



**COUNTY GOVERNMENT OF KIAMBU
COUNTY ASSEMBLY OF KIAMBU**

Clerk's Chambers
County Assembly of Kiambu
Assembly Buildings
P.O.Box 1492-00900
KIAMBU

Tel: 067 586 0000
Email: info@kiambuassembly.go.ke
kiambucountyassembly@gmail.com
Web: www.kiambuassembly.go.ke

*When replying please quote
Our Ref: CAK/1/19/10(40)*

January 25, 2020

**J. M. NYEGENYE, C.B.S.,
CLERK OF THE SENATE,
THE SENATE, NAIROBI.**

Dear Sir,

REF: INVITATION TO APPEAR

Pursuant to your invitation to appear received by the Assembly on January 22, 2020 and your request for:

- (a) Members of the County Assembly who have been designated to attend and represent the Assembly in the proceedings before the Senate including the mode of appearance,
- (b) Names and addresses of witnesses and witness statements containing a summary of the evidence to be presented before the Senate (if any); and
- (c) Any other evidence to be relied on.

Be pleased to find enclosed to this correspondence:

- (a) Members of the County Assembly who have been designated to attend and represent the Assembly in the proceedings before the Senate including the mode of appearance (referred to as "ANNEX A")
- (b) List of witnesses (referred to as "ANNEX B")
- (c) Witness Statements and;
- (d) Other evidence to be relied on (referred to as "ANNEX C")

Yours Sincerely,

Dr. Francis Ndirangu (Ph.D.)

AG. CLERK, COUNTY ASSEMBLY OF KIAMBU

CC. Office of the Speaker



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ANNEX A

**MEMBERS OF THE COUNTY ASSEMBLY DESIGNATED TO REPRESENT THE
ASSEMBLY IN THE SENATE PROCEEDINGS**

	NAME OF THE MEMBER	ID NUMBER	SIGNATURE
1.	Honorable, Solomon Kinuthia Wambui	24152165	
2.	Honorable, Gideon Gacharah Gitau	22930843	
3	Honorable, Yvonne Wanjiku Waweru	23235486	

MODE OF APPEARANCE

The above listed members of the County Assembly of Kiambu will appear in person and by Advocate

Verified by:

Date:

.....

25/1/2020
.....

Honorable, Gideon Gacharah Gitau
(LEADER OF MAJORITY)



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ANNEX B

LIST OF WITNESSES

	NAME WITNESS	ADDRESS
1.	Mr. Edwin Njuguna	C/O P.O BOX 2344-00900
2.	Mr. Martin Njoroge Njeri	C/O P.O BOX 2344-00900
3	Mr. Erick Kelvin Kiriko Mwaura	C/O P.O BOX 2344-00900
4.	Hon Solomon Kinuthia Wambui	C/O P.O. BOX 1492-00900

Verified by:

Hon. Solomon Kinuthia Wambui

(Mover of Motion)

Date:

25-JAN-2020

REPUBLIC OF KENYA
TWELFTH PARLIAMENT
THE SENATE

PLENARY HEARING ON THE PROPOSED REMOVAL FROM OFFICE OF THE
GOVERNOR OF KIAMBU COUNTY

WITNESS STATEMENT OF EDWIN NJUGUNA

(Under Rule 7(C) of the Rules of procedure for the hearing and determination of
the proposed removal from office by impeachment of a Governor (standing
order 75.

A. INTRODUCTION

1. My name is Edwin Njuguna of P.O BOX 2344 – 00900 Kiambu an Adult of Sound Mind and a registered voter of Kiambu County.
2. I hold the following qualifications:
 - i. A Degree in Business Administration (Procurement); and
 - ii. A member of Kenya Institute of Supplies Management (KISM).
3. I am the Acting Director Procurement at the County Government of Kiambu and my duties and responsibilities include:
 - a. Advising on adherence and compliance to the Public Procurement and Assets Disposal Act of 2015;
 - b. Management of procurement procedures; including but not limited to construction, supply of goods, provision of services, and works contracts;
 - c. Reviewing, implementing, and updating existing framework contracts emanating from procurement;
 - d. Preparing and/or coordinating the preparation of procurement plans emanating from the approved budget;
 - e. Advising the Accounting Officers on the provisions and regulations contained in the Public Procurement and Disposal Act 2015 and other statutes and orders related to procurement in the public service;
 - f. Formulating policies and regulations for efficient management of the procurement services;
 - g. Supervising staff in the procurement department; and

Witness Statement

Page 1 of 3



25.01.2020

h. All other duties as assigned by the County Secretary.

4. I was appointed to act as the Director of Procurement at the County Government from July, 2019.

B. BACKGROUND

5. I am aware that the Governor of Kiambu County, Ferdinand Ndung'u Waititu, Babayao, has been charged with various offences such as gross violation of the Constitution of Kenya, 2010; the County Governments Act, 2012; the Public Finance Management Act, 2012 and the Public Procurement and Disposal Act, 2015.

C. GROSS VIOLATION OF THE CONSTITUTION OF KENYA 2010, COUNTY GOVERNMENTS ACT, 2012, PUBLIC FINANCE ACT, 2012 AND PUBLIC PROCUREMENT AND DISPOSAL ACT, 2015

6. The Governor is in breach of Article 201 (a) and (d) of the Constitution of Kenya which provides that:

"The following principles shall guide all aspects of public finance in the Republic—

(a) there shall be openness and accountability, including public participation in financial matters;

(b) the public finance system shall promote an equitable society, and in particular—

(i) the burden of taxation shall be shared fairly;

(ii) revenue raised nationally shall be shared equitably among national and county governments; and

(iii) expenditure shall promote the equitable development of the country, including by making special provision for marginalized groups and areas;

(c) the burdens and benefits of the use of resources and public borrowing shall be shared equitably between present and future generations;


(d) public money shall be used in a prudent and responsible way; and

(e) financial management shall be responsible, and fiscal reporting shall be clear."

7. I am aware that the County Assembly approved a budget of Kshs. 1.4 Billion for the Department of Roads, Transport, Public Works and Utilities in the Financial year 2018/2019.

Witness Statement

Page 2 of 3


25.01.2020

8. On diverse dates, various awards were given to various contractors for projects relating to road tarmacking contracts totaling to the sum of Kshs. 2.1 Billion.
9. This was in violation of Sections 44 (2) (a) and 45 (3) (a) Public Procurement and Asset Disposal Act, 2015.
10. In addition, the Governor failed to adhere to Executive Order No. 2 of 2018 which places a responsibility to update and publicize websites of the Public Procuring entity effective from 1st July, 2018.

D. ABUSE OF OFFICE/ GROSS MISCONDUCT


11. Section 66 (8) of the Public Procurement and Asset Disposal Act 2015 provides that:

**"For the purpose of this section, a person has a conflict of interest with respect to a procurement if the person or a relative of the person —
(a) seeks, or has a direct or indirect pecuniary interest in another person who seeks, a contract for the procurement; or
(b) owns or has a right in any property or has a direct or indirect pecuniary interest that results in the private interest of the person conflicting with his duties with respect to the procurement."**

12. There was a payment voucher in relation to procurement awards to Connex Logistics Africa Limited in the year 2019 to supply acquisition of tyres for Plant machineries whose payment value is Kshs. 2,491,680.00/=.

13. In respect to the above, a search was conducted where it was established that the Director Connex Logistics Africa Limited was Susan Wangari Ndung'u.


14. That is all I wish to state.


.....
EDWIN NJUGUNA

Signed at **NAIROBI** this **25th January, 2020.**

Witness Statement

Page 3 of 3


25/01/2020

REPUBLIC OF KENYA

TWELFTH PARLIAMENT

THE SENATE

**PLENARY HEARING ON THE PROPOSED REMOVAL FROM OFFICE OF THE
GOVERNOR OF KIAMBU COUNTY**

WITNESS STATEMENT

(Under Rule 7(C) of the Rules of procedure for the hearing and determination of the proposed removal from office by impeachment of a Governor (standing order 75.


A. INTRODUCTION

1. My name is MARTIN NJOROGE NJERI (I.D. No. 29409442) and P.O BOX 1070-00217 Limuru, an Adult of Sound Mind and a registered voter of Kiambu County.
2. I am a holder of the following qualifications/memberships:
 - Bachelor of Arts Degree (Economics and Communication) from the University of Nairobi.
 - Certified Public Accountant of Kenya and a member of the Institute of Certified Public Accountants of Kenya (ICPAK).
 - Certified Public Secretary of Kenya and a member of the Institute of Certified Secretaries of Kenya (ICS).
3. I am the Secretary to the County Public Service Board (hereinafter the "Board") at the County Government of Kiambu and my duties and responsibilities include:
 - i. Giving notice for meeting of the board;
 - ii. Taking and keeping records of the Board minutes; and
 - iii. Conveying the Board's Resolutions to the relevant offices.
4. I have held the position of Secretary to the Board since 4th July, 2016.

Witness statement

Martin Njoroge Njeri

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 25/01/2022

B. BACKGROUND

5. The mandates of the Board as enumerated under section 59 of the County Government Act, 2012 (hereinafter the "Act") are:
- i. establish and abolish offices in the county public service;
 - ii. appoint persons to hold or act in offices of the county public service including in the Boards of cities and urban areas within the county and to confirm appointments;
 - iii. exercise disciplinary control over, and remove, persons holding or acting in those offices as provided for under this Part;
 - iv. prepare regular reports for submission to the county assembly on the execution of the functions of the Board;
 - v. promote in the county public service the values and principles referred to in Articles 10 and 232;
 - vi. evaluate and report to the county assembly on the extent to which the values and principles referred to in Articles 10 and 232 are complied with in the county public service;
 - vii. facilitate the development of coherent, integrated human resource planning and budgeting for personnel emoluments in counties;
 - viii. advise the county government on human resource management and development;
 - ix. advise county government on implementation and monitoring of the national performance management system in counties;
6. Pursuant to section 59(ii) above and section 74 of the Act, the Board approves appointment of various persons to hold offices and or employment positions within the county. These positions include but are not limited to volunteers, casual workers and contract employees.

 25/01/2021

With regard to this matter, I wish to present on:

C. THE PROCESS OF RECRUITMENT IN THE COUNTY PUBLIC SERVICE

7. Pursuant to the above stated provisions of the Act, the process of recruitment in to the County Public Service is as follows:
- i. Receipt of the request to engage from the County Executive forwarded by the respective County Chief Officer or the County Secretary;
 - ii. Advertisement of the vacant positions through either internal memos (for internal adverts), newspapers and through the county website.
 - iii. Receipt of physical applications from various applicants;
 - iv. Data entry and shortlisting of potential candidates;
 - v. Invitation for interviews through either internal memos (for internal adverts), newspapers and through the county website;
 - vi. Conducting oral/written interviews for the shortlisted candidates;
 - vii. Selection of qualified/successful candidates;
 - viii. Approval for appointment by the County Executive; and
 - ix. Conveying of the names of the successful candidates to the County executive for issuance of contract/ appointment letters for their further action.
8. I am aware that during the tenure under investigation, a number of appointments were done in compliance with the above laid procedure. During the debate on the impeachment motion, I was made aware that a number of appointments within the County were made outside the knowledge and involvement of the Board.

That is all I wish to state.



.....
(MARTIN NJOROGE NJERI)

Signed at **NAIROBI** this **25th January, 2020.**

Witness statement

Martin Njoroge Njeri

REPUBLIC OF KENYA

TWELFTH PARLIAMENT
THE SENATE

PLENARY HEARING ON THE PROPOSED REMOVAL FROM OFFICE OF THE
GOVERNOR OF KIAMBU COUNTY

WITNESS STATEMENT OF ERIC KELVIN KIRIKO MWAURA

(Under Rule 7(C) of the Rules of procedure for the hearing and determination of the proposed removal from office by impeachment of a Governor (standing order 75.

A. INTRODUCTION

1. My name is Eric Kelvin Kiriko Mwaura of P.O BOX 73823-00200 NAIROBI an Adult of Sound Mind and a registered voter of Kiambu County.
2. I am the Legal advisor to the Deputy Governor of Kiambu and my main duties and responsibilities include;

a) To give advice on negotiating, drafting, vetting and interpreting of legal documents on behalf of the County.

b) Undertake legal audits and give advice to the County Government on County and National Legislations.

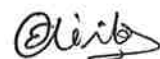
3. I was employed in the position of Legal Advisor from 27th August 2019.

B. BACKGROUND

4. I became aware of the charges levelled against the Governor of Kiambu County Governor Ferdinard Waititu sometime on the 22nd September, 2019 via a report issued by the office of the Ombudsman.
5. I am aware that the complaint with respect to the properties belonging to Cecilia Njoki Mbugua is one of the charges before the Senate and I make this statement in support of the said charge.

Witness statement

Statement by Eric Kelvin Kiriko



Page 1 | 2

C. VIOLATIONS UNDER THE NATIONAL LAW

6. The Governor violated the provisions of Article 40 of the Constitution of Kenya 2010, which provides that every person has the right to acquire and own property.
7. On the 30th of October, 2019 I wrote to the Commission on Administrative Justice to request for information in respect to properties in Thika that belonged to Cecilia Njoki Mbugua.
8. This request for information was precipitated by reports in the print and broadcast media and related to the said property and in particular how the Governor Waititu had compelled the owner of the said parcels of land, a widow to transfer the same to his Nominee one Esther Wamuyu Nyatu.
9. The Commission of Administrative Justice on Investigating the matter directed a reversal of the transfer from the Governor Waititu's nominee who it has since been established was his common law wife back to Cecilia Njoki Mbugua.
10. I received a response to my letter dated 22nd November, 2019 from DM Karomo for the Commission secretary detailing the background leading to the fraudulent transfer of the land to the Governor's wife.
11. In the response from the commission on Administrative Justice I further received a press statement that was issued by the chairman of the commission Florence Kajuju MBS.
12. The said response further included an affidavit sworn by Cecilia Njoki Mbugua that detailed how she was under duress from the Governor to do the transfer to Esther Wamuyu Nyatu in exchange of approval to develop the property
13. On investigations the commission of Administrative Justice the Governor realized that this transfer of the parcels of land was improper and irregular and agreed to surrender them back to the rightful owner – Mrs Mbugua.
14. That is all I wish to state.



ERIC KELVIN KIRIKO MWAURA

Signed at **NAIROBI** this **25th January, 2020**.

Witness statement

Statement by Eric Kelvin Kiriko

Page 2 | 2

REPUBLIC OF KENYA

TWELFTH PARLIAMENT

THE SENATE

**PLENARY HEARING ON THE PROPOSED REMOVAL FROM OFFICE OF THE
GOVERNOR OF KIAMBU COUNTY**

WITNESS STATEMENT

*(Under Rule 7(C) of the Rules of procedure for the hearing and determination of
the proposed removal from office by impeachment of a Governor (standing
order 75.*

A. INTRODUCTION

1. My name is Solomon Kinuthia of P.O. BOX 20507-00200 Nairobi. I am an adult of Sound Mind, resident and a registered voter of Kiambu County.
2. I am the elected representative for Ndenderu Ward in the position of Member of County Assembly.
3. I serve in the following oversight committees at the County Assembly of Kiambu: Delegated Legislation, Communications, Innovation and ICT, Water, Environment & Natural Resources, Assembly Facilities, Services & Members Welfare and Youth, Sports and Social Services.
4. In light of the foregoing, it is apparent that I possess thorough knowledge of the County Government of Kiambu operations by dint of my involvement in oversight of the county budget implementation.
5. I am a Certified Public Accountant (Kenya) and a Certified Public Secretary (Kenya), a member in good standing with the Institute of Certified Public Accountants (Kenya) –ICPAK and the Kenya Institute of Management (KIM). Am also an alumni of University of Nairobi where I graduated with an MBA in Finance.
6. Therefore, it suffices to say, I have substantive domain knowledge in matters of Public finance, procurement laws and regulations and general accounting principles for public entities.

B. BACKGROUND

7. On 3rd of December, 2019, I filed Motion for the removal of of the Governor, County Government of Kiambu Hon. Ferdinand Ndung'u Waititu Babayao (Hereinafter Hon. Waititu).
 8. On 19th of December, 2019 I moved a motion for the removal of the Governor, County Government of Kiambu Hon. Waititu at the County Government of Kiambu Assembly.
 9. The basis on which I moved the motion was precipitated by the fact that under Chapter Six of the Constitution of Kenya 2010 under Articles 75 and 76, I am required to promote confidence in the integrity of the Office of the Governor of the County of Kiambu.
 10. On 26th of October, 2019 I wrote a letter dated 26th of October, 2019 to the Clerk Kiambu County Assembly requesting for;
 - (a) Certified Copies of County Fiscal Strategy Paper for 2017/2018 and 2018/2019 as submitted by the County Executive Committee Member for Finance & Economic Planning to the County Assembly of Kiambu.
 - (b) Certified Sequential Copies of all the Requisitions for funds as submitted by the County Assembly of Kiambu to the Kiambu County Treasury for 2017/2018 and 2018/2019 and where the requisitions were honored an indication of the dates of funds remittance.
 - (c) Certified copies of the County Debt Management Paper for 2017/2018 and 2018/2019 as submitted by the County Executive Committee Member –Finance & Economic Planning to the County Assembly of Kiambu.
- (See Page 1 of the Bundle of Documents.)**
11. On 18th of December, 2019 the Acting Clerk, County Assembly of Kiambu responded to my letter forwarding a copy of the County Fiscal Strategy Paper for 2018/2019. **(See Page 2 of the Bundle of Documents.)**
 12. Thereafter, I received several documents, which I shall make reference to below, from persons who wish not to be disclosed because of fear of reprisals.

