



COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
THE COUNTY ASSEMBLY OF BUNGOMA
ORDERS OF THE DAY
WEDNESDAY 11TH OCTOBER, 2023 AT 2.30 P.M.
ORDER OF BUSINESS

PRAYERS

1. Administration of oath
2. Communication from the chair
3. Messages
4. Petitions
5. Papers (*As listed in the Appendix*)
6. Notices of Motion
7. Questions and Statements (*As listed in the Appendix*)
8. **MOTION – REPORT BY THE SECTORAL COMMITTEE ON PUBLIC ADMINISTRATION AND ICT ON NINE MONTHS FINANCIAL STATEMENTS FOR THE PERIOD ENDED MARCH, 31ST 2023 WITH RESPECT TO THE OFFICES OF THE COUNTY SECRETARY, GOVERNOR AND DEPUTY GOVERNOR AND PUBLIC SERVICE MANAGEMENT AND ADMINISTRATION,**

(Chairperson, Public Administration and ICT)

THAT, this House adopts the report by the Sectoral Committee on Public Administration and ICT on Nine Months Financial Statements for the period ended March, 31st 2023 with respect to the offices of the County Secretary, Governor and Deputy Governor and Public Service Management and Administration, *laid on the table of the House on 22nd June, 2023.*

9. **MOTION- REPORT BY THE SECTORAL COMMITTEE ON PUBLIC ADMINISTRATION AND ICT ON THE BUNGOMA COUNTY INSPECTORATE, COMPLIANCE AND ENFORCEMENT BILL, 2023**

(Chairperson, Sectoral Committee on Public Administration and ICT)

THAT, this House notes the Report by the Sectoral Committee on Public Administration and ICT on the Bungoma County Inspectorate, Compliance and Enforcement Bill, 2023, *laid on the Table of the House on 19th September, 2023*

10. **BILLS - THE BUNGOMA COUNTY COOPERATIVE SOCIETIES BILL, 2023.**

A Bill for an Act of the County Assembly of Bungoma to give effect to paragraph 7 (e) of part II of the Fourth Schedule of the Constitution; to make provisions relating to the formation, registration and regulation of cooperative societies and for connected purposes

(Chairperson, Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development)

(Third Reading)

APPENDIX

ORDER NO 5 – PAPERS

County Government of Bungoma annual Report and Financial Statements for the financial year ended June 30, 2023

(Leader of the Majority Party)

ORDER NO. 7 – QUESTIONS AND STATEMENTS

It is notified that, pursuant to S.O. 55, the following County Executive Committee Member will respond to a Question on Wednesday (afternoon) 11th October, 2023.

County Executive Committee Member for Education and Vocational Training

Question No Question

Question No. **Member for Tuuti Marakaru Ward (Hon Joseph Nyongesa –MCA) to seek a response from the CECM, Education and Vocational Training through the Sectoral Committee on Education and Vocational Training** in relation to the utilization of 3% of both the scholarship and bursary funds. The CECM to respond to the following:

- a) Provide expenditure reports of 3% of the scholarship and bursary funds.
- b) Provide bank statements indicating withdrawals of 3% of the scholarship and bursary funds.
- c) List activities that are to be funded from the 3% of the scholarship and bursary funds
- d) Provide request forms for the expenditures.
- e) What was the total allocation for scholarship and bursary funds in the FY 2022/2023?
- f) What was the total administrative cost of both the scholarship and bursary funds?

It is notified that, pursuant to S.O. 47, the following Chairpersons will respond to a Questions on Wednesday (afternoon) 11th October, 2023.

QN.No30/2023 Response from the **Chairperson, Sectoral Committee on Roads, Transport, Infrastructure and Public Works** in reference to:

QN.No33/2023

QN.No47/2023

QN.No50/2023

QN.No55/2023

1. The road network in Tongaren-Kiminini ward in the FY 2019/2020, 2020/2021, 2021/2022. The Chairperson to respond to the following:
 - a) How many roads have so far been done in the FY 2019/2020, 2020/2021 and 2021/2022 under the following programmes in Kimilili-Tongaren Ward; Ward based project, Framework contracting and Road Maintenance Levy Fund (RMLF)
 - b) Provide the names of the said roads, the names of contractors contracted on the mentioned roads, the cost on each road and the current status of the roads.

