of sports as well as talent identification mechanisms should also be enhanced. I now beg to move and call Hon. Kamau Ngotho to second the motion.

Speaker: Yes member for Karau, Hon. Kamau Ngotho.

Hon. Kamau Ngotho: Thank you Mr Speaker. I rise to second the motion by the Committee on Education, Labour and Social Services on the KYISA 2nd Edition Sports that were held in Kwale County. Giving credit where it is due, the KYISA 2nd Edition Sports were well facilitated and more organised than the first edition of the same.

Our county did not perform so well though male soccer team managed to reach quarter final, a stage at which they were thrown out by Meru County. I am happy that the CFSP addressed issues of the youth by allocating Kshs. 1 million for promotion of sports and Kshs. 12,277,054 for promotion of youth activities and youth empowerment programmes. This is a step in the right direction. Sports should be continuous. Though Hon. Kieru Wambui has declared his support for the government of the day, the same has not taken into consideration matters pertaining to the youth. Mostly the youth are remembered during the electioneering period.

In the recent rating of governors, Machakos Governor topped the list. Governor Alfred Mutua last week launched the Machakos Football Team, the members of which have been incorporated in the workforce. Machakos team performed excellently in the KICOSCA games that were held in Uasin-Gishu County last year. The members of that team work up to 3:00 o' clock after the noon after which they go for training. The members of the team were selected from different sectors of the county government. We tried in vain to advocate for that in Nyandarua. I hope with twelve million allocated for youth empowerment programmes, the Sports acting CECM, Mr Kanyoni, will ensure formation of a county sports team that will even be registered with FKL.

Sports Kenya told us of forty seven playing grounds that are being built by the national government. Sports Kenya said that a county cannot benefit from the playing field without political involvement in the same. We have also said that in the fora a that the governor attends he should front the idea of building a stadium in our county. People from Nyandarua wanted the Presidency to address issues of water and roads. But as it is stated in law, every county should have a stadium. A stadium of national outlook would cost not more than Kshs. 700 million.

Sports Kenya told us that we can appeal to the president to be given Kshs. 150 million which will help us in the first phase of constructing our stadium which would include

athletics track, executive stand and a swimming pool. A good swimming pool would cost about Kshs. 200 million. That one can be factored in the next budget.

But the above requires political good will. The same way we agitate for potatoes market is the same way we should advocate for improvement of sports.

I sat for about one hour watching Bidan Karoki participate in a race in the UK. He was leading before he was overtaken by a Kalenjin from the Rift Valley. The father to Bidan Karoki is an SDA faithful who would beat Karoki for participating in sports at Nyahururu. But I was told that today, due to the success of his son, this father has a personal vehicle with which he travels wherever he wishes.

There are a lot of talents to be nurtured in Central. If one drives through Mairo Inya in the morning they would find young men running as part of practice in athletics. Last week there was volleyball tournament which could not be held elsewhere apart from Nyahururu. People from wards in Nyandarua like Charagita, Karau and Leshau Pondo participated in the tournament.

The last scrabble national championships were held in Nyandarua but the Department of Sports never parted with a coin to support the same. When the championships were held in Machakos, the government of Machakos gave Kshs. 400,000. When I attended the championship I was challenged that our county government is not nurturing talents. There are so many sports fields that our county government is not taking into consideration apart from soccer and athletics.

Through a resolution of this House 27 employment officers were supposed to be employed. Up to today they have never been given the facilitation letters. This portrays that our county government has no touch with the people. Procurement of sports facilities even for the people living with disability should be considered. At least the Njabini playground has been fenced. That is a step in the right direction. Other playgrounds in the county should also be fenced. In every ward there should be four or five playgrounds.

The sports events at Aberdare College was funded and supported by the private sector. Nyahururu bookshops, for example, had given trophies to be contested for in the event. I am very sure that, like Governor Alfred Mutua does, if our Governor requests the private companies like Brookside to fund sporting events in our county, they would not hesitate to do so.

Governor Alfred Mutua engages the private sector to drive economy.

From the Kshs. 4.3 billion that was allocated for our county by the national government only about Kshs. 1.3 billion has been disbursed. That is according to today's Daily newspaper which also intimated that not so much development money will come from the national government. Even golf tournaments are funded by individuals and private companies like CIC. But goodwill is needed.