C. THE ALLEGATIONS.

(i) Gross Violation of the Constitution of Kenya 2010, the County Governments Act, 2012, the Public Finance Management Act, 2012 and the Public Procurement and Disposal Act.

13. The audited statement of accounts of County Government of Kiambu (Kiambu County) for the period 2017/2018 lodged at the office of the Auditor General show that as of June 2018 the amount pending bills stood at **Ksh. 2,316,638,468. (See Pageof the Bundle of Documents.)**

14. I am aware that the approved development budget for June 2018 to June 2019 was the sum of Ksh. 1,126,469,337/- **(See Pageof the Bundle of Documents.)**

15. Between October, 2018 and March 2019 Kiambu County issued an award letter for road tarmacking amounting to Ksh. 3,345,084,300 against an approved development budget of Ksh. 1,126,469,337/- **(See Pageof the Bundle of Documents.)**

16. These pending obligations were not never disclosed in the County Fiscal Strategy Paper 2019 thus violating Article 201(e) of the Constitution of Kenya and Section 107 (2) (e) of the Public Finance Management Act, 2012.

17. I am also aware that the County Debt Management Papers for the financial year of 2018/2019 do not exist, which is well within the knowledge of Hon. Waititu.

18. The effect of this is that Kiambu County is indebted to the tune of over Ksh. 4,000,000,000/- due to Hon. Waititu's gross violation of the provisions of the law stated above.

(ii) Violation of Articles 176 (1) and 185 of the Constitution of Kenya 2010 by disregarding the County Assembly as an arm of the County Government and further undermining it's three cardinal roles of legislation, oversight and representation through systematic non-remittance of requisitioned funds in the financial year 2018/2019. The

Governor diverted funds intended for use by the assembly to projects where he would obtain personal benefit through irregular procurement. This systematic crippling of the assembly operations compromises the independence of this Honourable House. This unwritten edict of the County Governor violates Article 6 and Article 10 of the Constitution of Kenya 2010 that engenders the spirit of mutual respect, cooperation and consultation amongst all arms of governance.

Violation of Article 201 (a) and (d) of the Constitution 2010 that sets out the fundamental principles of public finance and further Section 5 and 130 (1) (b) (i) of the Public Finance Management Act 2012;

19. I am aware that the approved road tarmacking contracts in the Financial Year of 2018/2019 was the sum of Ksh. **1,423,265,910/-**. **(See Pageof the Bundle of Documents.)**

20. However, Kiambu County awarded road tarmacking contracts for the sum of Ksh. 2,100,000,000/- **(See Pageof the Bundle of Documents.)**

21. The purpose of the irregular awards was not to provide public roads but was intended to enable the Governor obtain personal benefit through kickbacks.

22. This has exposed the County to huge losses through potential suits for breach of contract and/or pending bills. Further it has exposed the County Assembly Members to ridicule in their wards where promises to repair/construct roads were made on promises from the Governor who had no intention of honouring the promises.

- (iii) **Failure to establish the County Budget & Economic Forum as stipulated in Section 137 of the Public Finance Management Act 2012; as a result, the County Governor has sabotaged public consultation as regards the preparation of County Plans and Budgets ultimately violating the provisions of Sections 87,91 and 115 of the County Government Act,2012 as well as Article 10 and 201 (a) of the Constitution that demands involvement of the public in decision making. This failure was deliberate to create an atmosphere of chaos to facilitate the plunder and loss of public resources.**

23. Section 137 of the Public Finance Management Act 2012 required Hon. Waititu to establish the County Budget & Economic Forum (the Forum).

24. I am aware that the purpose of the Forum is to provide a means for consultation by the county government on—

- preparation of county plans, the County Fiscal Strategy Paper and the Budget Review and Outlook Paper for the county; and
- matters relating to budgeting, the economy and financial management at the county level.

25. In addition to the above, consultations shall be in accordance with the consultation process provided in the law relating to county governments.

26. Section 87 and 91 of the County Government Act 2015 placed an obligation on Hon. Waititu to ensure that the citizenry participates in county matters which includes timely access to information. The failure by Hon. Waititu to establish the forum is calculated to ensure that the citizens are not involved in the decision making process.

IV. Crimes under the National Law :

The County Governor committed serious crimes under National Law in the following ways:

- i. **Violation of Article 40 of the Constitution of Kenya 2010 on the protection of every person's right to property and Section 155 of the land act, 2012 which bars unlawful acquisition and occupation of property through the forceful dispossession of Mrs Cecilia Njoki Mbugua, a widow of two prime plots of land within Thika Municipality. The two plots namely Thika Municipality/Block XI/877 and Thika Municipality/878 were part of the widow's inheritance from her deceased husband.**

The County Governor promptly facilitated the irregular transfer of the said parcels totaling 0.135 ha on the 2nd January 2018 to Mrs. Esther Wamuyu Nyatu a common law wife of and mother of the children of the Governor. The Governor and his wife made admission to the Ombudsman of the irregular acquisition of the land. The ombudsman is a constitutional body and its findings of fact implicate the Governor in impeachable conduct.

27. I am also aware that the CAJ issued a report on the fraudulent transfer of property Thika Municipality/Block XI/877 and Thika Municipality/Block XI/878 from Ms. Cecilia Njoki Mbugua to Ms. Esther Nyatu by Hon. Waititu, confirming that indeed Hon. Waititu was involved in the fraudulent transfer of the properties. **(See Pageof the Bundle of Documents.)**

28. On the basis of the above, I verily believe that the above conduct of Hon. Waititu renders him impeachable.

V) Abuse of Office/Gross Misconduct

The County Governor exhibited gross misconduct in the following ways:

- i. Conflict of interest and contravention of the public procurement and disposal act in influencing the award of lucrative tenders to companies associated with immediate family and close relatives.

29. Hon. Waititu awarded tenders to his immediate family members;

- a) Suwanga Limited was awarded a contract for construction of the Kiambu Matatu Terminus. The sole director and shareholder is Hon Waititu's wife Susan Wangari Ndungu.
- b) Modiba Management Services Limited was awarded a contract to supply tires to Kiambu County. The sole director and shareholder is Hon Waititu's daughter Monica Njeri Ndungu
- c) Beedee Management Services Limited was awarded a tender for supply of garbage skips. The sole director and shareholder is Hon Waititu's daughter Diana Wangoko Ndungu.
- d) Connex Logistics Africa Limited was awarded the tender for the supply of tires. The sole director and shareholder is Hon Waititu's wife Susan Wangari Ndungu.
- e) Bins Management Services Limited was awarded a tender for supply of assorted item including tires, first aid kits, water supply pipes and garbage collection protective equipment. The joint directors and shareholders are Hon Waititu's daughter Ruth Mumbi Ndungu and John Mwangi Kimani.

30. The above shows that Hon. Waititu has indeed exhibited gross misconduct which is impeachable.

- ii. **Violation of the Section 74 of the County Government Act by usurping the powers of the County Public Service Board to regulate the engagement of persons on contract, volunteers and casuals workers in the County of Kiambu by directly creating directorates and hiring staff on casuals basis as Directors and Assistant Directors, as well as Sub County Administrators and Ward Administrators. Further to this, The County Governor has hired over 600 casuals without the involvement of the County Public Service Board. Upon realizing that he had broken the law the Governor caused the said staff to be fired exposing the county to risk of multiple suits and loss of public funds.**
- iii. Violation of **Article 226 (5) of the Constitution of Kenya 2010** through the imprudent use of public funds in the payment of staff without authorized staff establishment records as required under **Section B5 (2) of the County Public Service Human Resource Manual**. Examination of the Staff records and payroll by the Auditor-General in 2017/2018 audit revealed that the County had employed 706 new employees yet there were no positions advertised in the newspapers declaring vacant positions.
- iv. Incurring unsustainable wage bill above the acceptable threshold of **35%** in contravention of **Regulation 25 (1) (b) of the Public Financial Management (County Government) Regulations, 2015 .**

The statement of receipts and payments on wages and benefit for public officers serving in Kiambu County Government for the financial year 2017/2018 was **Kshs 5.9 Billion** while the actual revenue collected during the year under review was **Kshs.12.6 Billion**, an

indication that the percentage of wages and benefits of public officers to the total revenue was **47%**.

The net effect of the above audited scenario is unsustainable bloated wage bill therefore revenue collected is used to finance wages instead of financing development projects that enhances service delivery and overall well being of Kiambu County residents.

31.Hon. Waitutu caused the hiring of employees at Kiambu County without the involvement of County Public Service Board and also causing the stoppage of salaries. **(See Pageof the Bundle of Documents.)**

32.The above conduct is also impeachable.

That is all I wish to state.



.....
(HON. SOLOMON KINUTHIA)

Signed at **NAIROBI** this **25th January, 2020.**



**COUNTY GOVERNMENT OF KIAMBU
COUNTY ASSEMBLY OF KIAMBU**

Clerk's Chambers
County Assembly of Kiambu
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Web: www.kiambuassembly.go.ke

*When replying please quote
Our Ref :
Your Ref :TBA*

24th January, 2020

ANNEX 6

SCHEDULE OF DOCUMENTS TO BE RELIED UPON

NO	DOCUMENT DESCRIPTION	PAGE NUMBER
1.	Letter dated 30 th October, 2019 from	1.
2.	Letter dated 18 th December, 2019	2.
3.	Report of the Auditor General of the year ended 30 th June, 2018	3-33
4.	Summary of the expenditure by vote and category 2018/ 2019	34
5.	List of awarded projects in 2018/ 2019	35-36
6.	Letter dated 15 th March, 2019	37-38
7.	Letter dated 15 th March, 2019	39-40
8.	Letter dated 15 th March 2019	41-42
9.	Newspaper advert on daily nation dated 29 th October, 2018	43-
10.	Invitations to tender in the standard newspaper	44-49
11.	Investigation report from the office of the ombudsman	50-60
12.	Press statement	61-63
13.	Certificate of Lease – Thika Municipality Block X1/877	64-72
14.	Certificate of Lease – Thika Municipality Block X1/878	73-75
15.	Court documents for Judicial Review Misc No 18/2015	76-97
16.	Statutory Declaration	98-101
17.	Letter from the by the ministry of lands dated 23-7-2019	102-121
18.	Letter dated 17 th June, 2019	122-124
19.	Letter dated 11 th April, 2019	125
20.	Letter dated 30 th January, 2019	126-
21.	Letter dated 19 th September, 2017	127
22.	Letter dated 2 nd May, 2018	128
23.	Appointment Letters dated 26 th February, 2018	129-137
24.	Letter dated 19 th September, 2017	138

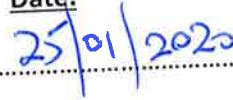
25.	Letter 5 th September, 2017	139
26.	Letter dated 8 th March, 2018	140
27.	Various Letters of appointment	141-154

Verified by:



(Mover of motion)

Date:



30th October, 2019
Eric Kevin Kiriko
P.O. Box 73823 -00200
Nairobi

The Commission on Administrative Justice,
2nd Floor, West End Towers,
Waiyaki Highway-Westlands
P.O BOX 20414-00200
NAIROBI.

To Whom it May Concern,

Dear Sir/Madam,

**RE: REQUEST FOR DOCUMENTS IN YOUR POSSESSION IN REGARDS TO
PROPERTIES- THIKA Municipality/BlockXI/877 and Thika Municipality/ BlockXI/878**

The above matter refers.

I am a resident and registered voter in Kiambu County and hereby request for the copies of the documents and the report you have in regards to the above mentioned properties that belong to Ms. Cecilia Njoki Mbugua which had been fraudulently transferred to Ms. Esther Nyatu by the currently suspended Governor of Kiambu .

I submit this request in the spirit secured in the Constitution in respect to public access of information.

Your prompt response and cooperation shall highly be appreciated.

Yours faithfully,



Eric Kevin Kiriko



COUNTY GOVERNMENT OF KIAMBU
COUNTY ASSEMBLY OF KIAMBU

Clerk's Chambers
County Assembly of Kiambu
Assembly Buildings
P.O.Box 1492-00900
KIAMBU

Tel: 067 586 0000
Email: info@kiambuassembly.go.ke
kiambucountyassembly@gmail.com
Web: www.kiambuassembly.go.ke

When replying please quote
REF NO: CAK/7/10/1 (51)

December 18, 2019

Hon. Solomon Kinuthia
Member for Ndenderu Ward, County Assembly of Kiambu
P.O Box 1492-00900
KIAMBU

Dear Mheshimiwa,

RE: REQUEST FOR INFORMATION UNDER ARTICLE 35 OF ACCESS TO INFORMATION ACT

Reference is made to your letter ref: 26/10/2019A received on 30th October, 2019 requesting to be furnished with documents to facilitate the oversight role on the County Executive as enshrined in article 185 (3) of the Constitution of Kenya.

In this regard, please find attached a copy of the CFSP for FY 2018/19. Kindly note that we do not have the County Debt Management Papers for the fiscal years requested since they do not exist.

Yours sincerely,

Dr. Francis Ndirangu (PhD)

AG. CLERK, COUNTY ASSEMBLY OF KIAMBU

Encl.

REPUBLIC OF KENYA



OFFICE OF THE AUDITOR-GENERAL

REPORT

OF

THE AUDITOR-GENERAL

ON

**THE FINANCIAL STATEMENTS OF
COUNTY EXECUTIVE OF
KIAMBU**

**FOR THE YEAR
ENDED 30 JUNE 2018**

OFFICE OF THE AUDITOR GENERAL
P. O. Box 30084 - 00100, NAIROBI
REGISTRY

28 FEB 2019

RECEIVED



COUNTY GOVERNMENT OF KIAMBU
REPORTS AND FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED
JUNE 30, 2018

Prepared in accordance with the Cash Basis of Accounting Method under the International Public Sector Accounting Standards (IPSAS)

KIAMBU COUNTY GOVERNMENT (EXECUTIVE)
Reports and Financial Statements
For the year ended June 30, 2018

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KIAMBU COUNTY GOVERNMENT (EXECUTIVE)
Reports and Financial Statements
For the year ended June 30, 2018

1. KEY ENTITY INFORMATION AND MANAGEMENT

(a) Background information

- Kiambu County is constituted as per the constitution of Kenya and is headed by The county Executive Committee chaired by the County Governor, who collectively are responsible for the general policy and strategic direction of the County.
 - The County is located in the central highlands of Kenya in the former Central province, close to Kenya's capital, Nairobi. It covers an area of 2,543.42 square kilometers, with a total population of 1,623,282 which is now projected to be 2.5 Million. It is a leading innovative commercial hub that shares its borders with six other Counties; Nakuru and Kajiado to the West, Murang'a and Nyandarua to the North, Nairobi to the South and Machakos to the East.
 - The County constitutes twelve Sub Counties; Gatundu South, Gatundu North, Juja, Thika, Ruiru, Githunguri, Kiambu, Kiambaa, Kabete, Kikuyu, Limuru and Lari.
- Main Economic activities/Industries include Farming, Food processing, Manufacturing (leather), Mining (Carbacid), Textile (Cotton), Motor vehicle Assembly, Whole sale and Retail trade.

Vision

To be the most recognized, modernized and well organized county with equal opportunities and high standard of living for all.

Mission

To Improve the standard of living and welfare of our citizens by promoting effective governance structures providing quality services through public participation equitable distribution of resources and fiscal responsibility.

Core Values

Kiambu county upholds the values of accountability, transparency, inclusiveness, visionary, respect and team work.

(b) Key Management

Kiambu County's day-to-day management is under the following key organs:

1. The Governor
2. The Deputy Governor
3. The Speaker County Assembly
4. The Clerk, Kiambu County Assembly
5. The County executive Member of Finance & Economic planning
6. The County Executive Member of Trade, Tourism, Industry and Cooperative
7. The County Executive Member of Public Service and Administration
8. The County Executive Member of Lands, Housing and Physical Planning
9. The County executive Member of Education, Culture and Social Services
10. The County Executive Member of Health Services
11. The County Executive Member of Water, Environment And Natural Resources
12. The County Executive Member of Youths, Sports and Communication
13. The County Executive Member of Roads, Transport, Public Works and Utilities
14. The County Executive Member of Agriculture, Livestock, Veterinary and Fisheries

KIAMBU COUNTY GOVERNMENT (EXECUTIVE)
Reports and Financial Statements
For the year ended June 30, 2018

15. The County Secretary
16. The Secretary County Public Service Board

(c) Fiduciary Management

The key management personnel who held office during the quarter ended 30th June, 2018 and who had direct fiduciary responsibility were:

No.	Name	Designation	Department
1	Faith Njeri Harrison	Accounting Officer	Finance ,ICT & Economic Planning
2.	Jane Nyokabi Njuguna	Accounting Officer	Public Service & Administration
3.	James Michael Ndungu	Accounting Officer	Lands, Physical planning & Housing
4.	Isaac Muiuru Mwangi	Accounting Officer	Education, Gender, Culture & Socia Services
5.	Dr. Andrew Jacob Toro	Accounting Officer	Health Services
6.	Mr. John Karonji Muhia	Accounting Officer	Water ,Energy, Environment & Natural Resources
7.	Peninah Njoki Kamau	Accounting Officer	Youth Affairs, Sports And Communication
8.	Jacqueline Njeri Kimwaki	Accounting Officer	Trade ,Tourism, Cooperatives & Enterprise Development
9.	Eng. Lucas M. Wahinya	Accounting Officer	Roads, transport ,Public Works & Utilities
10.	Mr. John Ngigi Kuria	Accounting	Agriculture, Crop Production &

KIAMBU COUNTY GOVERNMENT (EXECUTIVE)
Reports and Financial Statements
For the year ended June 30, 2018

		Officer	Irrigation
11	Dr. David Kamundia Ndungu	Accounting Officer	Livestock, Fisheries & Veterinary Services
12.	Mr. John Mutie	Accounting Officer	Clerk to County Assembly
13.	Mr. Martin Njoroge Njeri	Accounting Officer	County Public Service Board

(d) Fiduciary Oversight Arrangements

County Public Accounts Committee (PAC) and County Public Investment Committee (PIC).

