

COUNTY GOVERNMENT OF KITUI



COUNTY ASSEMBLY

SECOND ASSEMBLY – (SECOND SESSION)

COMMITTEE ON LANDS, INFRASTRUCTURE AND URBAN DEVELOPMENT

REPORT ON ASSESSMENT OF ROAD PROJECTS IN KITUI COUNTY FOR THE FINANCIAL YEAR 2016/2017

CLERK'S CHAMBERS
COUNTY ASSEMBLY BUILDINGS,
KITUI.

JULY, 2018

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ACRONYMS AND ABBREVIATIONS

EACC.....Ethics and Anti-Corruption Commission
LIUD.....Lands, Infrastructure and Urban Development
LIHUD.....Lands, Infrastructure, Housing and Urban Development
S.OStanding Orders
CECM.....County Executive Committee Member

1.0 PREFACE

Mr. Speaker,

The Committee on Lands, Infrastructure and Urban Development on its Constitutional oversight mandate decided to look into the Status of Roads in the County for the financial year 2016/2017.

Mr. Speaker,

The committee derives its mandate from the Kitui County Assembly Standing Order No 190(5), which defines functions of the committee as being to, inter alia;

- i. Investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operation and estimates of the assigned department;
- ii. Study programs and policy objectives of departments and the effectiveness of the implementation;
- iii. Study and review all county legislation referred to it;
- iv. Study, assess and analyse the relative success of departments as measured by the results obtained as compared with their stated objectives;
- v. Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- vi. To vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing Order 185(Committee Appointments); and
- vii. Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

In accordance with Second Schedule of the Standing Orders, the Committee is mandated to consider:-

- a. Development of county policy Development formulation and legislation on lands, infrastructure and urban development,
- b. all matters related to county transport, including county roads(including development, maintenance and rehabilitation), county housing, street lighting, traffic and parking, public road transport and ferries and harbours, excluding the regulation of international and national shipping and matters related thereto;
- c. county public works and services including storm water management systems in built-up areas and water and to facilitate and promote sustainable urban and pre-urban development, electricity and gas reticulation, public works, planning development and maintenance of public buildings, promotion of sustainable built environment and clean urban set up, implementation of relevant national

policies, develop county transport information database and managing land in liaison with National Land Commission, land survey and mapping,.

Mr. Speaker Sir,

The current composition of the Committee on Lands, Infrastructure and Urban Development is as follows:

- | | |
|--------------------------------|--------------------|
| 1. Hon. Boniface Katumo | – Chairperson |
| 2. Hon. Geoffrey Mwalimu | – Vice-chairperson |
| 3. Hon. Colleta Koli Kimanzi | – Member |
| 4. Hon. Eunice Katheke | – Member |
| 5. Hon. Charles Maema | – Member |
| 6. Hon. Jehoshephat Nzamba | – Member |
| 7. Hon. Alex mbili | – Member |
| 8. Hon. Alex W. Mwangangi | – Member |
| 9. Hon. David Thuvi | – Member |
| 10. Hon. John Kisangau Mbaki | – Member |
| 11. Hon. Anthony Ndooh Mwanzia | – Member |

1.1 ACKNOWLEDGMENT

Mr. Speaker,

The Committee extends its appreciation to the Offices of the Speaker and the Clerk of the County Assembly for the support accorded to it in the execution of its mandate and the opportunity accorded to its Members to undertake the assessment exercise as from 26th February to 3rd March, 2018, on behalf of the people of Kitui County.

Mr. Speaker Sir,

The Committee also wishes to extend its gratitude to Members of the County Assembly who organized and administered co-ordination towards ensuring that objectives of the assessment exercise were successful.

Mr. Speaker Sir,

It is therefore my pleasant duty and privilege, on behalf of this Committee, to table this report and recommend the same to this House for further Consideration and subsequent Adoption.

Signed _____

**Hon. Bonifce katumo,
Chairperson, Lands, Infrastructure and Urban Development (LIUD),
County Assembly of Kitui.
26th July, 2018**

2.0 INTRODUCTION

Mr. Speaker Sir,

The County Assembly of Kitui adopts laws and hold the County Government to account. The MCAs', the speaker and leadership, political parties and groups, clerks and administration all play a part in shaping the assembly's role.