Nyandarua county government should be the first to come up with a law on betting and control. We were told that Sport Pesa deposits Kshs. 4 billion. If this platform can be well regulated through M-Pesa, through which the money is deposited, some money could be sourced back to the government for use in boosting sports activities. If 10% of the Sport Pesa money is siphoned back to boosting sports, it means that about Kshs. 400 million would go to the same. In one year it means that billions of money would be collected to boost sports. We can draft a betting and control bill and take it to the Senate for approval. If the western world has managed this it means we can also do it.

With those remarks I wish to second. Thank you.

Question proposed

Speaker: Yes member for Leshau Pondo, Hon. Kamau Josphat.

Hon. Kamau Josphat: Thank you Mr Speaker, I rise to support the motion moved by one of my committee members. Mr Speaker it is true that you cannot separate sports from the youths. If we do not have sports we find that the youth engage in many social vices. We do not make enough budgetary allocation for this and we need to change the perception we have that sports have little or no economic impact. Sports can help curb vices among the youth and it is a way of generating income.

We were frustrated when we were trying to make sure that sports became a reality when we were in Kwale. We had to go to all the departments to get the finances. We got the money but we agreed that after the supplementary budget, this department has to refund that money to those departments. I remember that two days before the event there was no money. It is sad that the only money available was for the needy children and we had to take the money and use it for that event and then return it later.

This happened because there were no budgetary allocations for sports in our county budget. If the department has to fund all its activities, they have to go out and get money elsewhere. Many people are willing to sponsor sports. At Aberdare teachers college there were sports, the principal searched for sponsors, they came on board and their day was good. We do not have to wait until the sponsors tell us that they are willing to sponsor. We should go looking for them.

During the preliminary arrangements of the sports, we promised our youth that we would buy uniforms for them. Ten pairs of uniform were to be bought for every ward especially those that participated. Not all those that participated in the ward level went to Kwale. The only way to reward them was to buy them uniform. To date that has not been done though I agree that we had financial constraints. Now that we passed the supplementary budget we hope that they will get the uniforms and start playing.

We have been saying that whenever we are initiating a project, let us look at the value for money. It is in Weru ward they have done terraces right behind the goal post. If a ball is kicked the first victim would be the VIP who is spectating. Secondly, they are not complete and they are giving a very bad image to Nyandarua. The image this is showing is misplaced and incomplete terraces that are not serving the purpose. You will hardly see any person seated in those terraces when there is a game. You cannot watch a football match from behind a goal post. Who came up with that idea?

We had said that in every sub county we would get a stadium even if not of the international standards, but one that can be used for sports in that particular sub county. Even the levelling of those grounds has become a problem. Few have been levelled and it is not the effort of the executive. Personally I have levelled three using the graders that had been hired by the ministry of roads. We must consider sports as a major activity in Nyandarua. Let us have good stadia such that even when we have games, we can attract outsiders and if well fenced they can generate income.

In Nyahururu whenever there are games, Laikipia county government gets revenue from the money paid at the gate. In Nyandarua we have never generated even a coin from sports. We do not even get revenue from parking fees because we do not have facilities.

Finally Mr Speaker, when we took these ladies and gentlemen to Kwale we found out that we had the best team. However training stopped there because since we came back we have not heard any sports activity in Nyandarua. We are waiting until one month to KYISA games and then we rush looking for teams to represent Nyandarua. If we start preparing now we shall have a good county team because we shall choose the best players.

I appreciate what Hon. Kamau Ngotho said the most of the talented youths come from my ward. Most of them came from very humble backgrounds. We need to nurture these talents among such youths failure to which we shall lose them. Let us agree that the youth are with us and they need our support. I call upon the mover to respond.

Speaker: Yes, the mover and the member for Gathanji, Hon. Samuel Thuita

Hon. Samuel Thuita: Thank you Mr Speaker, I appreciate the members who have contributed on this debate. We hope that these issues that the committee has raised will be addressed and remember that we must build our youth. We must form teams from the grassroots. In Gathanji alone, we have more than 20 international athletes. Others come from various wards within the county. If the county government gives enough funding to sports, our youth will be on the right direction. If these people are supported they will be the pride of Nyandarua. One would feel proud to hear that someone from Leshau-Pondo is the world champion. I thank everyone and I beg to move.

Question put and agreed to

Speaker: The motion is taken and the necessary communication pursuant to those resolutions will be made. I do not have to say anything on this. The report is very clear and it speaks for itself and we hope that it will speak to the executive. Next order.

ADJOURNMENT

Speaker: the business of the House having been exhausted the House now adjourns to tomorrow Wednesday 30th March 2016 at 9.00 A.M.

(The House rose at 5.44 P.M.)