The PAC has the crucial responsibility of checking and overseeing County Government Expenditure in all Public Institutions i.e. Ministries, Departments and related agencies; while the PIC has an equally daunting task of overseeing Public expenditure in Investment. The two oversight committees are absolutely crucial in the fight against corruption because they derive their mandate directly from people in whose name and for whose interest they are expected to speak and act.

(e) Entity Headquarters

P.O. Box 2344-00900
Municipal Hall
Kiambu, Kenya

(f) Entity Contacts

Telephone: (254) 067858108
E-mail: kiambucountygovernment@kiambu.go.ke
Website: www.kiambucountygovernment.go.ke

(g) Entity Bankers

KIAMBU COUNTY GOVERNMENT (EXECUTIVE)
Reports and Financial Statements
For the year ended June 30, 2018

1. Central Bank of Kenya
Haile Selassie Avenue
P.O. Box 60000
City Square 00200
Nairobi, Kenya

2. The Cooperative Bank of Kenya
Kiambu Branch
P.O.Box 1064-00900
Kiambu.
Tel.254-066-2022720

3. Kenya Commercial Bank
Kiambu Branch
P.O.Box 81-00900
Kiambu

4. Family Bank
Thika Branch
P.O.Box 354-01000
Thika

5. Rafiki Bank
Thika Branch
P.O Box 12755-00400
Nairobi

a) Independent Auditors

Auditor General
Kenya National Audit Office
Anniversary Towers, University Way
P.O. Box 30084
GOP 00100
Nairobi, Kenya

b) Principal Legal Adviser

The Attorney General
State Law Office
Harambee Avenue
P.O. Box 40112
City Square 00200
Nairobi, Kenya

KIAMBU COUNTY GOVERNMENT (EXECUTIVE)
Reports and Financial Statements
For the year ended June 30, 2018

2. FORWARD BY THE CEC

BUDGET PERFORMANCE

The table below shows summary of budget allocation against actuals for the year ended 30th June, 2018.

		Approved Budget	Actual Expenditure	Absorption Rate
4061	County Assembly	1,381,745,034		
4062	County Executive	531,998,651	521,506,147	98.03%
4063	County Public Service Board	58,108,500	58,101,499	99.9%
4064	Finance, Economic Planning & ICT	1,219,166,452	1,147,616,938	94.13%
4065	Administration ,Public Service & Communication	638,554,853	607,942,906	95.21%
4066	Agriculture, Crop Production & Irrigation	504,775,104,	489,374,038	96.95%
4067	Water, Energy ,Environment & Natural Resources	432,420,496,	405,990,178	93.89%
4068	Health Services	4,432,265,476	4,194,245,000	94.63%
4069	Education, Gender ,Culture & Social Services	1,424,495,819	1,380,626,276	96.92%
4070	Youth Affairs, Sports & Communication	65,720,500	54,631,308	83.13%
4071	Land,Housing,Physical Planning & Urban Development	261,684,388	231,327,306	88.40%
4072	Trade,Tourism,Cooperatives & Enterprise Development	205,019,568	199,841,479	97.47%

KIAMBU COUNTY GOVERNMENT (EXECUTIVE)

Reports and Financial Statements

For the year ended June 30, 2018

4073	Roads,Transport,Public Works & Utilities	1,388,672,598	1,263,944,537	91.02%
4074	Livestock, Fisheries &Veterinary Services	40,932,480	5,350,560	13.07%
	TOTAL	12,585,559,919	10,560,498,175	94.26%

NB.The actual expenditure for the county assembly will be accounted for in the consolidated financial statements.

The County government absorbed 94.26% of its annual budget allocation .Analysis of the budget performance by departments shows that County Public Service Board attained the highest absorption rate at 99.9% of its annual allocation while the department of Livestock, Fisheries and Veterinary services had the lowest absorption of 13.07% which was attributed by its conception date which was in May, 2018.

PERFORMANCE OF KEY DEVELOPMENT PROJECTS

Some of the progress made by the County includes:

1. Health Sector

Health care is one of the major sectors of the County government. The County has continued to invest in quality and accessible health care through construction and equipping of various infrastructural developments started last year.

During the FY 2017/2018, The County Government progressed with the construction of medical facilities. These includes the R.H unit at Thika Level 5 hospital, Ward blocks at Lari level 4 hospital, Wangige Level 4 hospital, Tigoni Level 4 hospital and Kikuyu Level 4 Hospital. Construction of new medical facilities includes a level 4 hospitals in Bibirioni and Githunguri. The County also commenced with the construction of a modern funeral home at Gatundu Level 5 hospital.

Renovation and equipping of medical facilities was done throughout the County. These includes fencing of Tinganga, Maguguni, Ruiru and Ngeteti health centers, ablution blocks at Gichuru, Kamuchege, Karia, Thigio, Kiandutu, Githirioni, Lusingetti and Githunguri health centers.

The County Government supplied water tanks for reserving water in the medical facilities within the county.

2. Roads and Infrastructure Sector

The County Government through the Roads Department was able to rehabilitate and construct bituminous roads and also upgraded major links and urban gravel roads to bitumen standards. The County was also able to construct and rehabilitate rural roads, maintained the existing roads



throughout the County. This has tremendously improved the connectivity and has improved accessibility of various trading centres and therefore promoting more livelihood activities hence improving the living standards for the people of Kiambu.

Some of the completed roads include; Thika Gatitu Junction Road which is located in Thika sub county, Mwachacharia Kiriko Road in Githunguri Sub County, Kimende Weru Muru Road in Lari Sub County, Ruku Gitwamba Road in Kabete Sub County, Athi Mukuyuini road in Juja Sub County, Maaiahi Gikambura Road in Kikuyu Sub County, Kigongo Kahunyu road in Gatundu South, kawira access road in Gatundu North, Rainbow hotel Gatongora road in Ruiru and Kiroe PCEA road in Limuru. Street paths were also constructed in Kiambu Township and other major towns within the County

Road works have enhanced mobility of people, farmers have been able to deliver their food produce in all seasons, property value has also gone up, and wear and tear of vehicles has also reduced. Bridges and foot bridges have enhanced on connectivity within the County.

The department installed street lighting and flood masts in several sub counties. Some of them are Wangige Market in Kabete, Bibirioni in Limuru Mugacha Wamba in Kiambaa, Kahawa Sukari in Ruiru, Karuri Market in Kiambaa, Githobokoni in Gatundu North and Kirika in Kiambu.

Other projects include construction and rehabilitation of Fire Stations within the county, this was done in Thika and Limuru Kiambu Sub Counties. The County Government also supplied and installed culverts for rehabilitation of roads in the County.

3. Land, Housing, Physical Planning and Urban Development Sector

The County Government through the department came up with a system of approving building plans online. The system is being used in providing better and timely information to decision makers, managers, and staff throughout the County.

The County Government also formulated a 10-year spatial plan that provides detailed frameworks for urban development. The plans have provided an elaborate Development Control Guidelines for Urban, Peri-urban and rural development in all the 12 Sub Counties.

Some of the infrastructural projects undertaken by the department within the financial year includes construction and refurbishment of offices driveway and Perimeter fence at Red Nova in Kiambu Sub County, Refurbishment of flats on Block 9/18 (A and B) in Thika Sub County, Installation of Generator and installation of Local Area Network (LAN) at Red Nova offices in Kiambu Town.

5. Agriculture, Livestock and Fisheries Sector

The strategy of the Department of Agriculture is to create an enabling environment for Agricultural, Livestock and Fisheries development. The department purchased and distributed Avocado seedlings to farmers in all the Sub Counties. It also purchased distributed water pipes for irrigation in Gatundu North and Githunguri Sub Counties.

The department purchased and distributed milk coolers and pasteurizers in Githunguri and Limuru Dairies. Milk cans and weighing scale equipment were purchased and distributed to Gatundu South and Karatu Dairies in Gatundu South Sub County. Other projects include rehabilitation of veterinary offices in Gatundu South, Gatundu North, Limuru, Thika, Ruiru, Githunguri Lari and

Kiambu Sub Counties. Tilapia and Catfish fingerlings were supplied to farmers in all Sub Counties. The department also purchased A I serum for all Sub Counties within the year.

6. Water Environment and Natural Resources sector

The County Government through the department constructed bus parks sanitation facilities in Githurai, Lossingetti, Rwaka, Ruiru Town and Kiambu Town. Sanitation facilities were also constructed in Kimende and Kiambaa cemeteries, Governor's Office in Kiambu, Witeithie, Ngoliba, Uthuru and Kiandutu Markets among others. The department also purchased and supplied skips to all Sub Counties within the year.

During the tree planting season, the department purchased and supplied tree seedlings in all the Sub Counties. Biodigester was purchased and supplied to Kiambaa Sub County. The department also financed beautification of Thika Town and also Landscaping at the Governor's office in Kiambu Town.

On matters of water, the department sunk boreholes in all the 12 Sub Counties. Some of them includes Thogoto in Kikuyu, Salama in Juja, Ndumberi in Kiambu, Gitithia in Lari, Kimbo in Ruiru, Nyathuna in Kabete, Muchatha in Kiambaa, Gititha in Githunguri, Githobokoni in Gatundu North and Kiamwangi in Gatundu South. The department purchased and supplied elevated water tanks and water pumps to various Sub Counties. Some include Ngecha, Kiamwangi Kiuu, Kiamumbi Kabunge and Ruiru Level 4 hospital. Other projects include supply of water pipes and construction of water kiosks.

7. Youths Affairs and Sports

The main projects by this department within the year included construction of an Aphithietre and talent Academy in Kiambu Sub County and rehabilitation and upgrading of Ruiru Stadium in Ruiru Sub County. Others include rehabilitation and upgrading of Limuru stadium in Limuru Sub County.

8. Education Sector

The Education, ICT, Culture and Social Services Department mandate is to increase access to education and training; improve quality and relevance of education, reduce inequality as well as exploit talent and skills, increase the use of ICT and innovation for global competitiveness. Early Childhood Development and Education (ECDE) enrolment in ECDE increased significantly within the year. The department concentrated more on construction and rehabilitation of infrastructure in the ECDE centres.

Some of the projects undertaken includes construction of classrooms at Tinganga ECDE centre in Githunguri, Ihigaini ECDE centre in Gatundu North, Kawaida ECDE centre in Kiambaa, Ngegu ECDE centre in Kiambu and Gacharage ECDE centre in Lari. Construction of toilet blocks was done at Ndenderu ECDE centre in Kiambaa, Babayao ECDE centre in Juja, Karuri ECDE centre, Ihigaini ECDE Centre in Gatundu North and Ngegu ECDE centre in Kiambu. Refurbishment of ECDE classrooms was done in Thimbigua ECDE centre in Kiambu, Karuri ECDE centre in Kiambaa and Muthurwa ECDE centre in Ruiru. Renovation was also done at Kanjuku Youth Polytechnic in Gatundu North.

VALUE -FOR-MONEY ACHIEVEMENTS

Health Sector

It has been noted that people used to travel for many Kms to seek medical services. With construction, rehabilitation and equipping of various medical facilities, the distance has shortened and increased the number of patients accessing services on daily basis. The programmes have achieved the value for money objectives.

Tarmac/Access Roads

With construction of major roads in Kiambu County, the residents are able to connect from one Sub County to another using shorter distances as well as saving of time and money.

Automation of development applications and approval

Automation of development applications and approval has benefitted the community since they take less time for their building plans to be approved. With the regulation of building plans the County is able to guarantee a healthy and safe community.

Automation of the development applications and approval has also enhanced the county revenue.

Agriculture, Livestock and Fisheries

Value addition to various farm products such as milk and bananas has led to increased income of the farmers. Food productivity has also ensured there is food security within the county. This in return has led to improved welfare of the residents.

Water Environment and Natural resources sector

The projects by the department are contributing to the well-being of the beneficiaries meeting the objectives they were meant for. Provision of clean and safe water has increased to very significant levels.

The construction of sanitation facilities especially at public places which includes markets and bus parks have also acquisition of skips and other machinery in waste management has greatly reduce the cost compared to contracting the services. These saving are proof that there is value for funds used in acquiring the plant. The same has resulted to clean and conducive environment to live in.

Youths, Sports and Gender

Construction and improvement of sports facilities within the County by the department has gone a long way in promoting and exploiting talents among the youth. The facilities are also expected to catapult the youth within the County to international levels and also reduce crime in their midst.

Education Sector

A large number of youth population have been empowered after accessing polytechnics services. The school feeding programme has led to increased enrolment rate in ECDE centres within the county. The needy students within the county have benefitted with bursary hence accessing quality education services

CHALLENGES

Some challenges which the County have been facing while implementing the projects include;

- Delay in project implementation due to late disbursement of funds from National Treasury.
- Large number of pending bills inherited from the previous County Government. This has caused fewer projects being implemented by the new dispensation.
- Unmet internal revenue target resulting to inadequate funds during implementation process.
- Large wage bill due to large workforce inherited from the defunct local authorities thus putting pressure on implementation of new project.
- Lack of awareness by the public on prioritization of projects

KIAMBU COUNTY GOVERNMENT (EXECUTIVE)

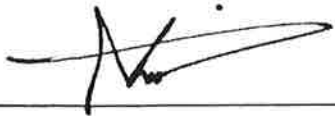
Reports and Financial Statements

For the year ended June 30, 2018

RECOMMENDED WAY FORWARD

- Disbursement of funds by the National Treasury should be done in time
- Prioritising payment of pending bills so as to give room for the County to implement new projects.
- Increased revenue raising measures so as to enhance internal revenue
- Exploring ways of controlling the wage bill by curtailing new recruitments by the departments.
- Capacity building on Civic education and public participation to the public so as to increase awareness on projects being implemented.

Sign _____



CEC Finance and Economic Planning

3. STATEMENT OF MANAGEMENT RESPONSIBILITIES

Sections 163, 164 and 165 of the Public Finance Management Act, 2012 requires that, at the end of each financial year, the County Treasury shall prepare financial statements of each County Government entity, receiver of receipts and consolidated financial statements for all County Government entities in accordance with the standards and formats prescribed by the Public Sector Accounting Standards Board.

The County Executive Committee (CEC) member for finance of the County Government is responsible for the preparation and presentation of the County Government's financial statements, which give a true and fair view of the state of affairs of the County Government for and as at the end of the financial year ended on June 30, 2018. This responsibility includes: (i) maintaining adequate financial management arrangements and ensuring that these continue to be effective throughout the reporting period; (ii) maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of the County Government; (iii) designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements, and ensuring that they are free from material misstatements, whether due to error or fraud; (iv) safeguarding the assets of the County Government; (v) selecting and applying appropriate accounting policies; and (vi) making accounting estimates that are reasonable in the circumstances.

The CEC member for finance accepts responsibility for the County Government's financial statements, which have been prepared on the Cash Basis Method of Financial Reporting, using appropriate accounting policies in accordance with International Public Sector Accounting Standards (IPSAS). The CEC member for finance is of the opinion that the County Government's financial statements give a true and fair view of the state of the County Government's transactions during the financial year ended June 30, 2018, and of its financial position as at that date. The CEC member for finance further confirms the completeness of the accounting records maintained for the County Government which have been relied upon in the preparation of the its financial statements as well as the adequacy of the systems of internal financial control.

The CEC member for finance confirms that the County Government has complied fully with applicable Government Regulations and the terms of external financing covenants (where applicable), and that the County Government's funds received during the year under audit were used for the eligible purposes for which they were intended and were properly accounted for. Further the CEC member for finance confirms that the County Government's financial statements have been prepared in a form that complies with relevant accounting standards prescribed by the Public Sector Accounting Standards Board of Kenya.

Approval of the financial statements

The County Government's financial statements were approved and signed by the CEC member for finance on 28th SEPT 2018.