Pursuant to Article 185 of the Constitution of Kenya 2010, and Section 8 of the County Government's Act, the County Assembly has the mandate to conduct; Legislative, Oversight, and Approval functions on behalf of the County Government.

Mr. Speaker Sir,

Article 185(3) further elaborates that a County Assembly while respecting the principles of separation of powers, may exercise oversight over the County Executive Committee or any other county executive organ.

The County Assembly can do so through house committees by shaping ministerial policies and laws which respond to the needs of the people of Kitui by enhancing sustainable equitable developments.

Mr. Speaker Sir,

This report turns the spotlight on the pivotal relationship between the people and the county government. It analyses people's expectations from the County Government by extensive oversight drawn from the projects financed by the 2016/2017 Kitui County Annual Budget.

2.1 REPORT ON ASSESSMENT OF SCHEDULED ROAD PROJECTS

Mr. Speaker Sir,

The Committee identified and scheduled thirteen County road projects straddling across the county that it intended to assess. The roads were largely access roads, crisscrossing within and between Kitui's wards. The Committee's objective was to assess the quality with regard to department's plans, budgetary allocations and levels of workmanship/professionalism of road projects that had been recently implemented, and in regard to the quarterly reports for the financial year 2016/2017.

3.0. KYANGWITHYA WEST WARD (KITUI CENTRAL SUB-COUNTY)

3.1. Project Names: *Kwa Kondo – Kasanduku – Mukunu - Ithimani river - Kwa Lele - Makaani road and drift - drift works only:*

Cost: kshs. 9,880,749.36

Contractor: Kasco investment limited

Scope: drift construction, gabion protection works

3.1.1. General Findings as at 26THFebruary, 2018:

Mr. Speaker Sir,

The Committee observed that;-

- i. The workmanship along the Kwa Kondo - Kasanduku-Mukunu - Ithimani River - Kwa lele - Makaani road was poorly done.
- ii. The road is in a bad state making the road users experience problems when travelling along it hence spending a lot of time on the road.
- iii. Contractors are yet to be paid although the matter is under investigation by EACC.

3.2. Project Name: Muthungue - Mangina road

Cost: kshs. 21,551,770.55

Contractor: Mvumilivu ventures & general contractors

Scope: road works, drift construction, gabion protection works gravel patching

3.2.1 General Findings as at 26THFebruary, 2018:

Mr. Speaker Sir,

The Committee observed that;-

- i. The drift along Muthungue - Mangina road was not well constructed and chances of it being swept away by running waters during rain seasons are so high.
- ii. Nothing was done on gravel patching while gabions protection was not put on the road to protect the drift from being swept away by running waters along the river.
- iii. The road is in a bad condition making the road user spend a lot of time when travelling, as drivers avoid the road and prefer use passageways.
- iv. Contractors are yet to be paid although the matter is under investigation by EACC.

3.3. Committee Recommendations:

Mr. Speaker Sir,

The committee recommends that;-

- i. Both roads require maintenance works to repair the damage caused by the rain on some sections, heavy gravel patching should be considered respectively on them,
- ii. The drifts on the two roads should be extended on both the length and width, and gabions protection fitted beside the roads,

- iii. The work should be done as soon as possible to protect the two roads from further destruction by the forthcoming rain season.

4.0. YATTA/KWA VONZA WARD (KITUI RURAL SUB- COUNTY)

4.1. Project Name: *Opening up of road Nyanyaa (Oasis) to Mangina and Kiliko shopping centre to Kalivini primary school.*

Cost: kshs. 27,248,647.35

Contractor: konza works construction & Engineering Ltd

Scope: drift construction and gabion protection works

4.2. General Findings as at 26th February, 2018:

Mr. Speaker Sir,

The Committee noted that;-

- i. The workmanship along the Nyanyaa (oasis) road to Mangina and Kiliko shopping Centre to Kalivini primary school was poorly done as gabions protection was not fitted henceforth causing the drift to break down.
- ii. The road had been closed on the other side of the river for it is passing through a private land.

