

KERICHO COUNTY ASSEMBLY

THE HANSARD

Second Assembly

Thursday, 6th December, 2018

(The House met at 2.30p.m.)

[The Speaker (Hon. Dominic Rono) in the Chair]

PRAYERS

The Speaker (Hon. Dominic Rono): Please let's proceed.

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Dominic Rono): We have received communication from His Excellency the Governor and the subject of this communication is East Africa Local authority Sports Culture Association (EALASCA) games 2018. He states that, 'This is to inform you that Kericho County is hosting the EALASCA games is scheduled to commence in the 16th - 22nd December 2018. Kindly inform the Members of the County Assembly that these games are going to take place on those dates.'

Honorable Members I have also received communication from Timely Concert. They are inviting Members to end year party. The gist of this invitation is Timely Concerts in partnership with the County Government of Kericho invites all Honorable Members of the County Assembly of Kericho to a Kericho Tena 2018 International Crossover Party which will be held at Kericho Green Stadium on 31st December 2018 from 9pm to 6 am in the morning of 1st January 2019. There will be entertainment from both international and local artists. Thank you and May God bless you.

The other communication Honorable Members is that today we shall break on recess and we shall resume to the Assembly on the 12th February, 2019.

STATEMENTS.

The Speaker (Hon. Dominic Rono): There is a statement by Hon. Grace Koech.

Hon. Grace Koech: Thank you very much Mr. Speaker for giving me this opportunity to raise this statement. Pursuant to Section 9 of the County Government Act, 2012 and Kericho County Assembly Standing Order number 45(2) (c) I wish to seek a statement from the Committee on Finance and Economic Planning;

- i. What is the total amount of local revenue collected in Bureti Sub County as parking fees since January 2018 to date from the following centres: Litein Town, Kapkatet town, Roret town and Cheborge Centres?
- ii. How much local revenue is collected from other streams cumulatively in Bureti Sub County?
- iii. What plans has been put in place by the department to ensure local revenue collection is enhanced in Bureti Sub County and Kericho County at large?

The Speaker (Hon. Dominic Rono): Hon. Hesbon Tonui? There seems to be an issue. What is it?

Hon. Hesbon Tonui: Thank you Mr. Speaker for allowing me this chance. Is the member in order to enquire things from Bureti?

(Laughter)

The Speaker (Hon. Dominic Rono): The Honorable Hesbon Tonui, this Honorable Member represents the whole County. The women across the County.

Hon. Grace Koech: Thank Mr. Speaker. That is what I was going to answer.

The Speaker (Hon. Dominic Rono): Are you satisfied Honorable Hesbon Tonui?

Hon. Hesbon Tonui: Am satisfied Mr. Speaker Sir.

Hon. Hesbon Tonui: Point of order!

The Speaker (Hon. Dominic Rono): What is it again?

Hon. Hesbon Tonui: I think she has to consult us from Bureti because we have many markets, and I have not heard her talk of Kipwastuiyo market where I come from. So she has to consult

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the members from Bureti first, thank you Mr. Speaker Sir.

Hon. Benard Mutai: Point of order Mr. Speaker!

The Speaker (Hon. Dominic Rono): Yes, Hon. Benard Mutai?

Hon. Benard Mutai: Thank you Mr. Speaker Sir for this opportunity. You had already ruled that the honorable Member represents the whole County, but I would like to tell the Member that first of all try to know the main objective of the statement so that you can make the submission, because I don't know what the honorable member was looking for. So can we please give her time so that she can realize objectives?

The Speaker (Hon. Dominic Rono): Thank you. Hon. Grace, Proceed.

Hon. Grace Koech: Mr. Speaker Sir thank you for giving me time to continue. Actually I didn't have any ill motive; the motive that actually forced me to raise this statement is that when we were coming from Kapkatet and happened to pass through Litein town where even I consulted the Honorable member from Litein Ward Hon. Alex Bett and Honorable Chief Whip who comes from Bureti Sub- County. I asked them whether there is parking fee charged on vehicles in those areas and after a lengthy deliberation, we agreed with the honorable member from Litein Ward that a statement could be sought so that details like designation of parking areas will be done and revenue collections will be enhanced. So I wonder whether I have gone outside. The objective is very clear, that is to seek to know whether the revenue collected, the number of streams of revenues collections and Mr. Speaker Sir this is not the first statement to be sought. There was another statement that was sought by the Honorable Majority Leader on the number of revenue streams in Kericho County.