County Executive Committee Member – Finance

REPUBLIC OF KENYA

Telephone: +254-20-342330
Fax: +254-20-311482
E-Mail: oag@oagkenya.go.ke
Website: www.kenao.go.ke



P.O. Box 30084-00100
NAIROBI

OFFICE OF THE AUDITOR-GENERAL

REPORT OF THE AUDITOR-GENERAL ON COUNTY EXECUTIVE OF KIAMBU FOR THE YEAR ENDED 30 JUNE 2018

REPORT ON THE FINANCIAL STATEMENTS

Qualified Opinion

I have audited the accompanying financial statements of County Executive of Kiambu set out on pages 1 to 67, which comprise the statement of assets and liabilities as at 30 June 2018, and the statement of receipts and payments, statement of cash flows and summary statements of appropriation – recurrent, development and combined for the year then ended, and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

In my opinion, except for the effects of the matters described in the Basis for Qualified Opinion section of my report, the financial statements present fairly, in all material respects, the financial position of County Executive of Kiambu as at 30 June, 2018 and of its financial performance and its cash flows for the year then ended in accordance with International Public Sector Accounting Standards (Cash Basis) and comply with the Public Finance Management Act, 2012.

Basis for Qualified Opinion

1. Variance between Financial Statements and IFMIS Report

The amounts and balances reflected against receipts and payments and various financial assets and liabilities, respectively in the financial statements for the year ended 30 June 2018 differs with IFMIS Report figures as summarized below:

Components	Financial Statements (Kshs)	IFMIS Report (Kshs)	Variance (Kshs)
Total Receipts	12,607,384,451	12,000,754,010.40	606,630,440.6
Total Payments	11,828,175,279	11,021,165,783.45	807,009,495.5
Cash and Bank	774,055,367	3,105,163,004	(2,331,107,637)
Receivables	5,153,806	3,467,893,571	(3,462,739,765)
Payables	83,063,113	40,779,010,555	(40,695,947,442)
Total	25,297,832,016	70,373,986,926	(45,076,154,910)

Report of the Auditor-General on the Financial Statements of County Executive of Kiambu for the year ended 30 June 2018

The above differences were not satisfactorily explained or reconciled.

2. Cash and Cash Equivalents

2.1 Understatement of Cash and Bank Balances

The statement of assets and liabilities as at 30 June 2018 reflects cash and bank balances of Kshs.774,055,367. An analysis of the cash book, however, revealed that payments totalling Kshs.753,197,759 for the month of July 2018 were irregularly posted in the month of June 2018 contrary to regulation 97 (4) of the Public Finance Management (County Government) Regulations, 2015. As result, the cash and bank balances reflected in the statement of assets and liabilities as at 30 June, 2018 have been understated by Kshs.753,197,729.

2.2 Unreconciled Cash Book Balance

No bank reconciliations were prepared as at 30 June 2018 contrary to regulation 90 of the Public Financial Management (County Government) Regulations, 2015. An examination of the cash book revealed a balance of Kshs.690,276,851 in the County Revenue Fund (CRF) as at 30 June 2018 while the bank statement as at the same date reflects a balance of Kshs.399,980,928. The difference of Kshs.290,295,923 was not reconciled or explained

2.3 Undisclosed Bank Accounts

The bank balances of Kshs.774,034,897 shown in the financial statements did not include a balance of Kshs.254,903 as at 30 June, 2018 in respect of twelve bank accounts for the Sub Counties. No reason was given for failure to include the balance in the financial statements.

In view of the above circumstances, the completeness and accuracy of cash and cash equivalents balance of Kshs.774,055,367 reflected in the financial statements as at 30 June, 2018 could not be confirmed.

3. Payments through General Suspense Account

The IFMIS payment register for the County Executive of Kiambu show that expenditure totalling Kshs. 929,105,190 as summarized below and charged to General Suspense Account (6780101) during the year under review was not supported contrary to regulation 107(1) of Public Finance Management (County Governments) Regulations, 2015. The regulation requires that, all transactions relating to clearance and suspense accounts be supported by authentic and verifiable source documents, clearly indicating the approved allocations.

Payee	Amount (Kshs)
Sub County Offices, Dispensaries and Cooperative Officers	900,031,382
Kiambu County Operations Account	24,873,808
Chief Officer-Executive – Kiambu County	4,200,000
Total	929,105,190

No explanation was given regarding the nature of the above transactions and payments. As a result, the validity and propriety of the payments totalling Kshs. 929,105,190 could not be confirmed.

4. Unidentified Classification of Expenditure as Refer to Drawer (R/D) Cheques Account

Examination of payment details from various departments revealed that expenditure of Kshs.6,254,513 was charged to a Refer to Drawer (R/D) Cheques Account. However, payment vouchers and supporting documents in respect of the expenditure were not provided for audit examination. In view of the above, the propriety of the expenditure totalling Kshs.6,254,513 could not be ascertained.

5. Compensation of Employees

The statement of receipts and payments reflects an expenditure of is Kshs.5,886,281,182 on compensation of employees which includes an amount of Kshs.637,970,489 on the following items:

Item	Amount (Kshs.)
Basic wages of temporary employees	503,119,105
Personal allowance paid as part of salary	134,851,384
Total	637,970,489

The above amount was not, however, supported with relevant documentation. As a result, the validity and propriety of the expenditure of Kshs. 637,970,489 could not be confirmed.

6. Transfers to Other Government Entities

6.1 Un-receipted Transfers to Thika Level 5 Hospital

IFMIS register maintained at the County shows that an amount of Kshs.147,524,479 was transferred to Thika Level 5 Hospital in respect of other current transfers and grants. However, the cash book and records of AIE maintained at Thika Level 5 Hospital shows that an amount of Kshs.106,143,926 was received as current transfers. The resulting difference of Kshs.41,380,553 is not recorded in the cash book maintained at the Thika Level 5 Hospital. Transfers to Other Government Entities amount of Kshs. 2,651,978,665 reflected in the statement of receipts and payments for the year ended 30 June, 2018 is therefore, under circumstances, not fairly stated.

6.2 Other Capital Transfers Charged to Recurrent Vote

Examination of recurrent expenditure vote book status report for the year under review revealed that an amount of Kshs. 64,624,048 relating to other capital transfers and grants was charged to the recurrent vote instead of development vote. No satisfactory explanation was provided for misallocation of the expenditure between the votes.

7. Other Grants and Payments

7.1 Tuition Fees Allowances

During the year under review, the Department of Administration, Public Service and Communication paid tuition fees allowances amounting to Kshs.4,351,142. However, no supporting documents were provided for the expenditure, which was charged to Other Grants and Payments. Consequently, the validity and propriety of the expenditure of Kshs.4,351,142 could not be confirmed.

8. Outstanding Imprests

The statement of assets and liabilities as at 30 June, 2018 reflects outstanding imprests balance of Kshs.5,153,806 while the imprests register shows an outstanding balance of Kshs.49,011,727 as at the close of the financial year. The resulting difference of Kshs.43,857,921 was not explained or reconciled. As a result, the completeness and accuracy of the balance of Kshs.5,153,806 reflected in the financial statements could not be ascertained.

Further, there is no evidence that the imprests have since been surrendered or recovered from the defaulting officers' salary as required under regulation 93(6) of the Public Finance Management (County Government) Regulations, 2015.

In addition, an examination of the imprests register revealed that officers of different cadres were issued with multiple imprests amounting to Kshs.151,155,301 contrary to the provisions of regulations 93(4)(b) and 93(8) of the Public Finance Management (County Governments) Regulations, 2015.

9. Pending Bills

Included under Other Important Disclosures to the financial statements as at 30 June 2018 are pending bills amounting to Kshs.2,316,638,468 which includes legal fees of Kshs.190,560,506. The pending bills have been summarized in the disclosures as follows:

Description of Pending Bills	Amount Kshs
Pending Account Payables	1,992,019,387
Pending Staff Payables	25,465,315
Other Pending Payables	299,153,766
Grand Total	2,316,638,468

June 2018
2.1 Billion

A supporting schedule, however, reflects total pending bills of Kshs.2,191,211,102, resulting in unexplained or unreconciled difference of Kshs.125,427,366.

In addition, tender documents; contract agreements; local purchase/service orders; invoices/certificates of works; and complete schedules detailing names of the contractors/suppliers, purchase/service order numbers, invoice/certificate numbers and description of goods supplied, services provided or works done were not provided for audit review. As a result, the validity, completeness and accuracy of the pending bills totalling Kshs.2,316,635,468 could not be ascertained.

Had the pending bills of Kshs.2,316,638,468 as at 30 June 2018 been paid and the expenditure charged to the accounts for the year under review, the statement of receipts and payments for the year ended 30 June 2018 would have reflected a deficit of Kshs.1,537,429,296 instead of the surplus of Kshs.779,209,172 now shown.

Accumulation of huge pending bills is an indication that the County Executive entered into financial commitments without adequate resources contrary to regulation 50 of the Public Finance Management (County Government) Regulations, 2015.

10. Fund Balance

The statement of assets and liabilities as at 30 June, 2017 reflects nil fund balance brought forward whereas the closing balance on 30 June, 2017 was Kshs.107,985,507 which ordinarily ought to have been the opening balance on 1 July, 2017. No explanation was provided for this anomaly.

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of County Executive of Kiambu in accordance with ISSAI 30 on Code of Ethics. I have fulfilled other ethical responsibilities in accordance with the ISSAI and in accordance with other ethical requirements applicable to performing audits of financial statements in Kenya. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my qualified opinion.

Key Audit Matters

Key audit matters are those matters that, in my professional judgment, are of most significance in the audit of the financial statements. Except for the matters described in the Basis for Qualified Opinion and the Basis for Conclusion on Compliance with Lawfulness and Effectiveness in Use of Public Resources sections, I have determined that there are no key audit matters to communicate in my report.

REPORT ON COMPLIANCE WITH LAWFULNESS AND EFFECTIVENESS IN USE OF PUBLIC RESOURCES

Conclusion

As required by Article 229(6) of the Constitution, based on the audit procedures performed, except for the matters described in the Basis for Qualified Opinion and the Basis for Conclusion on Compliance with Lawfulness and Effectiveness in Use of Public Resources sections of my report, I confirm that nothing else has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

Basis for Conclusion

1. Budget Performance

1.1 Overall Budget Performance

Item	Final Budget Kshs	Actual Amount Kshs	Under/(Over) Kshs	Percentage of Under/Over %
Receipts				
Exchequer releases	9,664,000,000	9,664,000,002	(2)	0%
Proceeds from Domestic and Foreign Grants	78,008,687	328,551,775	(250,543,088)	321%
Transfers from Other Government Entities	919,334,940	836,590,620	82,744,320	9%
County Own Generated Receipts	1,924,216,292	1,685,421,352	238,794,940	12%
Returned CRF issues	-	92,820,702	(92,820,702)	100%
Total	12,585,559,919	12,607,384,451	(21,824,532)	0.2%
Payments				
Compensation of Employees	5,906,551,744	5,886,281,181	20,270,563	0.3%
Use of goods and services	1,502,336,821	1,448,930,311	53,406,510	4%
Transfers to Other Government Units	1,488,769,270	1,385,320,135	103,449,135	7%
Other grants and transfers	326,313,964	233,037,903	93,276,061	29%
Social Security Benefits	500,000	249,050	250,950	50%
Acquisition of Assets	1,944,345,806	1,512,217,686	432,128,120	22%
Other Payments	35,000,000	94,371,898	(59,371,898)	170%
Total	11,203,817,605	10,560,408,164	643,409,441	6%

1.2 County Own Generated Revenue

There was a significant shortfall in the County's Own Generated Revenue from a budgeted amount of Kshs.1,924,216,292 to an actual collection of Kshs.1,685,421,352 during the year under review. This represents an under-achievement of revenue target by a significant figure of Kshs.238,794,940 or 12%.

Further, a comparative analysis of the County's Own Generated Revenue collection shows that an amount of Kshs.2,064,531,305 was collected during 2016/2017 compared to an amount of Kshs.1,685,421,352 in 2017/2018 financial year, resulting in unexplained decline by Kshs.379,109,953.

1.3 Expenditure

The Total actual amount spent on both recurrent and development expenditure in the year 2017/2018 was Kshs.10,560,408,164 out of which Kshs.2,155,561,701 or 20.4% relates to development expenditure. Section 107 of the Public Finance Management Act, 2012 requires that at least 30% of the County Government's total budget be allocated to development expenditure. The County Executive was therefore in breach of the law.

2. Acquisition of Assets

2.1 Construction of Buildings

2.1.1 Proposed Construction of Perimeter Fence at Ting'ang'a Dispensary

Examination of contract records revealed that three (3) firms submitted bids for the construction of a Perimeter Fence at Ting'ang'a Dispensary. However, in unexplained circumstances and contrary to Section 83(1) of the Public Procurement and Asset Disposal Act 2015, the contract was awarded to another contractor which, did not participate in the bidding process at a contract sum of Kshs.3,427,997. The firm was paid through Payment Voucher Number 395 dated 25 June 2018. In addition, relevant bid documents, tender evaluation committee minutes and Contract Agreement or Local Service Order were not provided for audit review.

Consequently, the County Executive was therefore in breach of the law and value for money was not realised.

2.1.2 Proposed Construction of Wangige Level 4 Hospital

Contract No. KCGHEALTHSERVICES/27/2014-2015 for the proposed construction of Wangige Level 4 Hospital was awarded to a contractor at a contract sum of Kshs.220,283,842. In unexplained circumstances, the contract was awarded to the highest bidder in term of price contrary to Section 86(1)(a) of the Public Procurement and Asset Disposal Act, 2015.

In addition, tender evaluation minutes were not provided for audit review. In consequence, it could not be confirmed that the bids submitted by the contractor were competitive as required under Section 83 (1) and Section 86 of Public Procurement and Asset Disposal Act, 2015.

Examination of contract records revealed that the contractor has so far been paid Kshs.40,299,199 or 18% of the contract sum.

Consequently, the County Executive was therefore in breach of the law and value for money was not realised.

2.2 Construction of Roads

2.2.1 Githunguri CBD Roads

The County Executive awarded the contract for construction of Githunguri CBD Roads at a contract price of Kshs.103,997,581. The letter of award was not, however, provided for audit review. The contract documents containing Bills of Quantities were also not provided for audit review and as result, the scope of work could not be ascertained.

Audit inspection of the site undertaken on 19 October 2018 revealed that construction of additional three roads was at sub base level but the status report was not made available for audit review.

The contract was irregularly varied by Kshs.23,845,164 to Kshs.127,842,745 purposely to accommodate three additional roads measuring one Kilometer. Available records

indicate that an amount of Kshs.109,847,397 or 86% of the contract sum had been paid as of October, 2018. The construction started in April 2014 and was expected to end in April 2017. The contractor was still on site in October 2018, beyond the contract period but no liquidated damages had been recovered.

Consequently, the County Executive was therefore in breach of the law and value for money was not realised.

2.2.2 Thika Gatitu Junction Roads Project

The County Executive awarded the contract for the construction of the Thika Gatitu Junction Roads Project at a contract price of Kshs.221,005,870 on 25 June 2015 and the contractor was ordered to commence work in July 2015 with a contract period of eighteen (18) months.

The contract document, letter of award together with Bills of Quantity were not made available for audit review and therefore, the scope of work could not be ascertained.

An audit inspection of the project undertaken on 22 October 2018 revealed that a stretch adjacent to Thika Prison had not been done due to what was explained to be delay in relocation of senior prison staff houses. The progress of work completed at that time was 62% as reported in the previous certificate. Although, the contract period had expired, no liquidated damages had been recovered from the contractor. A sum of Kshs.182,547,880 or 83% of the contract sum has so far been paid to the contractor.

Consequently, the County Executive was therefore in breach of the law and value for money was not realised.

2.2.3 Kimende Town Roads Project

The County Executive awarded the contract for Kimende Town Roads Project at a contract price of Kshs.139,821,009 which was projected to take eighteen (18) months from January 2018.

The contract document signed on 20 December 2017 and provided for audit review was incomplete. Management did not provide Bills of Quantities for audit verification. Perusal of the project file revealed scanty information on the scope of works which included site clearance, construction of 200mm thick sub-base, asphaltic wearing course and drainage works. Records of site instructions and meetings were also not made available for audit review.

An audit inspection of the construction site undertaken on 19 October 2018 revealed that grading and drainage works had been done despite the fact that 55.5% of the contract period had expired and the contractor was not on site. This was in spite of being paid Kshs.12,313,651 or 8.8% of the contract sum.

Consequently, the County Executive was therefore in breach of the law and value for money was not realised.

2.3 Purchase of Certified Seeds, Breeding Stocks and Live Animals

2.3.1 Procurement of Hass Avocado Seedlings

During the Financial year under review, the department of Agriculture, Crop Production and Irrigation procured Hass avocado seedlings valued at Kshs.9,970,929 through quotations. However, the contracts to supply the seedlings were shared among two firms only. No satisfactory explanation was provided for this anomaly.

3. Stalled Projects

Examination of sampled records and physical verification of projects in Kiambu County revealed that eleven projects had stalled at various levels of construction as highlighted below. The management was therefore in breach of the following provisions of the law as regards the stalled projects:

- (i) Section 53(8) of Public procurement and Disposal Act 2015, which requires an accounting officer not commence any procurement proceeding until satisfied that sufficient funds to meet the obligations of the resulting contract are reflected in its approved budget estimates.
- (ii) Section 197(7)(i) which stipulates that if an officer incurs wasteful expenditure then the officer commits an offence of financial misconduct.
- (iii) Regulation 42(1)(b) of the Public Financial Management (County Government) Regulations, 2015 which states that, an accounting officer shall ensure that public funds entrusted to his/her care are properly safeguarded and are applied for purposes for only which they were intended and appropriated by the County Government.
- (iv) Section 74(1) of Public Procurement and Disposal Act 2015, which states that the accounting officer shall ensure that preparation of an invitation tender sets out of a brief description of goods works or services being procured including time limit for delivery and completion.

