



COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
THE COUNTY ASSEMBLY OF BUNGOMA
ORDERS OF THE DAY
WEDNESDAY 25TH 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 (*As listed in the Appendix*)
7. Questions and Statements (*As listed in the Appendix*)
8. **MOTION - REPORT BY THE SECTORAL COMMITTEE ON TRADE, ENERGY AND INDUSTRIALIZATION ON THE BUNGOMA COUNTY WEIGHTS AND MEASURES BILL, 2023**

(Chairperson, Sectoral Committee on Trade, Energy and Industrialization)

THAT, this House notes the Report by the Sectoral Committee on Trade, Energy and Industrialization on the Bungoma County Weights and Measures Bill, 2023, *laid on the Table of the House on 4th October, 2023.*

9. **MOTION –REPORT BY LIAISON COMMITTEE ON THE ACTIVITIES OF COUNTY ASSEMBLY COMMITTEES IN THE FINANCIAL YEAR JULY 2022/2023**

(Chairperson, Liaison Committee)

THAT, this House adopts the Report by Liaison Committee on the activities of County Assembly Committees in the financial year July 2022/2023, *laid on the Table of the House on 21st September 2023.*

10. **BILL- THE BUNGOMA COUNTY OUTDOOR ADVERTISING AND SIGNAGE CONTROL AND REGULATION BILL, 2023**

A Bill for an Act of the County Assembly of Bungoma to provide for the regulation of outdoor advertisement and signage within Bungoma County and for connected purposes

(Chairperson, Sectoral Committee on Lands, Urban, Physical Planning and Housing)

(Third Reading)

APPENDIX

ORDER NO 5 – PAPERS

- I. Report by the Sectoral Committee on Trade, Energy and Industrialization on the status of street lighting in Bungoma County.
(Chairperson, Sectoral Committee on Trade, Energy and Industrialization)
- II. County Government of Bungoma Receiver of Revenues Annual Financial Statements and Reports for the period ended June 30, 2023.
(Leader of the Majority Party)

ORDER NO 6 - NOTICES OF MOTION

THAT, this House adopts the Report by the Sectoral Committee on Trade, Energy and Industrialization on the status of street lighting in Bungoma County.
(Chairperson, Sectoral Committee on Trade, Energy and Industrialization)

ORDER NO 7 – QUESTIONS AND STATEMENTS

It is notified that, pursuant to S.O. 49, the following Member will ask a Question for reply before the House

Question No	Question
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| Question No.
63/2023 | <p>Member for Township Ward (Hon. Jeremiah Kuloba–MCA) to seek a response from the Chairperson, Lands, Urban, Physical Planning and Housing in respect to space for traders within Township Ward. The Chairperson to respond to the following:</p> <ol style="list-style-type: none">1. Whether the CECM is aware that small traders have been evicted and barred from selling their wares and goods from their spaces within Township Ward.2. Whether there was public participation involving the CECMs for Trade, Energy and Industrialization; Finance and Economic Planning; Public Administration and ICT and traders within Township Ward prior to the actions above.3. Provide information as to whether the said decision was discussed and approved at the cabinet prior to being effected.4. Was the municipal manager involved in the deliberations that led to such evictions and if so, what was his input?5. Provide the notices directing that all small traders to move and desist from exhibiting and selling their goods and/or providing their services in their usual areas within Township Ward. |
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6. Whether the Department has any resettlement plan in order to provide enough alternative space for small traders to operate from.
7. If not, let the CECM provide the timeframe within which the Department shall have set aside proper and ample space in well designated areas for small traders to operate from before any evictions are effected.
8. How many parcels of land have so far been purchased, fully paid for and registered in the Bungoma County Government's name for purposes of establishing market places within Township Ward?
9. State how much money has been set aside in the budget for purposes of designation of proper market space for small traders within Township Ward.
10. What mechanism has the Department put in place to ensure that traders are enlightened and informed of the various laws and regulations governing urban and physical planning in compliance with the Access to Information Act, 2016 and Article 35 of the Constitution?

It is notified that, pursuant to S.O. 47, the following Chairpersons will respond to Questions on Wednesday (afternoon) 25th October, 2023.

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

1. 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.

- QN.No33/2023 2. The 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

- QN.No47/2023
- 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. 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.
- QN.No50/2023
4. 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
- QN.No55/2023
5. The 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
- Response from the **Chairperson, Sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development** in relation to:
1. 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. 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.

QN.No53/2023

Response from the **Chairperson, Sectoral Committee on Lands, Urban, Physical Planning and Housing** with respect to:

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.

3. Provide names of public officers involved in the processing of land within the County for instance Lunao Dispensary

2. 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 member who contested in the last general elections and still sits on the board to date?

3. 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 have 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?