4.3. Committee recommendations:

Mr. Speaker Sir,

The Committee recommend that;-

- i. Investigation should be done on both the contractor and the engineer who were in charge of this project, if found culpable legal action should be taken against them, and the contractor should be banned from transacting any business with the county.
- ii. Where a road passes across a big river, box culverts should be used instead of drifts since they can withstand heavy rains and high speed running waters.
- iii. The Ministry should survey any place they deem fit for developing a new road to avoid future inconveniences of road closure, and in case they discover that the road passes through private land, the Ministry should seek the consent of the owner/s and agree on compensation.

5.0. KYANGWITHYA EAST WARD (KITUI CENTRAL SUB-COUNTY)

5.1. Project Name:

5.1.1. Construction of Kalundu River Drift along Kwa Ngindu-Manda River- Mutune Road

Cost: kshs. 10,772,572.59

Contractor: June Engineering Services Ltd

Scope: Drift construction, gabion protection works, earthworks and gravelling

5.1.2. Construction of Mutune Road through Kalundu River-Museve with a Drift

Cost: kshs. 26,482,891.16

Contractor: Rene Industries Ltd

Scope: Road works. Drift construction and gabion protection works

5.2. General Findings as at 27th February, 2018:

Mr. Speaker Sir,

The committee noted that;-

- i. The workmanship along Kwa Ngindu-Manda river-Mutune road and Mutune road through Kalundu River Museve is fairly done, especially the drifts on both projects are well constructed.
- ii. The roads are in a reasonable condition, however some areas needs to be repaired as rains damaged them, due to lack of gabions protection beside them.

5.3. Committee Recommendations:

Mr. Speaker Sir,

The Committee appreciated the standard in which the drifts were constructed in such a way that they can withstand the high pressure of the running water along the river during rain seasons and recommends that gabions protection should be fitted beside the roads to enhance support to the drifts.

Members further recommends for a maintenance work to repair the damage caused by rains on some sections.

Members extend their hand of appreciation to the contractors for the genuinely good work they did and they further wished if the other contractors could borrow the same spirit for the betterment of the people of kitui and such contractors should be considered for more work.

6.0. THARAKA WARD (MWINGI NORTH)

6.1. Project Name: *Kyuso river drift*

Cost: kshs. 18,562.086.70

Contractor: Malili Construction & Engineering Works Ltd

Scope: drift construction and gabion protection works

6.2. General Findings as at 2nd March, 2018.

Mr. Speaker Sir,

The Committee noted that;-

- i. The workmanship in Kyuso river drift was poorly done as gabions protection was not tailored to protect the drift from being swept by running waters during heavy rain seasons.
- ii. The drift is sloppy on both ends.

6.3. Committee Recommendations:

Mr. Speaker Sir,

The Committee recommend that;-

- i. The Kyuso river drift should be extended on both ends.
- ii. Gabions protection should be fitted to protect the drift from being swept away by running waters during heavy rain seasons and it should be done as soon as possible.

7.0. TSEIKURU WARD (MWINGI NORTH)

7.1. Project Name: *Construction of Tseikuru - Kalimbui road*

Cost: 4,818,000.00

Contractor: Taraji Co.Ltd

Scope: site clearance, earthworks, culvert installation, grading and gravelling

7.2 General Findings as at 2nd March, 2018.

Mr. Speaker Sir,

The Committee observed that;-

- i. The workmanship along Tseikuru – Kalimbui road is fairly done,
- ii. The culverts constructed are too small to sustain the pressure of the running water and are currently blocked.

7.3 Committee Recommendations

Mr. Speaker Sir,

The Committee recommends that;-

- i. Small culverts should be replaced with large ones which can sustain pressure of running waters,

- ii. Gabion protection be fitted along the road to protect both the road and the culverts from destruction during rain seasons.

8.0. MUI WARD (MWINGI CENTRAL SUB-COUNTY)

8.1. Project Name: Proposed construction of Mwembeni river drift

Cost: kshs. 16,728,389.46

Contractor: Dannycot enterprises Ltd

Scope: Drift construction and gabions protection works

8.2. General Findings as at 1st March, 2018.

Mr. Speaker Sir,

The Committee observed that;-

- i. Neither the drift was constructed across Mwembeni River nor were gabions fitted hence making the road inaccessible to people due to high running waters along the river.
- ii. The road project is under the investigation by EACC.