3.1 Proposed Construction of Kikuyu Level IV

Seremala Construction was awarded contract No. KCG/HEALTHSERVICES/26/2014-2015 for the Proposed Construction of Kikuyu Level IV at a contract price of Kshs.211,723,000. According to tender opening committee minutes of 17 April 2015 a total of thirteen firms submitted their tender documents. However, tender evaluation minutes and report were not provided for audit and hence it's not clear how Seremala Construction and Engineering Ltd was picked.

An audit verification of the project conducted on 2 November 2018 indicated that the project was incomplete and the contractor was not on site. Further enquiry from the personnel on site revealed that the works had stalled for almost eight months due to inadequate funds.

Records provided for audit revealed that a total of Kshs.43,724,616.00 had been paid which represented 21% of the contract sum.

3.2 Proposed Construction of No. 1 Toilet Block at Lussinget Sub County Hospital

M/S Waterlock International was awarded a tender to construct a No. 1 Toilet Block at Lussinget Sub County Hospital at a contract price of Kshs.2,932,207 for a period of one hundred and eighty days. An audit verification done on 1 November 2018 revealed the project had stalled, the execution time had lapsed and no construction was ongoing.

At the time of audit, records indicated that a total of Kshs.1,374,370 had been spent on the project.

3.3 Thogoto Ndaire Dagoretti Road (CKG/RTPW&U/38/2016 – 2017)

Examination of contract records revealed that a contract for construction of Thogoto Ndaire Dagoretti Road was awarded to M/s H.K Builders at a contract price of Kshs.181,452,510. Letter of award was not provided for audit purposes but information obtained from the County indicated that the construction work commenced in March 2017 and was expected to end in September of 2018.

The scope of work entailed improving the 2.5 km stretch to bitumen standards. However, the Bill of Quantities were not provided for audit and the specific work to be done could not be established in the circumstances.

It was explained during a visit to the site on 19 October, 2018 that the construction work was approximately 70% complete although no certificate was provided to support the completion level. The drainage works had been done and sub base and wearing course done for approximately 1.1 km. Records show that Kshs.81,327,180 had been paid to the contractor at the time of audit. The contractor was however not on site.

3.4 A2 Junction Kimbo - Matangini Road (CKG/RTPW&U/44/2016-2017)

The contract for construction of A2 junction Kimbo - Matangini road was awarded at a contract price of Kshs.170,552,895. A copy of the letter of award was not provided for audit.

The scope entailed improvement of the road starting at Thika Super Highway Kimbo junction to Magomano in Theta Ward. The Bills of Quantities were not provided for audit and the detailed works could not therefore be confirmed.

A visit to the site on 19 of October revealed that approximately 2.1 Kms had been completed out of 5.1 Kms, leaving a balance of 3 Kms. As at the time of audit, Kshs.108,774,424 had been paid to the contractor leaving a balance of Kshs.61,778,471. The contractor was not on site and the project had stalled.

3.5 Proposed Construction of Limuru Hawkers Market

Pekema Construction Limited was awarded a contract to construct Limuru hawkers market at a contract sum of Kshs.14,328,296. The construction was to be completed within 180 days from the date of award of the contract.

An audit inspection carried out on 1 November 2018 revealed that; the project was behind schedule, the toilets were incomplete and drainage was poorly done, the contractor had abandoned the site and no construction was ongoing.

At the time of the audit, records indicated that an amount of Kshs.13,370,250.00 had been paid to the contractor.

3.6 Proposed Extensions and Renovations at Red Nova

The Kiambu County Government, Trade and Tourism Department awarded M/S Mastery Enterprises Ltd a contract to construct a cafeteria at a contract sum of Kshs.8,607,465 for a period of one hundred and fifty days.

An audit verification done on 1 November 2018 revealed the project had stalled and the execution time had lapsed. Further, the contractor had abandoned the site and no construction work was going on.

At the time of audit, an amount of Kshs.2,500,000 had been paid to the contractor which represented 29% of the contract sum.

3.7 Proposed Construction of Limuru Market

African Resource Ltd was awarded a contract to build Limuru Market at a contract sum of Kshs.45,168,350. In the period under the audit, records indicate that a payment of Kshs.15,165,918.60 vide payment voucher 484 dated 25 June 2018 was made to the contractor as the 3rd and final payment.

During a project verification exercise that was done on 1 November 2018, it was noted that the market was not yet complete, the contractor was still on site and construction works were on going. In addition, the toilets that had been recently built were in a poor condition and the walls had cracked. This is indication that the contractor was paid for incomplete work and poor workmanship.

3.8 Community Hall in Kiambu Township

Available records maintained by the County indicate that the contract for construction of Kiambu community town hall was awarded to Ihiga Ltd on 20 February 2015 at a contract sum of Kshs.14,396,339. The construction of the project was to run for a duration of twenty calendar weeks starting immediately after the award. It was however noted that the project had stalled and the contract period had lapsed.

Records indicate that the contractor had abandoned the site after having been paid Kshs.4,500,000 or 31% of the contract price. No explanation was given for failure to complete the construction to serve the intended purpose.

3.9 Mang'u ECDE Centre

Contract for construction of 2 ECDE classrooms at Mang'u ECDE Centre was awarded on 6th May 2017 to Pemug Enterprises at a sum of Kshs.5,373,650. The construction was to take sixteen weeks effective from the date of the contract.

However, a site visit of the Centre in November, 2018 revealed that construction of the two classrooms had stalled. Further, only 70% of the work had been done yet the contractor had been paid Kshs.4,861,450. The contractor had abandoned the site an indication that money already spent on the project may go to waste. No explanation was given for failure to complete the project.

3.10 Rehabilitation of Kanjai C64-C65 Road

Contract No. CGK/RTPW&U/37/2016-2017 for rehabilitation of Kanjai C64-C65 road was awarded on 24 February 2017 to M/S Geokarma Construction Co. Ltd at a tender sum Kshs.145,346,505 following a competitive tendering process. The works were to commence immediately and were scheduled to run for a period of eighteen months.

A visit made to the project site on 19 on October 2018 revealed that although sub grading and sub base had been done for the entire road, the wearing course had been done only up to approximately 3 Kms. The works appear to lag behind schedule and had not yet been completed. An amount of Kshs.33,623,809.92 had been paid to the contractor.

3.11 Refurbishment of Stadia - Gikambura and Ruiru Football Grounds – Astra Tuff Finish

Kiambu County Government signed two contracts for Tender No. KCG/YASC/ASTRA/STADIUM/004/2016/2017 with Kevman Investments on 7 May, 2017 for refurbishment of Gikambura Football Grounds (Astra Tuff finish) in Kikuyu Sub –County at a contract price of Kshs.19,422,280 and Ruiru Football Grounds (Astra Tuff Finish) at a contract price of Kshs.19,422,280.

The Contractor was subsequently issued with an undated letter for payment of the 1st Certificate. Consequently, a payment was made on 7 August, 2017 of an amount of Kshs.15,946,575 for each stadium. The total payments for the two being Kshs.31,893,150. However, a report from the works department has indicated that the contractor has abandoned the sites and that the retention money has been with-held.

4. Non-disbursement of Capitation and Free Maternity Fund from the Ministry of Health

The ministry of Health through letter Ref KCG/EX/Vol/1/2/ dated 14 November 2018 directed that all hospitals should render free maternity services and receive reimbursement based on number of deliveries.

In response to the directive, three Level 5 hospitals in Kiambu County, which includes Kiambu, Gatundu and Thika incurred expenditure totalling Kshs.410,690,000 out of which Kshs.376,026,282 had been reimbursed leaving a balance of Kshs.34,663,717 as shown below:

Hospital	Amount Expected	Amount Reimbursed	Balance Kshs
Kiambu (2013-2018)	177,580,000	166,014,333	11,565,666.
Gatundu (2013-2018)	85,845,000	81,524,420	4,320,580
Thika (2013-2018)	147,265,000	128,487,529	18,777,471
Total	410,690,000	376,026,282	34,663,717

No satisfactory explanation was provided for failure to receive the outstanding balance.

5. Compensation of Employees

5.1 Huge Bill

The final budget on wages and benefit for public officers serving in Kiambu County Government for financial 2017/2018 was Kshs.5,906,551,774 while the actual revenue collected during the year under review was Kshs.12,607,384,571. However, the statement of receipts and payments reflects total expenditure on compensation of employees of Kshs.5,886,281,182, an indication that the percentage of wages and benefits of public officers to the total revenue was 47%.

The above percentage exceeded the sustainable threshold of 35% contrary to regulation 25(1) (b) of the Public Financial Management (County Government) Regulations, 2015. The effect is unsustainable bloated wage bill and revenue collected is used to finance salaries and wages instead of financing development projects that enhances service delivery.

5.2 Lack of Authorized Establishment

The County manages its Human Resource without authorized established as required under Section B5 (2) of the County Public Service Human Resource Manual. Examination of the staff records and payroll revealed that the County had employed 706 new employees yet there were no positions advertised in the newspapers declaring vacant positions.

6. Non-compliance with Ethnic Diversity

Analysis of staff composition in Kiambu County Executive revealed that out of seven hundred and six new employees, the dominant ethnic community constituted 90% of the total employees contrary to the requirements of Article 232(1)(h) of the Constitution, Section 7(2) of the National Cohesion and Integration Act, 2008 and Section 65(1)(e) of the County Governments Act, 2012.

Cohort	Kikuyu	Others	Total
Staff (New Employees)	636	70	706

The audit was conducted in accordance with ISSAI 4000. The standard requires that I comply with ethical requirements and plan and perform the audit to obtain assurance about whether the activities, financial transactions and information reflected in the financial statements are in compliance, in all material respects, with the authorities that govern them. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

REPORT ON EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE

Conclusion

As required by Section 7(1) (a) of the Public Audit Act, 2015, based on the audit procedures performed, except for the matters described in the Basis for Qualified Opinion and Basis for Conclusion on Compliance with Lawfulness and Effectiveness in Use of Public Resources sections of my report, I confirm that, nothing else has come to my

attention to cause me to believe that internal controls, risk management and governance were not effective.

Basis for Conclusion

The audit was conducted in accordance with ISSAI 1315 and ISSAI 1330. The standards require that I plan and perform the audit to obtain assurance about whether processes and systems of internal control, risk management and governance were operating effectively, in all material respects. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

Responsibilities of Management and Those Charged with Governance

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Cash Basis) and for maintaining effective internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error and for its assessment of the effectiveness of internal control, risk management and governance.

In preparing the financial statements, management is responsible for assessing the ability of County Executive of Kiambu to sustain services, disclosing, as applicable, matters related to sustainability of services and using the applicable basis of accounting unless the management either intends to cease operations, or have no realistic alternative but to do so.

Management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 47 of the Public Audit Act, 2015.

In addition to the responsibility for the preparation and presentation of the financial statements described above, management is also responsible for ensuring that the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities which govern them, and that public resources are applied in an effective way.

Those charged with governance are responsible for overseeing the financial reporting process, reviewing the effectiveness of how the entity monitors compliance with relevant legislative and regulatory requirements; ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to governance and risk management, and ensuring the adequacy and effectiveness of the control environment.

Auditor-General's Responsibilities for the Audit

The audit objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion in accordance with the provisions of Section 48 of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement and weakness when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could

Report of the Auditor-General on the Financial Statements of County Executive of Kiambu for the year ended 30 June 2018

reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

In addition to the audit of the financial statements, a compliance audit is planned and performed to express a conclusion about whether, in all material respects, the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities that govern them, and that public resources are applied in an effective way, in accordance with the provisions of Article 229(6) of the Constitution and submit the audit report in compliance with Article 229(7) of the Constitution.

Further, in planning and performing the audit of the financial statements and audit of compliance, I consider internal control in order to give an assurance on the effectiveness of internal controls, risk management and governance processes and systems in accordance with the provisions of Section 7 (1) (a) of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. My consideration of the internal control would not necessarily disclose all matters in the internal control that might be material weaknesses under the ISSAIs. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions.

Because of its inherent limitations, internal control may not prevent or detect misstatements and instances of non-compliance. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies and procedures may deteriorate.

As part of an audit conducted in accordance with ISSAIs, I exercise professional judgement and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the management.
- Conclude on the appropriateness of the management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the ability of County Executive of Kiambu to sustain its services. If I conclude that a material uncertainty exists, I am required to draw attention in the auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence

obtained up to the date of my audit report. However, future events or conditions may cause the County Executive to cease sustaining its services.

- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information and business activities of County Executive of Kiambu to express an opinion on the financial statements.
- Perform such other procedures as I consider necessary in the circumstances.

I communicate with the management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that are identified during the audit.

I also provide management with a statement that I have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence, and where applicable, related safeguards.



FCPA Edward R. O. Ouko, CBS
AUDITOR-GENERAL

Nairobi

18 February 2019

GLOBAL BUDGET - CAPITAL & CURRENT

Summary of Expenditure by Vote and Category 2018/2019 (KShs)

VOTE CODE TITLE	GROSS CURRENT ESTIMATES	GROSS CAPITAL ESTIMATES	GROSS TOTAL ESTIMATES
	2018/2019 - KSHS		
4061000000 COUNTY ASSEMBLY	1,200,864,621	55,000,000	1,255,864,621
4062000000 COUNTY EXECUTIVE	332,517,998	8,558,889	341,076,887
4063000000 COUNTY PUBLIC SERVICE BOARD	74,322,096	-	74,322,096
4064000000 FINANCE, ECONOMIC PLANNING AND ICT	1,267,520,661	121,708,880	1,389,229,541
4065000000 ADMINISTRATION AND PUBLIC SERVICE & COMMUNICATION	535,729,867	135,497,949	671,227,816
4066000000 AGRICULTURE, CROP PRODUCTION AND IRRIGATION.	239,258,769	150,818,240	390,077,009
4067000000 WATER, ENVIRONMENT AND NATURAL RESOURCES	237,465,095	325,944,735	563,409,830
4068000000 HEALTH SERVICES	3,962,088,304	967,474,920	4,929,563,224
4069000000 EDUCATION, YOUTH, SPORT CULTURE AND SOCIAL SERVICES	944,196,828	623,379,590	1,567,576,418
4071000000 LANDS, PHYSICAL PLANNING AND HOUSING	146,149,241	2,067,372,548	2,213,521,789
4072000000 TRADE, TOURISM, INDUSTRY AND CO-OPERATIVE	119,484,132	294,386,912	413,871,044
4073000000 ROADS, TRANSPORT AND PUBLIC WORKS	296,796,573	1,126,469,337	1,423,265,910
4074000000 LIVESTOCK, FISHERIES AND MARKETING	239,258,769	150,818,240	390,077,009
TOTAL VOTED EXPENDITURE ... KShs.	9,595,652,954	6,027,430,240	15,623,083,194

LIST OF AWARDED PROJECTS IN 2018/2019

AD	TENDER NO.	KM	SUB COUNTY	AMOUNT	DOCUMENTS
inu	CGK/RTPW&U/90/18/19	7km	Githunguri	297,211,691	Award letter
s	CGK/RTPW&U/99/2018/19	5km	Lari	273,353,772.10	Award Letter
ary	CGK/RTPW&U/2018/2019/100	7km	Thika	525,899,920	Award Letter
	CGK/RTPW&U/2018/2019/93	5km	Juja	181,054,210.56	Award letter
	CGK/RTPW&U/2018/2019/95	4km	Kiambaa	134,063,344	Award Letter
s	CGK/RTPW&U/2018/2019/92	2km	Juja	118,324,969.44	Award letter
	CGK/RTPW&U/2018/2019/101	4km	Ruiru	126,935,050.00	Award Letter Contract signed
	CGK/RTPW&U/2018/2019/097	1km	Kiambu	78,857,728	Award letter Contract signed
pel	CGK/RTPW&U/2018/2019/103	2km	Ruiru	100,558,156.56	Award letter
ss	CGK/RTPW&U/2018/2019/102	3.2km	Kiambu	149,447,089.10	Award letter Contract signed
ya-	CGK/RTPW&U/2018/2019/330	8.3	Limuru	426,922,611.98	Award letter
	CGK/RTPW&U/2018/2019/96	7.5km	Lari	308,616,569.85	Award letter
	CGK/RTPW&U/2018/2019/91	7km	Juja	278,011,487	Award letter
la	CGK/RTPW&U/2018/2019/346	2.3km	Kiambu	98,960,000.00	Award letter

gu	CGK/RTPW&U/2018/2019/96	1km	Kiambu	37,852,200.00	Award letter
iru	CGK/RTPW&U/94/2018/19	5km	Kabete	209,015,500.00	Award letter Contract signed
ad					
			TOTAL	3,345,084,300.00	

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REPUBLIC OF KENYA

COUNTY GOVERNMENT OF KIAMBU

Telegraphic Address

Governor Kiambu

Tel: 067 20374

Fax:

E-mail: info@rtpw.kiambu.go.ke

When replying please quote Ref No. & Date



Transport, Public Works & Utilities

Kiambu County

P.O Box 2344-00900

KIAMBU.