The Speaker (Hon. Dominic Rono): Honorable Grace Just stick to your Statement,

Hon Grace Koech: So I think my statement is very clear, thank you very much.

The Speaker (Hon. Dominic Rono): The Honorable Alex Bett? How much time do you require for the statement to be responded?

Hon. Alex Bett: Thank you very much Mr. Speaker, now that we are going for our recess, I am requesting for two weeks after we resume.

The Speaker (Hon. Dominic Rono): So we can have the response from the 26th February, 2019. There is a statement that was raised by Honorable Gilbert Ngetich on the status of the construction of Monoru water distribution line, which is the Committee on Water Energy

Forestry and Natural Resources. So Chairman, Hon. Philip Rono please proceed.

The Speaker (Hon. Dominic Rono): Let's proceed. Chairman Water Committee, Hon. Philip Rono?

Hon Philip Rono: The statement sought answers to the following questions:-

- i. The name of contractor who constructed the distribution lines;
- ii. The terms of the contract and the time the contract was awarded;
- iii. How much money was appropriated to the water project;
- iv. Whether the contractor had been paid or not;
- v. The quality of pipes used in the distribution line;
- vi. The number of households served by the project.

The statement was committed to the committee on water, Energy and Sanitation and after deliberations the committee requested the office of the Clerk to write to the CEC in charge for response. The Clerk to the County Assembly wrote to the CEC via a letter dated 15th November 2018 on the above statement.

Response from the CEC Water, Energy, Forestry Environment and Natural Resources

The CEC Water, Energy, forestry Environment and Natural Resources responded a letter dated 20th November 2018 and a response to the statement. The response was as follows

The name of contractor is Libo Construction and General Supplies limited of P.O Box 37 Litein; the home of this contractor is based in Litein

- i. The terms of the contract and the time the contract was awarded: the contractor was awarded on 13th June 2016 and the terms of the contract was

Hon. Speaker: Order Hon. Members. There is this honorable members who are consulting a bit loudly I think it's because we are nearing recess. Please allow Hon. Philip Rono to conclude then we can leave for recess.

Hon. Philip Rono: Thank you very much Mr. Speaker.

- ii. The terms of the contract and the time the contract was awarded: the contractor was awarded on 13th June 2016 and the term of the contract was for a period of six months renewable subject to the performance of the contractor;
- iii. How much money was appropriated to the water project: the cost of the project was **Ksh. 2,281,310;**
- iv. Whether the contractor had been paid: The contractor has not been paid completely up to date.
- v. The quality of pipes used in the distribution line: The pipes used were Upvc and C/b
- vi. The number of households served by the project: The number of households anticipated to be served by the project are classified as follows:-
 - a) Institution/ Schools 3 schools
 - b) Households 300

The Committee made the following observations;

- i) That the response from the CEC, Water, Energy, Forestry, Environment and Natural Resources is brief and to the point;
- ii) That the term of the contract provide timelines that may give room to the contractor to delay the implementation of the project;

The committee makes the following recommendations:

- i. That the responses to statements should at all the time bear information as sought and be to the point;
- ii. That all the water projects should be time bound and well defined as is required by the Public Procurement and Asset Disposal Act, 2015.
- iii. That the inspectors and acceptance Committee Members move to site to re- inspect this is in respect to Mabasi Water Distribution Line to re -inspect and assess the works done and give a report to the status of the implementation of the project. So actually Mr. Speaker Sir we call the recommendation No. 3 because we want this people to move first to the sight so that they give us the status report to this house

- iv. That the department after assessing after sending the inspectors to the field what we need from the department is after accessing the works done by the above mentioned contractor, pay for the woks done and terminate the contract and re – tender the works not yet done. This is because from our own observation if this tender was awarded on 13th June of 2016 we expected the time to elapse by December 2016. So by this time the residents of Monoru and Mabasi Water Project should be enjoying the service but you see this contractor has delayed. The way the department gave out the contract gives a leeway because when you see six months renewable subject to the terms and the way contractor is doing the work I think the tender document opened a leeway for this contractor to delay this works and this why we want the department to move, access and pay that contractor where works as at now then terminate the remaining works to be retendered to a very serious contractor because we want this people to drink water.

Allow me to take this opportunity to thank all members of the Committee for their input and contribution during committee meetings. The Committee also takes this opportunity to thank the offices of the Speaker and the Clerk for their logistical support accorded to it.

On behalf of the Committee on Water, Energy, and Sanitation and pursuant to the provisions of Standing Order No.194, it is my pleasant duty to present to this House the Committee's report on a response to a statement raised by Hon. Gilbert Ngetich for consideration by this Honorable House.