8.3. Committee recommendations

Mr. Speaker Sir,

The Committee recommends;

- i. The ministry to develop measures to cap future issues of integrity with the contractors to avoid derails of development especially on roads. Contractors with integrity issues should be banned from transacting business with the County, and the County officers who supervised the project should be investigated and a legal action taken against them if found culpable.
- ii. The Ministry should come up with an alternative plan of constructing a different road whenever an issue of integrity arises to ensure that, people do not experience challenges of transportation while investigations by the EACC are ongoing on the affected project.

9.0. ZOMBE/MWITIKA (KITUI EAST)

9.1. Project Name: Construction of mwinga stream drift

Cost: kshs. 15,056,314.20

Contractor: Shatiti enterprises Ltd

Scope: gravelling, grading and culvert works

9.1.1. Construction of kathande - kaumu drift

Cost: kshs. 23,130,439.10

Contractor: Keith Reuben property group Ltd

Scope: concrete works.

9.2. General Findings as at 3rd March, 2018.

Mr. Speaker Sir,

Members observed that;-

- i. The workmanship on grading and gravelling along Mwinga stream drift was well done although nothing was done on culverts.
- ii. Along Kathande – Kaumu drift committee members noted that the concrete works was fairly done though the contractors should have prolonged the concrete works on both the length and width to fit the stream on the cross ends.

9.3. Committee Recommendation:

Mr. Speaker Sir,

Members recommends that;-

- i. Culverts should be put in place along Mwinga stream for smooth passage of water in order to avoid the road from destruction,
- ii. The concrete works along Kathande – Kaumu drift be extended on both the length and the width to prevent it from being swept away by running waters during rain seasons,
- iii. Engineers should always ensure proper measurements are taken against any such projects.

10.0. Challenges Faced by the Committee during the Inspection Exercise;

- i. Lack of cooperation by the contractors and supervisors when called on the site to clarify some of the issues concerning the projects.
- ii. Most of the roads constructed in the previous financial years are in a dilapidated condition and therefore made it impossible for the Committee to inspect all the scheduled road projects. This was experienced in most of the roads especially in Tharaka ward where the vehicle we were using for the inspection exercise got stuck, and the honorable members had to rescue it. Attached below are the pictures on the same.



Pictures of Honorable members pushing the inspection vehicle stuck in a sand deposit at tharaka ward

11.0. Committee General Recommendations:

Mr. Speaker Sir,

The committee members after having lengthy deliberations on the status of roads decided to come up with the following general recommendations for action to be taken by the Executive:

1. That the CEC Member on LIUD should immediately start a survey program aimed at rehabilitating all encroached roads.
2. That the County Executive should provide a clear policy framework on grading, gravelling and any development of new roads inclusive of bitumen standard where applicable. This will go a long way in ensuring program based construction while incorporating expertise to ensure high quality work before the beginning of every financial year.
3. That the Public Accounts and Investment Committee together with the Committee on Justice and Legal Affairs should seize the matter and investigate the purchase of machinery, and the Road Constructions that took place in the last financial year 2016/2017 through the quarterly report. This should include investigation into fuel and the amount of funds allegedly used in those fuel stations. This will ensure that no more wastage and unaccountability is witnessed in the current financial year.
4. That the CEC Member of LIHUD should not authorize payments of any debts relating to any projects for the financial year 2016/2017 under the investigation until the Public Accounts and Investment Committee together with the committee on Justice and Legal Affairs of this Assembly have concluded all investigations concerning the same.
5. That action should be taken against any officer in the Ministry who may have been involved in unethical conduct contrary to Chapter 6 of the Constitution of Kenya. This will bring sanctity to this department that is tasked with enormous responsibilities of ensuring proper infrastructure is established in the county.
6. That the County Public Service Board should immediately review the job profiles of the staff in the Ministry with a view to filling any gaps that may arise to ensure efficiency in service delivery.
7. The CECM ministry of LIHUD should provide quarterly reports on a timely basis.
8. In the spirit of consultation and cooperation, the CECM Ministry of LIHUD should keep the Committee updated on all policies, plans and programs ongoing and upcoming.