REF: CGK/RTPWU/TENDER/VOL. I/135

15th March, 2019

Joseph Kamau – Chairman (Superintending Engineer)
Evans Kabaka – Secretary (Procurement Officer)
Nelson Wanjohi – Member (Senior Superintendent of Works)
Nancy Wanjiku – Member (Accountant)
Rahab Wanjiku – Member (Procurement Officer)
Stephen Kimemia – Member (Assistant Roads Surveyor)

SUBJECT: APPOINTMENT TO TENDER EVALUATION COMMITTEE

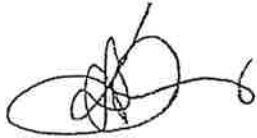
You have been appointed to carry out the evaluation of the following proposed projects.

- i. CGK/RTPW&U/18/19/90 – Proposed Construction of Riiki-Karia-Ikinu Access Road
- ii. CGK/RTPW&U/18/19/91 – Proposed Construction of Juja Farm Road (Mathito-ini)
- iii. CGK/RTPW&U/18/19/92 – Proposed Construction of Toll Station Roads
- iv. CGK/RTPW&U/18/19/93 – Proposed Construction of Gwa Kairu – Matangini Road
- v. CGK/RTPW&U/18/19/95-Proposed Construction of Gachie-Karura-Gacharage Road
- vi. CGK/RTPW&U/18/19/96 – Proposed Construction of Edenville -Ngegu Access Road
- vii. CGK/RTPW&U/18/19/98-Proposed Construction of Githunguri -Kamburu Road
- viii. CGK/RTPW&U/18/19/100-Proposed Construction of Gatuanayaga Primary School-Komo - Munyu Road
- ix. CGK/RTPW&U/18/19/103 – Proposed construction of Kimuri -Full Gospel Road
- x. CGK/RTPW&U/18/19/330-Proposed Construction of Makutano-Ndeiya SGR Link Road to Bituminous Standards.

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x) **CGK/RTPW&U/18/19/346 - Proposed Construction of Kiamumbi Police Station-Kiukenda Road to Bituminous Standard.**

The evaluation will be done at the Ruiru Board Room on 21st March 2019.



Eng. Lucas M. Wahinya

AG. CHIEF OFFICER - ROADS, TRANSPORT, PUBLIC WORKS & UTILITIES

Cc

- County Secretary & Head of Public Service
- CECM RTPW&U
- Ag. Director Roads.

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REPUBLIC OF KENYA

COUNTY GOVERNMENT OF KIAMBU



Telegraphic Address

Governor Kiambu

Tel: 067 20374

Fax:

E-mail: info@rtpw.kiambu.go.ke

When replying please quote Ref No. & Date

CGK/RTPWU/TENDER/VOL.1/134

Roads, Transport & Public Works
Kiambu County
P.O Box 2344-00900
KIAMBU, KENYA.

15th March, 2019

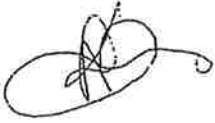
Edward Rukunga - (Senior Superintendent of Works)	- Chairman
Monicah Kung'u - (Procurement Officer)	Secretary
Nancy Wambugu - (Senior Superintendent of Works)	Member
Denise Waruiru - (Clerical Officer)	Member
Jane Mwambia - (PHRM)	Member

RE: APPOINTMENT TO TENDER OPENING COMMITTEE

You have been appointed to carry out the tender opening of the following projects.

- i. CGK/RTPW&U/18/19/90 - Proposed Construction of rioki-Karia-Ikinu Access Road
- ii. CGK/RTPW&U/18/19/20 - Proposed Construction of Juja Farm Road (Mathito-ini)
- iii. CGK/RTPW&U/18/19/92 - Proposed construction of Toll Station Roads
- iv. CGK/RTPW&U/18/19/93 - Proposed Construction of Gwa Kairu - Matangaini- Road
- v. CGK/RTPW&U/18/19/95 - Proposed Construction of Gachied-Karura- Gacharage Road
- vi. CGK/RTPW&U/18/19/96 - Proposed Construction of Edenville-Ngegu Access Road
- vii. CGK/RTPW&U/18/19/98 - Proposed Construction of Githunguri-Kamburu Road
- viii. CGK/RTPW&U/18/19/100 - Proposed Construction of Gatwanyaga Primary School-Komo-Munyu Road
- ix. CGK/RTPW&U/18/19/103 - Proposed Construction of Kimuri-Full Gospel Road.
- x. CGK/RTPW&U, 18/19/330 - Proposed Construction of Makutano-Ndeiya SGR Link Road to Bituminous Standards.
- xi. CGK/RTPW&U, 18/19/346 - Proposed Construction of Kiamumbi Police Station-Kiukenda Road to Bituminous Standard.

The opening will be done at the Ruiru Board Room on 20th March 2019 from 10.00 am



Eng. Lucas M. Wahinya
AG. CHIEF OFFICER - ROADS, TRANSPORT, PUBLIC WORKS & UTILITIES

Cc

- County Secretary & Head of Public Service
- CECM RTPW&U
- Ag. Director Roads.

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REPUBLIC OF KENYA

COUNTY GOVERNMENT OF KIAMBU

Telegraphic Address

Governor Kiambu

Tel: 067 20374

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When replying please quote Ref No. & Date



Transport, Public Works & Utilities
Kiambu County
P.O Box 2344-00900
KIAMBU.

REF: CGK/RTPWU/TENDER/VOL. I/135

15th March, 2019

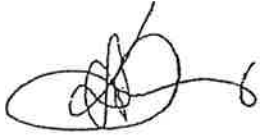
Joseph Kamau – Chairman (Superintending Engineer)
Evans Kabaka – Secretary (Procurement Officer)
Nelson Wanjohi – Member (Senior Superintendent of Works)
Nancy Wanjiku – Member (Accountant)
Rahab Wanjiku – Member (Procurement Officer)
Stephen Kimemia – Member (Assistant Roads Surveyor)

SUBJECT: APPOINTMENT TO TENDER EVALUATION COMMITTEE

You have been appointed to carry out the evaluation of the following proposed projects.

- i. CGK/RTPW&U/18/19/90 – Proposed Construction of Rioki-Karia-Ikinu Access Road
- ii. CGK/RTPW&U/18/19/91 – Proposed Construction of Juja Farm Road (Mathito-ini)
- iii. CGK/RTPW&U/18/19/92 – Proposed Construction of Toll Station Roads
- iv. CGK/RTPW&U/18/19/93 – Proposed Construction of Gwa Kairu – Matangini Road
- v. CGK/RTPW&U/18/19/95-Proposed Construction of Gachie-Karura-Gacharage Road
- vi. CGK/RTPW&U/18/19/96 – Proposed Construction of Edenville -Ngegu Access Road
- vii. CGK/RTPW&U/18/19/98-Proposed Construction of Githunguri -Kamburu Road
- viii. CGK/RTPW&U/18/19/100-Proposed Construction of Gatuanaga Primary School -Komo - Munyu Road
- ix. CGK/RTPW&U/18/19/103 – Proposed construction of Kimuri -Full Gospel Road
- x. CGK/RTPW&U/18/19/330-Proposed Construction of Makutano-Ndeiya SGR Link Road to Bituminous Standards.

x) CGK/RTPW&U/18/19/346 - Proposed Construction of Kiamumbi Police Station-Kiukenda Road to Bituminous Standard.
The evaluation will be done at the Ruiru Board Room on 21st March 2019.



Eng. Lucas M. Wahinya

AG. CHIEF OFFICER - ROADS, TRANSPORT, PUBLIC WORKS & UTILITIES

Cc

- County Secretary & Head of Public Service
- CECM RTPW&U
- Ag. Director Roads.

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COUNTY GOVERNMENT OF KIAMBU

Department of Roads, Transport, Public Works & Utilities

INVITATION TO TENDER

County Government of Kiambu invites sealed tenders from eligible construction companies for the proposed construction of the following roads and transport projects.

Tender	Tender Name
CGK/RTPW&U/18/19/90	Proposed construction of Rioki-Karia-Ikuru Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/91	Proposed construction of Juja Farm Road (Mathito-iri) (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/92	Proposed construction of Toll Station Roads (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/93	Proposed construction of Gwa Kairu - Matangini Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/94	Proposed construction of Lower Kabeta Ndumboini Uthiru - Gichagi 87 Cooperation Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/95	Proposed construction of Gachie - Karura - Gacharaga Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/96	Proposed construction of Eden Ville-Ngegu Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/97	Proposed construction of Tinganga Ha Nduthi Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/98	Proposed construction of Githunguri-Kamburu Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/99	Proposed construction of Gatamaiyu Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/100	Proposed construction of Gatuanyaga Pny School- Komo-Munyu Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/101	Proposed construction of Membley Estate Roads (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/102	Proposed construction of Thindigua Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/103	Proposed construction of Kimuri-Full Gospel Access Road (NCA 3 AND ABOVE)

Construction and rehabilitation of access roads (Road Maintenance Levy Funded)
 CGK/RTPW&U/RMLF/1-60 Construction and rehabilitation of access roads (NCA 3 and above)-Lots 1, 2 and 3 (visit the County's website for details)

Interested contractors who are registered with the National Construction Authority and specified categories should download Tender documents with detailed specification and conditions from the County Government of Kiambu website www.kiambu.go.ke or www.tenders.go.ke

Mandatory pre-tender site visits will be held on 6th November 2018 respective proposed sites. Pre-tender visits starts at 10.00 Am. People will converge at the following respective places:-

- I. Proposed construction of Rioki-Karia-Ikuru Access Road
- II. Proposed construction of Juja Farm Road (Mathito-iri)
- III. Proposed construction of Toll Station Roads
- IV. Proposed construction of Gwa Kairu - Matangini Road
- V. Proposed construction of Lower Kabeta Ndumboini Uthiru - Gichagi 87 Cooperation Road
- VI. Proposed construction of Gachie - Karura - Gacharaga Road
- VII. Proposed construction of Eden Ville-Ngegu Access Road
- VIII. Proposed construction of Tinganga Ha Nduthi Road
- IX. Proposed construction of Githunguri-Kamburu Road
- X. Proposed construction of Gatamaiyu Road
- XI. Proposed construction of Gatuanyaga Pny School- Komo-Munyu Road
- XII. Proposed construction of Membley Estate Roads
- XIII. Proposed construction of Thindigua Access Road
- XIV. Proposed construction of Kimuri-Full Gospel Access Road

Tender's MUST-

1. Attach a copy of VAT Registration Certificate
2. Attach a copy of certificate of Business Registration/Incorporation
3. Attach a copy of current and valid Tax Compliance Certificate
4. Attach a copy of Registration certificate with NCA
5. Attach proof of works of similar magnitude and nature
6. Proof of access/ownership of necessary equipment and key personnel
7. Proof of sound financial standing being a certified bank statement for 2017 and 2018
8. Attach Litigation history of the company
9. Attach confidential business questionnaire
10. Attach 2% valid bid bond (not applicable to Construction and rehabilitation of access roads (Road Maintenance Levy Funded)
11. Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit.
12. Attach a current valid business permit (local contractors have an added advantage)
13. Attach a current NSSF and NHIF clearance certificate for the current year
14. Attach academic certificate for key personnel
15. Attach proof of similar experience being a completion certificate

Completed tender documents to be enclosed in plain sealed envelope clearly marked Tender name and number and must be deposited in the tender box located at Ruiru Sub-County chambers or sent by post to:

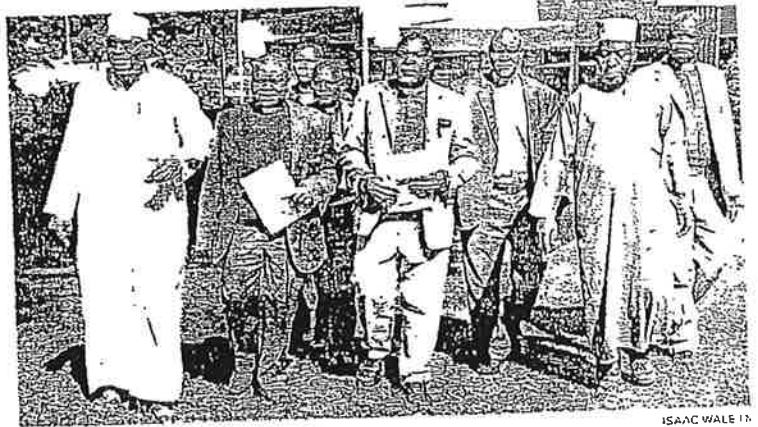
County Secretary County Government of Kiambu
 P.O. Box 2344-00900
 Kiambu.

All Construction and Rehabilitation of access roads (RMLF) documents will be returned to the respective sub-county offices. No bidder will be awarded more than one (1) bid in a respective lot under a category. So as to be received by 18th November 2018. Tenders will be opened immediately thereafter in the presence of bidders or their representatives who choose to attend at the venues specified. Prices quoted in the tender should be expressed in Kenya Shillings, inclusive of Government taxes and should remain valid for a period of one hundred and Twenty (120) days from the date of closing of the tender.

Martin Njogu
 County Secretary.

Spat - Duo on different sides of Raila-Ruto divide

Religious leaders step in to end feud pitting Echesa against Malala



Inter-Faith Forum chairman Nicholas Olumalai (Kakamega Fellowship Church Bishop, centre) with his colleagues when they addressed a press conference at Kakamega Golf Hotel on Saturday on the feud between CS Rashid Echesa and Senator Cleophas Malala. They urged the two leaders to reconcile.

Stop airing your differences in public and instead inspire Luhya community, youthful leaders told

BY SHABAN MAKOKHA
 smakokha@kenationmedia.com

Religious leaders have offered to reconcile. Kakamega Senator Cleophas Malala and Sports Cabinet Secretary Rashid Echesa following a bitter conflict between the two.

Members of the Inter-Faith Forum, which comprises leaders from the Catholic Church, Islam, Anglican, Hindu and the Pentecostal churches, said they wanted to reconcile the two youthful leaders.

The forum chairman, Bishop Nicholas Olumalai, said: "It's painful that our two leaders have lost direction and could fail to deliver on their mandates. They have been airing their differences in public.

"As an institution with the mandate of uniting people and nations, we offer to bring them together. We want to ensure they eat together."

He said the forum had requested the national chairman of the Council of Imams and Preachers of Kenya, Sheikh Abdallah Ateka, to seek out Mr Echesa and brief him on the proposal, while Bishop Johnston Wandera, who is the forum's organising secretary, would approach Mr Malala.

Bishop Wandera advised Senator Malala and CS Echesa to accept the elders' offer. "The two leaders should

be role models for youth in Kakamega and beyond. They should lead a campaign for peaceful coexistence," said Bishop Wandera.

Sheikh Ateka said Mr Malala and Mr Echesa should champion national interests. "We want them to forgive each other. We want them to listen to us and accept our call to unite," Sheikh Ateka said.

Bishop Wandera and Sheikh Ateka shook hands before leaving the forum for the missions.

And speaking during the burial of Mr Jacob Nanjakululu, a technocrat for Amari National Congress (ANC) party, MPs Elsie Muhanda (Kakamega County) and Emmanuel Wangwe (Navakholo) urged the two leaders to cease their public spat.

"Their unending wrangles are a cause for worry in the county," said Ms Muhanda.

Mr Wangwe asked Devolution Cabinet Secretary Eugene Wamalwa to reach out to Mr

Echesa and Mr Malala or matter. He said Mr Wamalwa should speak with Mr Echesa possibly after a Cabinet meeting on the importance of forgiveness and peace in the Luhya community. He should also do the same for Mr Malala.

"If the two will not listen to the voices of reason, we should step down as a community and decide the next course of action," Mr Wangwe.

These calls come as members of county assemblies (MCAs) from Kakamega County, led by Marama S representative Willis Opuk: Elly Keya (Lubini-Lusheya) Mr Geoffrey Omurata (Central) asked Luhya leaders to intervene in the feud.

"Mr Echesa and Mr Malala command large follow among youth. They should focus on empowering the youth," said Mr Opuka.

Mr Malala and Mr Echesa were close friends until they took different political paths in the 2017 elections.

Mr Malala worked with leader Musalia Mudavadi to win the senatorial seat on party's ticket, but decided to back the Orange Democratic Movement (ODM) party led by Mr Raila Odinga. Both ANC and ODM are in Nasa.

His support for ODM led him elected as Senate Deputy Minority Leader.

Mr Echesa is an ardent Deputy President William Ruto's

While the vocal senator is a public opponent of Mr Echesa and chides his colleagues to speak about a possible alliance with him, the controversy over a former ODM national youth leader, has lately been a critical of Mr Odinga.

BID TO RECONCILE LUHYA NATION

Council of Imams and Preachers of Kenya national chairman Abdallah Ateka to seek out Sports CS Rashid Echesa and brief him on the unity proposal. Bishop Johnston Wandera, the organising secretary of the Inter-Faith Forum, is to do the same with Kakamega Senator Cleophas Malala

Devolution CS Eugene Wamalwa urged to reach out to both Mr Echesa and Mr Malala on the matter.

Members of county assemblies recently asked Luhya leaders to intervene in the raging feud.



COUNTY GOVERNMENT OF KIAMBU
Department of Roads, Transport, Public Works & Utilities

INVITATION TO TENDER

The County Government of Kiambu invites sealed tenders from eligible construction companies for the proposed construction of the following Bituminous Roads, in the Department of Roads, Transport, Public Works and Utilities.