2. Status of CEF road projects in Kimaeti ward and all the remaining Wards for the period 2019-2022. The Chairperson to respond to the following:
 - a) The names of the roads and its contractors
 - b) The BQs and contract sum for the said roads
 - c) The payment status of these roads
 - d) The completion certificates and payments of the same roads
 - e) The measures put in place by the department to have all the roads under CEF programme in the ward be completed within the timeframe as provided in the contract agreements
3. The rehabilitation of the road from Kabula catholic church to Naburereya done in FY 2021/2022. The Chairperson to respond to the following:
 - a) The current status of the road.
 - b) The procurement process; provide the tender advert, evaluation report, professional opinion from the head of supply chain management.
 - c) The name of the contractor who won the tender.
 - d) State the contract sum and how much has been paid so far.
 - e) State the contract period and elucidate whether the works were done within the contract period provided in the contract agreement.
 - f) Provide the contract agreement.
4. Relation to the tendering process of the following roads; Kapsami-Kongit road, Kaptama booster-Bondeni Kaboywo road, Kostoi-Chelida road, Sultan-Kapteyandet road and Kaberwa-Chepkitale road
 - a) If the procurement process was undertaken for the above mentioned roads and also avail the documents as proof.
 - b) Names of the contractors who were awarded the tenders
 - c) The contract sum and dates of payment for each road
 - d) Payment certificates for the contract
 - e) The Bill of Quantities (BQs) of the mentioned roads
 - f) Whether the signage's for the projects were erected on the mentioned roads
5. Status of roads contracted/rehabilitated in Musikoma Ward in the FY 2022/2023. The Chairperson to respond to the following:
 - a) If the contractors executed the job according to the specifications
 - b) Why the contractors were paid before the inspection of the said roads was done, especially Lavin- Mwiruti road and Namasanda, SDA junction to Mukasa Atemba in Namasanda village unit.
 - c) Elaborate on the other roads constructed/ rehabilitated in Musikoma Ward within the same financial year.

QN.No52/2023
 QN.No53/2023
 QN.No58/2023

Response from the **Chairperson, Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development** in:

1. Respect to cattle dips within Ndalu-Tabani Ward. The Chairperson to respond to the following:
 - a) Provide information as to why the foregoing cattle dips have stalled and/or are not in operation even after award of the contract to renovate them.
 - b) Provide the name and/or identity of the contractor awarded the tender for the renovation.
 - c) Provide the procurement documents (tender advert, quotation or tender opening and evaluation reports, contract agreement, opinion of the procurement officer in accordance with the Public Procurement and Asset Disposal Act, 2015) for the renovation of the aforementioned cattle dips.
 - d) Provide the procurement plan encompassing the said renovations in accordance with Section 44 (2) of the Public Procurement and Asset Disposal Act, 2015.
 - e) State whether there was a budgetary provision for the renovations in accordance with Section 44 (2) (a) of the Public Procurement and Asset Disposal Act, 2015; and if yes, state how much.
 - f) Provide information and or a conclusive report as to whether the said cattle dips were handed over by the contractors to the County Government. How much was paid and how much is the balance?
 - g) Provide information as to whether the tender awarded included fencing of the said cattle dips.
 - h) If completion and handing over has not been done, what measures are being taken to ensure that the dips are completed and operational?
2. Respect to field extension officers in the Department of Livestock and Fisheries. The Chairperson to respond to the following:
 - a) The budgetary allocation for the Department of Livestock and Fisheries for the FY 2022/2023
 - b) Staff establishment in the Department of Livestock and Fisheries, detailing the respective duty stations of the officers and respective years in service.
 - c) Details of the number and venues of field days and external meetings held by the Department.
 - d) Information on the participants of the field days/external meetings and details of the facilitation provided for the field extension officers during the financial year.
 - e) The tools of work provided for the field extension officers in the course of duty; and
 - f) Details on the trainings provided to the officers to improve on skills.
3. In respect to Namasanda Dam. The Chairperson to respond to

the following:

- a) The acreage of the said dam
- b) Practical steps the department is taking to rehabilitate the dam, fence and make it useful to the people of Namasanda, both as source water and source of livelihood for them.
- c) Any previous undertaking by the County Government to rehabilitate the dam; the scope of work done at that time, any positive achievements arising from the rehabilitation.
- d) State whether the land belonging to the dam has been encroached, eco system destroyed and previous fencing destroyed too. If yes explain what the department is doing to solve the problem.

QN.No 38/2023 Response from the **Chairperson, Sectoral Committee on**
QN.No54/2023 **Health Services** in relation to;

1. The construction of Kaptalelio dispensary maternity wing in Kaptama Ward and the status of all pending projects in the 45 Wards. The Chairperson to respond to the following:
 - a) The budgetary allocation for the project and the financial year.
 - b) Procurement process; tender advert, evaluation report, professional opinion from the head of supply chain management and the name of the contractors who won the tender.
 - c) The total contract sum and how much has been paid so far.
 - d) The contract period (provide the contract agreement)
 - e) Explain the level of works so far done.
 - f) Explain the steps the Department is taking to complete the project and operationalize the same.
 - g) Explain the steps the Department is taking to forestall such cases in the implementation of projects.
2. Relation to management of Bungoma County Referral, Kimilili Sub County and Webuye County Hospitals. The Chairperson to respond to the following:
 - a) Procurement plan for financial year 2022/2023
 - b) Procurement process of all the procurable including but limited to pharmaceutical and non- pharmaceutical (provide tender advert, tender evaluation reports, professional opinion from the head of supply chain management and final decision by the accounting officer.
 - c) Provide tender inspection and acceptance reports of all goods and services procured in the financial year 2022/2023
 - d) Provide all the contract agreements for the supply of goods and services for the financial year 2022/2023
 - e) Provide the CR 12 forms for all companies that won tenders in the financial year 2022/2023
 - f) State whether the Public Procurement and Asset Disposal Act, 2015 and the Regulations thereto were strictly followed during procurement of goods and services for the FY 2022/2023