12.0. Conclusion

Mr. Speaker Sir,

While the report cannot provide an exhaustive review of all ways in which the Ministry of Lands, Infrastructure, Housing and Urban Development can do to effect developments at a maximum scope, it does offer a broad recommendation of all the problems between the ministry and the contractors which are main drivers of change expected to affect the Ministry projects in the foreseeable future.

Mr. Speaker Sir,

We hope this report will stimulate debate in the house and enable Members come up with more comprehensive reforms in the Ministry of Lands, infrastructure, Housing and Urban Development to enhance effectiveness in Ministerial Operations.

Finally Mr. Speaker,

It is my pleasant duty and privilege, on behalf of the Committee on Lands, Infrastructure and Urban Development to table this report for adoption.

Thank you Mr. Speaker Sir, God bless this Assembly, God Bless Kitui County, and God Bless Kenya.



Opening up of Road Nyanyaa (Oasis) to Mangina and Kiliko Shopping Centre to Kalivini Primary School in Kwa Vonza / Yatta Ward



Mutune Road through Kalundu River-Museve with a Drift in Kyangwithya East Ward



Kalundu River Drift along Kwa Ngindu-Manda River- Mutune Road



Construction of Mwembeni River Drift in Mui Ward



Kathande - Kaumu Drift in Zombe Ward

Appendix I

Schedule for the Committee's Assessment Exercise from 26th February – 3rd March, 2018

<u>SUB COUNTY</u>	<u>WARD</u>	<u>PROJECT NAME</u>
Kitui Central 26/2/2018 & 27/2/2018	Kyangwithya West	<ol style="list-style-type: none">1. Kwa kondo – Kasanduku- Ithimani river- Kwa lele – Makaani road anddrift- drift works only.2. Muthungue - Mangina road.
	Kyangwithya East	<ol style="list-style-type: none">1. Construction of Kalundu River Drift along Kwa Ngindu-Manda River- Mutune road.2. Construction of Mutune Road through Kalundu River-Museve with a drift.
	Mulango	<ol style="list-style-type: none">1. Construction of Kangalu-Manooni-Wii drift.2. Construction of Nzukini-Ivovoa-Kyaithya drift.
Mwingi Central 28/2/2018 & 1/3/2018	Waita & Mui	<ol style="list-style-type: none">1. Munyumbuni-Ndithi-Kivou road connecting Waita upper area in Waita road2. Construction of Kyume vented drift3. Construction of Garissa road junction-Lundi road.4. Proposed construction of Mwembeni river drift.
	Nuu & Miwani/Mwingi Central	<ol style="list-style-type: none">1. Construction of Enziu River drift connecting Wingeni, Iviani & Ukasi with road improvement.2. Proposed construction of kamunyu River drift.3. Construction of Tyaa River drift on Ndaluni Masukini road.
Mwingi North	Kyuso & Mumoni	<ol style="list-style-type: none">1. Musavani river drift along Musavani,Kamali road.2. Construction of Katse-Musyosya-Thua-Ngungani road

2/3/2018	Tseikuru & Tharaka	<ol style="list-style-type: none"> 1. Construction of Tseikuru-Kalimbui road. 1. Kyuso river drift.
Kitui East 3/3/2018	Zombe / Mwitika	<ol style="list-style-type: none"> 1. Construction of kathande-Kaumu drift 2. Construction of Mwinga stream drift

Appendix II

We, honorable Members of the Committee on Lands, Infrastructure and Urban Development do hereby affix our signatures to this report to affirm our approval and confirm its accuracy, validity and authenticity: -

<u>NAME</u>	<u>DESIGNATION</u>	<u>SIGNATURE</u>
Hon. Boniface Katumo	Chairperson	.....
Hon. Geoffrey mwanlimu	Vice-Chairperson	.....
Hon. David Thuvi	Member	.....
Hon. Colleta Kimanzi	Member	.....
Hon. Eunice Katheke	Member	.....
Hon. John Kisangau	Member	.....
Hon. Jehoshaphat Nzamba	Member	.....
Hon. Alex Mwangangi	Member	.....
Hon. Alex Mbili	Member	.....
Hon. Anthony Ndooh	Member	.....
Hon. Charles Maema	Member	.....