Tender No.	Tender Name
CGK/RTPW&U/18/19/350	Proposed construction of Makutano-Ndeiya SGR Link Road to bituminous standard (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/346	Proposed construction of Kiamumbi police station - Kiukenda Road to bituminous standard (NCA 3 AND ABOVE)

The mandatory pre-tender site visits will be held on Friday, 8th March 2019 at the respective sub-county offices. All pre-tender visits start at 10.00am. Those tendering should converge at the respective sub-county headquarter offices.

- Proposed construction of Makutano-Ndeiya - SGR link road to bituminous standard
- Proposed construction of Kiamumbi police station - Kiukenda road to bituminous standards

Tenderers MUST:

- Attach a copy of VAT Registration Certificate
- Attach a copy of Business Registration/Incorporation
- Attach a copy of current and valid Tax Compliance Certificate
- Attach a copy of Registration certificate with NCA
- Attach a copy of works of similar magnitude and nature
- Attach proof of ownership of necessary equipment and key personnel
- Proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
- Attach litigation history of the company
- Attach litigation business questionnaire
- Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit.
- Attach current business permit (local contractors have an added advantage)
- Attach a current NSSF and NHIF clearance certificate for the current year
- Attach academic certificate for key personnel
- Attach proof of similar experience being a completion certificate

Completed tender documents to be enclosed in plain sealed envelope clearly marked (copy and original) Tender name and number and must be deposited in the tender box located outside the procurement office at Ruiru sub county and posted to:

Chief Officer
 Department of Roads, Transport, Public Works and Utilities
 P.O. Box 2344-00900
 Kiambu

NB: Tenders will be returned on or before Wednesday 20th March 2019 at 10.00am. Tenders will be opened immediately on Wednesday 20th March 10.00am in the presence of bidders or representatives who may choose to attend at the Ruiru Sub County Boardroom. Please quote MUST be expressed in Kenya Shillings, inclusive of Government taxes and should remain valid for a period of One Hundred and Twenty days (120) days from the date of closing of the tender.

Dr. Martin Njogu
 County Secretary

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Ad Center
 Open Weekdays 8:00am - 5:00pm

STANDARD
 Open Weekdays 8:00am - 5:00pm

COUNTY GOVERNMENT OF KIAMBU
Department of Roads, Transport, Public Works & Utilities

READVERTISEMENT

The County Government of Kiambu wishes to re-solicit the following sealed tenders from eligible construction companies for the proposed construction of the following roads to bituminous standards:

Tender No.	Tender Name
CGK/RTPW&U/18/19/350	Proposed construction of Riiki-Kiri - Kiru Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/351	Proposed construction of Juka Farm Road (Mathioño) (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/352	Proposed construction of Jol Station Roads (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/353	Proposed construction of Gwaka-Kariya Main Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/354	Proposed construction of Gwaka-Kariya Gachara Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/355	Proposed construction of Edey Village Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/356	Proposed construction of Githunguri-Kamburu Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/357	Proposed construction of Githunguri Primary School-Kamburu Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/358	Proposed construction of Githunguri Primary School-Kamburu Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/359	Proposed construction of Kimuri full gospel road (NCA 3 AND ABOVE)

The mandatory pre-tender site visits will be held on Friday 8th March, 2019 at respective sub county offices. All pre-tender visits start at 10.00am. People will converge at the respective sub-county office headquarters for the following roads:

- Proposed construction of Riiki-Kiri Access Road (Mathioño)
- Proposed construction of Juka Farm Road (Mathioño)
- Proposed construction of Jol Station Roads
- Proposed construction of Gwaka-Kariya Main Road
- Proposed construction of Gwaka-Kariya Gachara Road
- Proposed construction of Edey Village Access Road
- Proposed construction of Githunguri-Kamburu Road
- Proposed construction of Githunguri Primary School-Kamburu Road
- Proposed construction of Githunguri Primary School-Kamburu Road
- Proposed construction of Kimuri full gospel road

Tenderers MUST:

- Attach a copy of VAT Registration Certificate
- Attach a copy of certificate of Business Registration/Incorporation
- Attach a copy of current and valid Tax Compliance Certificate
- Attach a copy of Registration certificate with NCA
- Attach a copy of works of similar magnitude and nature
- Attach proof of ownership of necessary equipment and key personnel
- Proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
- Attach litigation history of the company
- Attach litigation business questionnaire
- Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit.
- Attach current business permit (local contractors have an added advantage)
- Attach a current NSSF and NHIF clearance certificate for the current year
- Attach academic certificate for key personnel
- Attach proof of similar experience being a completion certificate
- Attach tender documents to be enclosed in plain sealed envelope clearly marked (original and copy) Tender name and number and posted to:

Chief Officer
 Department of Roads, Transport, Public Works and Utilities
 P.O. Box 2344-00900, Kiambu.

NB: Tenders will be returned on or before Wednesday 20th March 2019 at 10.00am. Tenders will be opened thereafter on Wednesday 20th March 10.00am in the presence of bidders or representatives who may choose to attend at the Ruiru Sub-County Boardroom. Please quote MUST be expressed in Kenya Shillings, inclusive of Government taxes and should remain valid for a period of One Hundred and Twenty days (120) days from the date of closing of the tender.

Dr. Martin Njogu
 County Secretary

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COUNTY GOVERNMENT OF KIAMBU
Department of Roads, Transport, Public Works & Utilities

ADVERTISEMENT TO TENDER

The County Government of Kiambu invites sealed tenders for the proposed construction of the following bituminous roads in the Department of Roads, Transport, Public Works and Utilities:

Tender No.	Tender Name
CGK/RTPW&U/18/19/330	Proposed construction of Makutano-Ndeiya SGR Link Road to bituminous standard (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/335	Proposed construction of Kiambu police station - Kili and Road to bituminous standard (NCA 3 AND ABOVE)

The mandatory pre-tender site visits will be held on Friday 16th March 2019 at the respective sub-county offices. All pre-tender visits start at 10:00 a.m. Those tendering should converge at the respective sub-county headquarter offices.

- i. Proposed construction of Makutano-Ndeiya SGR link road to bituminous standard
- ii. Proposed construction of Kiambu police station - Kili and Road to bituminous standard

Tenderer's MUST:

1. Attach a copy of VAT Registration Certificate
2. Attach a copy of Business Registration/Incorporation
3. Attach a copy of current and valid Tax Compliance Certificate
4. Attach a copy of current and valid Tax Clearance Certificate
5. Attach a copy of Registration certificate with NCA
6. Attach a copy of works of similar magnitude and nature
7. Attach proof of ownership of necessary equipment and key personnel
8. Proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
9. Proof of sound financial history of the company
10. Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit
11. Attach a current business permit (local contractors have an added advantage)
12. Attach a current NSSF and NHIF clearance certificate for the current year
13. Attach academic certificate for key personnel
14. Attach proof of similar experience being a completion certificate

Completed tender documents to be enclosed in plain sealed envelope clearly marked (copy and original) tender name and number and must be deposited in the tender box located outside the procurement office at Ruiru sub county, and posted to:

Chief Officer
 Department of Roads, Transport, Public Works, and Utilities
 P.O. Box 2344-00900
 Kiambu

NB: Tenders will be returned on or before Wednesday 20th March 2019 at 10:00 a.m. Tenders will be opened immediately on Wednesday 20th March 10:00 a.m. in the presence of bidders or representatives who may choose to attend at the Ruiru Sub county Boardroom. Prices quoted MUST be expressed in Kenya Shillings, inclusive of Government taxes and should remain valid for a period of One Hundred and twenty days (120) days from the date of closing of the tender.

Dr. Martin Njogu
 County Secretary



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COUNTY GOVERNMENT OF KIAMBU
Department of Roads, Transport, Public Works & Utilities

ADVERTISEMENT

The County Government of Kiambu wishes to invite sealed tenders from eligible construction companies for the proposed construction of the following roads to bituminous standards:

Tender No.	Tender Name
CGK/RTPW&U/18/19/330	Proposed construction of Gik-Kari-Kinu Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/331	Proposed construction of Jua Farm road (Mithabani) (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/332	Proposed construction of Toll Station Roads (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/333	Proposed construction of Gwaka/Kari/Kinu Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/334	Proposed construction of Gwaka/Kari/Kinu Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/335	Proposed construction of Gwaka/Kari/Kinu Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/336	Proposed construction of Gwaka/Kari/Kinu Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/337	Proposed construction of Gwaka/Kari/Kinu Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/338	Proposed construction of Gwaka/Kari/Kinu Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/339	Proposed construction of Gwaka/Kari/Kinu Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/340	Proposed construction of Gwaka/Kari/Kinu Access Road (NCA 3 AND ABOVE)

The mandatory pre-tender site visits will be held on Friday 16th March 2019 at the respective sub-county offices. All pre-tender visits start at 10:00 a.m. Those tendering should converge at the respective sub-county office headquarter for the following roads:

- i. Proposed construction of Gik-Kari-Kinu Access Road (Mithabani)
- ii. Proposed construction of Jua Farm Road
- iii. Proposed construction of Toll Station Roads
- iv. Proposed construction of Gwaka/Kari/Kinu Access Road
- v. Proposed construction of Gwaka/Kari/Kinu Access Road
- vi. Proposed construction of Gwaka/Kari/Kinu Access Road
- vii. Proposed construction of Gwaka/Kari/Kinu Access Road
- viii. Proposed construction of Gwaka/Kari/Kinu Access Road
- ix. Proposed construction of Gwaka/Kari/Kinu Access Road
- x. Proposed construction of Gwaka/Kari/Kinu Access Road

Tenderer's MUST:

1. Attach a copy of VAT Registration Certificate
2. Attach a copy of Business Registration/Incorporation
3. Attach a copy of current and valid Tax Compliance Certificate
4. Attach a copy of current and valid Tax Clearance Certificate with NCA
5. Attach a copy of works of similar magnitude and nature
6. Attach proof of ownership of necessary equipment and key personnel
7. Attach proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
8. Attach proof of sound financial history of the company
9. Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit
10. Attach a current business permit (local contractors have an added advantage)
11. Attach a current NSSF and NHIF clearance certificate for the current year
12. Attach academic certificate for key personnel
13. Attach proof of similar experience being a completion certificate
14. Attach proof of similar experience being certified bank statements for 2017, 2018 and 2019

Completed tender documents to be enclosed in plain sealed envelope clearly marked (original and copy) Tender name and number and must be deposited in the tender box located outside the procurement office at Ruiru sub-county and posted to:

Chief Officer
 Department of Roads, Transport, Public Works and Utilities
 P.O. Box 2344-00900, Kiambu

NB: Tenders will be returned on or before Wednesday 20th March 2019 at 10:00 a.m. Tenders will be opened immediately on Wednesday 20th March 10:00 a.m. in the presence of bidders or representatives who may choose to attend at the Ruiru Sub-County Boardroom. Prices quoted MUST be expressed in Kenya Shillings, inclusive of Government taxes and should remain valid for a period of One Hundred and twenty days (120) days from the date of closing of the tender.

Dr. Martin Njogu
 County Secretary



COUNTY GOVERNMENT OF KIAMBU
Department of Roads, Transport, Public Works & Utilities

INVITATION TO TENDER

The County Government of Kiambu invites sealed tenders from eligible construction companies for the proposed construction of the following Bituminous Roads, in the Department of Roads, Transport, Public Works and Utilities.

Tender	Tender Name
CGK/RTPW&U/18/19/330	Proposed construction of Makutano-Ndeya SGR Link Road to bituminous standard (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/346	Proposed construction of Kiamumbi police station - Kiukenda Road to bituminous standard (NCA 3 AND ABOVE)

The mandatory pre-tender site visits will be held on Friday 8th March 2019 at the respective sub-county offices. All pre-tender visits start at 10.00a.m. Those tendering should converge at the respective sub-county headquarters

- Proposed construction of Makutano-Ndeya-SGR link road to bituminous standard
- Proposed construction of Kiamumbi police station-Kiukenda road to bituminous standards

Tenderer's MUST:

- Attach a copy of VAT Registration Certificate
- Attach a copy of Business Registration / Incorporation
- Attach a copy of current and valid Tax Compliance Certificate
- Attach a copy of Registration certificate with NCA
- Attach a copy of works of similar magnitude and nature
- Proof of access/ownership of necessary equipment and key personnel
- Proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
- Attach litigation history of the company
- Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit.
- Attach a current business permit (local contractors have an added advantage)
- Attach a current NSSF and NHIF clearance certificate for the current year
- Attach academic certificate for key personnel
- Attach proof of similar experience being a completion certificate

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Chief Officer
Department of Roads, Transport, Public Works, and Utilities
P.O. Box 2344-00900
Kiambu

NB: Tenders will be returned on or before Wednesday 20th March 2019 at 10.00a.m. Tenders will be opened immediately on Wednesday 20th March 10.00a.m. in the presence of bidders or representatives who may choose to attend at the Ruiru Sub-county Boardroom. Prices quoted MUST be expressed in Kenya Shillings, inclusive of Government taxes and should remain valid for a period of One Hundred and Twenty days (120) days from the date of closing of the tender.

Dr. Martin Njogu
County Secretary

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COUNTY GOVERNMENT OF KIAMBU
Department of Roads, Transport, Public Works & Utilities

ADVERTISEMENT

The County Government of Kiambu wishes to re-advertise the following sealed tenders from eligible construction companies for the proposed construction of the following roads to bituminous standards.

Tender	Tender Name
CGK/RTPW&U/18/19/30	Proposed construction of Riki-Karia-Ikinu Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/31	Proposed construction of Julia Farm Road (Mathilo-Iti) (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/32	Proposed construction of Toll Station Roads (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/33	Proposed construction of Gwaka-Matungu Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/34	Proposed construction of Gache-Karua-Gacharage Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/35	Proposed construction of Edenville-Ngigeti Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/36	Proposed construction of Githungiri-Kamburu Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/37	Proposed construction of Gathungu Primary School-Homok-Munyui Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/38	Proposed construction of Kimuri full gospel road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/39	Proposed construction of Kimuri full gospel road (NCA 3 AND ABOVE)

The mandatory pre-tender site visits will be held on Friday 8th March 2019 at respective sub county offices. All pre-tender visits start at 10.00am. People will converge at the respective sub-county office headquarters for the following roads:

- Proposed construction of Riki-Karia-Ikinu Access Road
- Proposed construction of Julia Farm Road (Mathilo-Iti)
- Proposed construction of Toll Station Roads
- Proposed construction of Gwaka-Matungu Road
- Proposed construction of Gache-Karua-Gacharage Road
- Proposed construction of Edenville-Ngigeti Access Road
- Proposed construction of Githungiri-Kamburu Road
- Proposed construction of Gathungu Primary School-Homok-Munyui Road
- Proposed construction of Kimuri full gospel road

Tenderer's MUST:

- Attach a copy of VAT Registration Certificate
- Attach a copy of certificate of Business Registration/Incorporation
- Attach a copy of current and valid Tax Compliance Certificate
- Attach a copy of Registration certificate with NCA
- Attach a copy of works of similar magnitude and nature
- Attach proof of access/ownership of necessary equipment and key personnel
- Proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
- Proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
- Attach litigation history of the company
- Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit.
- Attach a current business permit (local contractors have an added advantage)
- Attach a current NSSF and NHIF clearance certificate for the current year
- Attach academic certificate for key personnel
- Attach proof of similar experience being a completion certificate
- Attach proof of similar experience being a completion certificate

Completed tender documents to be enclosed in plain sealed envelope clearly marked (original and copy) Tender name and number and must be deposited in the tender box located outside the procurement office at Ruiru sub-county and posted to:

Chief Officer
Department of Roads, Transport, Public Works and Utilities
P.O. Box 2344-00900, Kiambu.

NB: Tenders will be returned on or before Wednesday 20th March 2019 at 10.00am. Tenders will be opened thereafter on Wednesday 20th March 10.00am East Africa Time in the presence of bidders or representatives who may choose to attend at the Ruiru Sub-County Boardroom. Prices quoted MUST be expressed in Kenya Shillings, inclusive of Government taxes and should remain valid for a period of One Hundred and Twenty days (120) days from the date of closing of the tender.

Dr. Martin Njogu
County Secretary

Ad Center

Open Weekdays 8.00am - 5.00pm

Standard Open Weekdays 8.00am - 5.00pm

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COUNTY GOVERNMENT OF KIAMBU
Department of Roads, Transport, Public Works & Utilities

INVITATION TO TENDER

The County Government of Kiambu invites sealed tenders from eligible construction companies for the proposed construction of the following Bituminous Roads, in the Department of Roads, Transport, Public Works and Utilities.