- g) Provide full reports on the amount of money collected from 1st July, 2022 to 31st May, 2023 (Provide bank statements from 1st July, 2022 to 31st May, 2023)
- h) Provide full expenditure reports for the financial year 2022/2023 (provide supporting documents for expenditure)
- i) Provide all fully signed minutes or reports of the management committee sanctioning expenditure of the same.
- j) Provide a report on waiver of the hospital bills (include names of the patients whose bills were waived and the reasons thereto).
- k) State whether the procedure for waiver of the bills was followed.

QN.No46/2023 Response from the **Chairperson, Sectoral Committee on Youth and Sports** in relation to:

1. The construction of the high altitude training center. The Chairperson to respond to the following:
 - a) Construction of the High Altitude Training Centre administration block and hostels
 - b) The budgetary allocation so far
 - c) Procurement process; tender adverts, evaluation reports, professional opinions from the head of supply chain management and the name of the contractor who won the tenders.
 - d) The total contract sum and how much has been paid so far (provide certificates for payment of the same)
 - e) The contract period (provide the contract agreement)
 - f) Explain the level of works so far done (provide BQS of the same)
 - g) Explain the steps the Department is taking to complete the project.
 - h) State when the project will be operationalized
 - i) State the phase that entails the whole project
 - j) Provide any other important information in respect to the construction and operationalization of the High Altitude training Centre.

QN.No51/2023 Response from the **Chairperson, Sectoral Committee on Lands, Urban, Physical Planning and Housing** in respect to:
 QN.No57/2023
 QN.No59/2023

1. Purchase of lands for various projects within Bungoma County. The Chairperson to respond to the following:
 - a) How much was allocated to the Department for land purchase for CEF projects in various wards and the County flagship projects in the FY 2020/2021, 2021/2022, 2022/2023.
 - b) How many parcels of land have so far been purchased and fully paid for and, registered in the Bungoma County Government's name.
 - c) Why land for Lunao dispensary has not been paid for yet there has been allocation for the same for four successive

Financial Years since; FY 2017/2018, 2020/2021/, 2021/2022, 2022/2023 putting in mind that the project is a priority for the people of Bumula Ward.

- d) Provide the circular directing that all Land to be purchased must be approved by the National office contrary to the fact that land matters are a devolved function.
 - e) Provide the timeframe within which the Department shall have processed such intent.
 - f) Provide names of public officers involved in the processing of land within the County for instance Lunao Dispensary
2. Respect to various unclear information concerning the municipality board members both for Kimilili and Bungoma. The Chairperson to respond to the following:
- a) What is the term of service of the municipality board members who took over office in 2017 and more so shade light on their years of service? If the term of the said board members is renewable and elaborate more on their curriculum vitae and the period remaining for each member to serve on the board.
 - b) If there any vacancies that might have been availed due to members resignation and if in affirmative, the evidence of resignation.
 - c) Is there any board member currently serving or any member who contested in the 2022 general elections but still serving, if yes: their names and if they were cleared by IEBC and EACC as per the law.
 - d) Is there any board who contested in the last general elections and still sits on the board to date?
3. In relation to the construction of Pamus-Muyayi-Ndengelwa road. The Chairperson to respond to the following:
- a) What is the contractual sum and scope of the project avail the BQs?
 - b) What is the name of the contractor; attach the CR 12 and a signed contract?
 - c) What was the contractual period? Has it expired or not, if expired, avail an extension authority?
 - d) Is the project complete as markings have been made; if not complete, what is the status?
 - e) Does the project has the contract implementation committee (CIC); if it has, avail the CIC reports and payment status (Payment Certificates to be availed)
 - f) Has the project been done according to the required standards?

QN.No56/2023 Response from the **Chairperson, Sectoral Committee on Trade, Energy and Industrialization** on tenders for street lighting across the County. The Chairperson to respond to the following:

- a) Allocation for the street lighting programme for the FY 2022/2023
- b) Was the procurement process leading to the award of tender of the FY 2022/2023 for installation of street

lighting across the County procedurally done?

- c) Avail the tender advertisement, evaluation report and professional opinion from the head of supply chain management of the Bungoma County Government.
- d) Provide profile of the company that was awarded the tender with the CR-12 form.
- e) How much was awarded for the whole street lighting programme, how much has been paid to the contractor(s) to the date hereof and how much is the outstanding balance for the said programme.
- f) Any other information that might enlighten the House