Thank you very much and may God bless you all.

The Speaker (Hon. Dominic Rono): Thank you, Hon. Gilbert Ngetich are you satisfied?

Hon. Gilbert Ngetich: Thank you Mr. Speaker Sir. for according me this opportunity to respond on my satisfaction, Mr. Speaker, some parts on the report is satisfactory and there is some part which is not. The committee made the recommendation like number (iii). I don't know whether there was some inspection done but where am actually pushing is the time frame. I think they should be directed when this works should be assessed and inspected to the fullest. Mr. Speaker Sir am okay with the answer from number one to four.

Number five is where am really not satisfied. Am complaining because there is no extent in which this contractor is giving out pipes which are of good quality. Whenever testing is done, bursting starts near the tank meaning there is no work which is actually tested well. So I will really make a conclusion that these pipes were substandard and I recommend that the committee needs to go back to the site and re- inspect and verify the quality of the pipes because it is not actually answered by the CEC.

Number six also is that the tank which is connecting Monoru, that is the main source of the tank to one Primary school and Secondary school called Mabasi. Am seeing six (a) that they have three institutions. This one is wrong information because it's actually supplying one institution that is Mabasi Primary and Secondary schools. The number of households is not three hundred and I just beseech the committee to go and actually check whether this information in number five and six is true and work done within a time frame which is indicated. Thank you.

The Speaker (Hon. Dominic Rono): Thank you. Chairman?

Hon. Philip Rono: Thank you very much Hon. Gilbert. If we have to critique some parts of this report, number three was an oversight. I don't know whether we can adjust it or can we do it at the committee level? I think there was an oversight in the issue of timelines because we are being given fourteen days. Make sure that this letter is replied after the reception and acceptance of complaint ...

The Speaker (Hon. Dominic Rono): So you want to adjust it to fourteen days? I think in the letter that we will reply to the CEC, we shall have to indicate that.

Hon. Philip Rono: That is fine. In the letter that we shall send, we shall indicate it.

The Speaker (Hon. Dominic Rono): On the issue of these pipes, we will ask these people to move before the report by the inspectors. Also in that report there is an issue of these conduits. They normally take a piece, take it to the lab and then come up with a report. So it could be under their mandate to answer questions on the types of the pipes and their quality because we asked them to inspect and give us the status report then from there we shall move because what the CEC is saying is that these contractors have not completed the work. So we are asking

whether they have served three hundred households or not. If they are saying they have, then they should tell us where that is. So that is the reason why we are saying they show the level of work they have done, pay the contractor the work that they have done, and then we re-tender the work to a serious contractor.

Their target was three schools and three hundred households. So the work has not been done because they are saying that the contractor has delayed. I don't know if this contractor will carry out work on all the schools because you have said that there are two schools in that area. So I don't know where the third institution is coming from but we want to see completed work. Thank you very much.

The Speaker (Hon. Dominic Rono): Thank you. Hon. William Soi?

Hon. William Soi: Thank you Mr. Speaker Sir for giving me this chance to raise this statement. Pursuant to Standing order number 45(2) (c), I wish to seek a statement from the Committee of Agriculture Livestock and Fisheries on the following issues;

- i. How much money was allocated for renovation of Namgutwet Tea Buying Centre at Chemosot ward?
- ii. What is the amount that has been allocated to this buying centre whose number is LT 84 since 2013 to date?
- iii. What is the role of Kenya Tea Development Agency (KTDA) director in construction and renovation of Namgutwet Tea Buying Centre?
- iv. Fourth, is the construction and renovation of Tea Buying Centres a devolved function or a function of the national government?
- v. Fifth, what plan does the department of Livestock and Fisheries have in the support of Tea Buying Centres in Chemosot and by extension the Tea farmers in the County at large? Thank you.

The Speaker (Hon. Dominic Rono): Thank you Hon. William Soi. Chairman Agriculture? Where is he? Member Agriculture? Chief Whip? Sorry, Hon. Nancy Kimetto? You are a member of Agriculture Committee.

Hon. Nancy Kimetto: Thank you Mr. Speaker Sir for giving me this opportunity. Since we are going on recess, I don't know if you are going to give us two weeks immediately after the recess?

The Speaker (Hon. Dominic Rono): Thank you. So we shall have the report on the 26th of February 2019.

(Adjournment)

There being no other business, the Assembly stands adjourned till 12th February 2019. Thank you.

(The House rose at 3pm)