Tender	Tender Name
CCK/RTPW&U/13/19/330	Proposed construction of Mwakutano-Ndaiya SGR Link Road to bituminous standard (NCA 3 AND ABOVE)
CCK/RTPW&U/13/19/346	Proposed construction of Kiambu police station - Kitikenda Road to bituminous standard (NCA 3 AND ABOVE)

The mandatory, pre-tender site visits will be held on Friday 9th March 2019 at the respective sub-county offices. All pre-tender visits start at 10.00am. Those tendering should converge at the respective sub-county headquarters for the following:

- Proposed construction of Mwakutano-Ndaiya SGR link road to bituminous standard
- Proposed construction of Kiambu police station-Kitikenda road to bituminous standard

Tenderer's MUST:

1. Attach a copy of VAT Registration Certificate
2. Attach a copy of Business Registration / Incorporation
3. Attach a copy of current and valid tax Compliance Certificate
4. Attach a copy of Registration certificate with NCA
5. Attach proof of works of similar magnitude and nature
6. Proof of access/ownership of necessary equipment and key personnel
7. Proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
8. Attach litigation history of the company
9. Fill confidential business questionnaire
10. Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit.
11. Attach a current business permit (local contractors have an added advantage)
12. Attach a current NSSF and NHIF clearance certificate for the current year
13. Attach academic certificate for key personnel
14. Attach proof of similar experience being a completion certificate

Completed tender documents to be enclosed in plain sealed envelope clearly marked (copy and original) Tender name and number and must be deposited in the tender box located outside the procurement office at Ruiru sub county and posted to:

Chief Officer
 Department of Roads, Transport, Public Works, and Utilities
 P.O. Box 2344-00900
 Kiambu

NB: Tenders will be returned on or before Wednesday 20th March 2019 at 10.00am. Tenders will be opened immediately on Wednesday 20th March 10.00am. In the presence of bidders or representatives who may choose to attend at the Ruiru Sub county Boardroom. Prices quoted MUST be expressed in Kenya Shillings, inclusive of Government taxes and should remain valid for a period of One Hundred and Twenty days (120) days from the date of closing of the tender.

Dr. Martin Mlogu
 County Secretary

COUNTY GOVERNMENT OF KIAMBU
Department of Roads, Transport, Public Works & Utilities

READVISEMENT

The County Government of Kiambu wishes to re-advertise the following sealed tenders from eligible construction companies for the proposed construction of the following roads to bituminous standards.

Tender	Tender Name
CCK/RTPW&U/18/19/90	Proposed construction of Rukh-Kaha-Kliru Access Road (NCA 3 AND ABOVE)
CCK/RTPW&U/18/19/91	Proposed construction of Jua Farm Road (Mathio-ini) (NCA 3 AND ABOVE)
CCK/RTPW&U/18/19/92	Proposed construction of Toli Station Roads (NCA 3 AND ABOVE)
CCK/RTPW&U/18/19/93	Proposed construction of Gwaka-Kahana-Gecharage Road (NCA 3 AND ABOVE)
CCK/RTPW&U/18/19/95	Proposed construction of Gadhe-Gecharage Road (NCA 3 AND ABOVE)
CCK/RTPW&U/18/19/96	Proposed construction of Eldeni-Mile-Nyegu Access Road (NCA 3 AND ABOVE)
CCK/RTPW&U/18/19/98	Proposed construction of Githunguri-Kamburu Road (NCA 3 AND ABOVE)
CCK/RTPW&U/18/19/100	Proposed construction of Chumunge Primary School-Kimyo-Munyu Road (NCA 3 AND ABOVE)
CCK/RTPW&U/18/19/103	Proposed construction of Kimuri full gravel road (NCA 3 AND ABOVE)

The mandatory, pre-tender site visits will be held on Friday 9th March 2019 at the respective sub-county offices. All pre-tender visits start at 10.00am. People will converge at the respective sub-county office headquarters for the following roads:

- Proposed construction of Rukh-Kaha-Kliru Access Road
- Proposed construction of Jua Farm Road (Mathio-ini)
- Proposed construction of Toli Station Roads
- Proposed construction of Gwaka-Kahana-Gecharage Road
- Proposed construction of Eldeni-Mile-Nyegu Access Road
- Proposed construction of Githunguri-Kamburu Road
- Proposed construction of Chumunge Primary School-Kimyo-Munyu Road
- Proposed construction of Kimuri full gravel road

- Tenderer's MUST:**
1. Attach a copy of VAT Registration Certificate
 2. Attach a copy of Business Registration / Incorporation
 3. Attach a copy of current and valid tax Compliance Certificate
 4. Attach a copy of Registration certificate with NCA
 5. Attach proof of works of similar magnitude and nature
 6. Proof of access/ownership of necessary equipment and key personnel
 7. Proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
 8. Attach litigation history of the company
 9. Fill confidential business questionnaire
 10. Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit.
 11. Attach a current business permit (local contractors have an added advantage)
 12. Attach a current NSSF and NHIF clearance certificate for the current year
 13. Attach academic certificate for key personnel
 14. Attach proof of similar experience being a completion certificate

Completed tender documents to be enclosed in plain sealed envelope clearly marked (original and copy) Tender name and number must be deposited in the tender box located outside the procurement office at Ruiru sub-county and posted to:

Chief Officer
 Department of Roads, Transport, Public Works and Utilities
 P.O. Box 2344-00900, Kiambu

NB: Tenders will be returned on or before Wednesday 20th March 2019 at 10.00am. Tenders will be opened on Wednesday 20th March 10.00am East Africa Time in the presence of bidders or representatives who may choose to attend at the Ruiru Sub-County Boardroom. Prices quoted MUST be expressed in Kenya Shillings, inclusive of Government taxes and should remain valid for a period One Hundred and Twenty days (120) days from the date of closing of the tender.

Dr. Martin Mlogu
 County Secretary

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Ad Center
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Makumbungu Railway Steel Company
 P.O. Box 1055-2009, 2010



COUNTY GOVERNMENT OF KIAMBU
Department of Roads, Transport, Public Works & Utilities

INVITATION TO TENDERS

The County Government of Kiambu invites sealed tenders from eligible construction companies for the proposed construction of the following bituminous roads in the Department of Roads, Transport, Public Works and Utilities.

Tender No.	Tender Name
CGK/RPWU/18/19/346	Proposed construction of Makutano-Ndeiya SGR link Road to bituminous standard (NCA 3 AND ABOVE)
CGK/RPWU/18/19/345	Proposed construction of Kiambu police station to bituminous standard (NCA 3 AND ABOVE)
CGK/RPWU/18/19/345	Kiukenda Road to bituminous standard

The mandatory pre-tender site visits will be held on Friday 8th March 2019 at the respective sub-county offices. All pre-tender visits start at 10.00a.m. Those tendering should converge at the respective sub-county headquarter offices.

Proposed construction of Makutano-Ndeiya SGR link road to bituminous standard
Proposed construction of Kiambu police station-Kiukenda road to bituminous standards

1. Tenderer's MUST:
 1. Attach a copy of VAT Registration Certificate.
 2. Attach a copy of Business Registration/Incorporation.
 3. Attach a copy of current and valid tax compliance certificate
 4. Attach a copy of Registration certificate with NCA
 5. Attach a copy of works of similar magnitude and nature
 6. Attach proof of ownership of necessary equipment and key personnel
 7. Proof of access/ownership of necessary equipment and key personnel
 8. Proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
 9. Attach current business permit (local contractors have an added advantage)
 10. Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit
 11. Attach a current NSSF and NHIF clearance certificate for the current year
 12. Attach a current NSSF and NHIF clearance certificate for the current year
 13. Attach academic certificate for key personnel
 14. Attach proof of similar experience being a completion certificate

Completed tender documents to be enclosed in plain sealed envelope clearly marked (copy and original) tender name and number and must be deposited in the tender box located outside the procurement office at Ruiru sub county and posted to:

Chief Officer
Department of Roads, Transport, Public Works and Utilities
P.O. Box 2344-00900
Kiambu

NB: Tenders will be returned on or before Wednesday 20th March 2019 at 10.00a.m. Tenders will be opened immediately on Wednesday 20th March 2019 at 10.00a.m. in the presence of bidders or representatives who may choose to attend at the Ruiru Sub county Boardroom. Bids quoted MUST be expressed in Kenya Shillings, inclusive of Government taxes and should remain valid for a period of One Hundred and Twenty days (120) days from the date of closing of the tender.

Dr. Martin Njogu
County Secretary

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COUNTY GOVERNMENT OF KIAMBU
Department of Roads, Transport, Public Works & Utilities

INVITATION TO TENDERS

The County Government of Kiambu invites sealed tenders from eligible construction companies for the proposed construction of the following roads to bituminous standards.

Tender No.	Tender Name
CGK/RPWU/18/19/91	Proposed construction of Julia Farm Road (Mathio-ini) (NCA 3 AND ABOVE)
CGK/RPWU/18/19/91	Proposed construction of Julia Station Roads (NCA 3 AND ABOVE)
CGK/RPWU/18/19/93	Proposed construction of Gwaka-Muhuru Road (NCA 3 AND ABOVE)
CGK/RPWU/18/19/95	Proposed construction of Gwaka-Kature-Gichang Road (NCA 3 AND ABOVE)
CGK/RPWU/18/19/95	Proposed construction of Edenville-Ngegu Access Road (NCA 3 AND ABOVE)
CGK/RPWU/18/19/95	Proposed construction of Chuhuru-Kamburu Road (NCA 3 AND ABOVE)
CGK/RPWU/18/19/95	Proposed construction of Gwaka Primary School-Komo-Munyui Road (NCA 3 AND ABOVE)
CGK/RPWU/18/19/103	Proposed construction of Kiambu Full Gospel Road (NCA 3 AND ABOVE)

The mandatory pre-tender site visits will be held on Friday 8th March 2019 at the respective sub-county office headquarters for the following roads:

- I. Proposed construction of Julia Farm Road (Mathio-ini)
- II. Proposed construction of Julia Station Roads
- III. Proposed construction of Gwaka-Muhuru Road
- IV. Proposed construction of Gwaka-Kature-Gichang Road
- V. Proposed construction of Edenville-Ngegu Access Road
- VI. Proposed construction of Chuhuru-Kamburu Road
- VII. Proposed construction of Gwaka Primary School-Komo-Munyui Road
- VIII. Proposed construction of Gwaka Full Gospel Road
- IX. Proposed construction of Kiambu Full Gospel Road

- Tenderer's MUST:
1. Attach a copy of VAT Registration Certificate
 2. Attach a copy of certificate of Business Registration/Incorporation
 3. Attach a copy of current and valid tax compliance certificate
 4. Attach a copy of Registration certificate with NCA
 5. Attach a copy of works of similar magnitude and nature
 6. Attach proof of ownership of necessary equipment and key personnel
 7. Proof of access/ownership of necessary equipment and key personnel
 8. Proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
 9. Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit
 10. Attach a current NSSF and NHIF clearance certificate for the current year
 11. Attach a current NSSF and NHIF clearance certificate for the current year
 12. Attach academic certificate for key personnel
 13. Attach a current NSSF and NHIF clearance certificate for the current year
 14. Attach proof of similar experience being a completion certificate

Completed tender documents to be enclosed in plain sealed envelope clearly marked (original and copy) Tender name and number and must be deposited in the tender box located outside the procurement office at Ruiru sub-county and posted to:

Chief Officer
Department of Roads, Transport, Public Works and Utilities
P.O. Box 2344-00900, Kiambu.

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Dr. Martin Njogu
County Secretary

Ad Center
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 0716 072552/099 2910 @AdsCentre



COUNTY GOVERNMENT OF KIAMBU
Department of Roads, Transport, Public Works & Utilities

INVITATION TO TENDER

The County Government of Kiambu invites sealed tenders from eligible construction companies for the proposed construction of the following bituminous roads in the Department of Roads, Transport, Public Works and Utilities:

Tender No.	Tender Name
CGK/RTPW&U/18/19/330	Proposed construction of Makutano-Ndeiya SGR Link Road to bituminous standard (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/346	Proposed construction of Kajimbi police station - Kiulenda Road to bituminous standard (NCA 3 AND ABOVE)

The mandatory pre-tender site visits will be held on Friday 8th March 2019 at the respective sub-county offices. All pre-tender visits start at 10.00am. Those tendering should converge at the respective sub-county headquarter offices.

- Proposed construction of Makutano-Ndeiya SGR link road to bituminous standard
- Proposed construction of Kiamumbi police station-Kiulenda road to bituminous standards

Tenderer's MUST:

- Attach a copy of VAT Registration Certificate
- Attach a copy of Business Registration / Incorporation
- Attach a copy of current and valid Tax Compliance Certificate
- Attach a copy of Registration certificate with NCA
- Attach proof of works of similar magnitude and nature
- Proof of access/ownership of necessary equipment and key personnel
- Proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
- Attach identification history of the company
- Fill confidential business questionnaire
- Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit
- Attach a current Business permit (local contractors have an added advantage)
- Attach a current NSSF and NHIF clearance certificate for the current year
- Attach academic certificate for key personnel
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P.O. Box 2344-00900
Kiambu

NB: Tenders will be returned on or before Wednesday 20th March 2019 at 10.00am. Tenders will be opened immediately on Wednesday 20th March 10.00am. In the presence of bidders or representatives who may choose to attend at the Ruiru Sub-county Boardroom. Prices quoted MUST be expressed in Kenya Shillings, inclusive of Government taxes and should remain valid for a period of One Hundred and twenty days (120) days from the date of closing of the tender.

Dr. Martin Njogu
County Secretary

Standard
Open Weekdays 8.00am - 5.00pm
Ad Center
@classifiedinfo@standardmedia.co.ke
01191255 200 210 @adcenter



COUNTY GOVERNMENT OF KIAMBU
Department of Roads, Transport, Public Works & Utilities

INVITATION TO TENDER

The County Government of Kiambu wishes to advertise the following sealed tenders from eligible construction companies for the proposed construction of the following roads to bituminous standard:

Tender No.	Tender Name
CGK/RTPW&U/18/19/303	Proposed construction of Noki-Karigai Access Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/317	Proposed construction of Juja Farm Road (Matichoti) (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/321	Proposed construction of Toll Station Roads (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/335	Proposed construction of Gwaka/Karuru/Jarungu Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/351	Proposed construction of Gacheke/Karuru/Gacharage Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/365	Proposed construction of EdenVile/Karuru/Nyegus Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/381	Proposed construction of Githurai/Kirumburu Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/403	Proposed construction of Githurai/Kirumburu Primary School-Kompo-Munyuu Road (NCA 3 AND ABOVE)
CGK/RTPW&U/18/19/403	Proposed construction of Kirumburu/Kirumburu Road

The mandatory pre-tender site visits will be held on Friday 8th March 2019 at the respective sub-county offices. All pre-tender visits start at 10.00am. People will converge at the respective sub-county office headquarters for the following roads:

- Proposed construction of Noki-Karigai Access Road
- Proposed construction of Juja Farm Road (Matichoti)
- Proposed construction of Toll Station Roads
- Proposed construction of Gwaka/Karuru/Jarungu Road
- Proposed construction of Gacheke/Karuru/Gacharage Road
- Proposed construction of EdenVile/Karuru/Nyegus Road
- Proposed construction of Githurai/Kirumburu Road
- Proposed construction of Githurai/Kirumburu Primary School-Kompo-Munyuu Road
- Proposed construction of Kirumburu/Kirumburu Road

Tenderer's MUST:

- Attach a copy of VAT Registration Certificate
- Attach a copy of certificate of Business Registration/Incorporation
- Attach a copy of current and valid Tax Compliance Certificate
- Attach a copy of Registration certificate with NCA
- Attach proof of works of similar magnitude and nature
- Proof of access/ownership of necessary equipment and key personnel
- Proof of sound financial standing being certified bank statements for 2017, 2018 and 2019
- Attach identification history of the company
- Fill confidential business questionnaire
- Attach pre-tender site visit certificate to be issued by Sub-County Engineer during the pre-tender site visit
- Attach a current Business permit (local contractors have an added advantage)
- Attach a current NSSF and NHIF clearance certificate for the current year
- Attach academic certificate for key personnel
- Attach proof of similar experience being a completion certificate

Completed tender documents to be enclosed in plain sealed envelope clearly marked (original and copy) Tender name and number and must be deposited in the tender box located outside the procurement office at Ruiru sub-county and posted to:

Chief Officer
Department of Roads, Transport, Public Works and Utilities
P.O. Box 2344-00900, Kiambu

NB: Tenders will be returned on or before Wednesday 20th March 2019 at 10.00am. Tenders will be opened thereafter on Wednesday 20th March 10.00am. In the presence of bidders or representatives who may choose to attend at the Ruiru Sub-County Boardroom. Prices quoted MUST be expressed in Kenya Shillings, inclusive of Government taxes and should remain valid for a period of One Hundred and twenty days (120) days from the date of closing of the tender.

Dr. Martin Njogu
County Secretary

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THE COMMISSION ON ADMINISTRATIVE JUSTICE

"Office of the Ombudsman"



Hata Mnyonge ana Haki

AN INVESTIGATION REPORT ON THE ALLEGED IRREGULAR TRANSFER OF
TWO PLOTS (THIKA MUNICIPALITY/BLOCK XI/877 AND THIKA
MUNICIPALITY/BLOCK XI/878)

January, 2020

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Acronyms

CAJ	Commission on Administrative Justice
DPP	Director of Public Prosecutions
KRA	Kenya Revenue Authority
PIN	Personal Identification Number



SD

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1.1 Issues under investigation

- i. Alleged irregular transfer of ownership of two plots namely Thika Municipality/Block XI/877 and Thika Municipality/Block XI/878 registered under Mrs. Cecilia Njoki Mbugua (a widow) to Ms. Esther Nyatu Wamuyu.
- ii. Alleged abuse of power by officers involved in the transfer of the said properties

1.2 Investigation Process

The Commission notified the Principal Secretary, Ministry of Lands and Physical Planning of its decision to undertake the investigation vide a letter Ref: CAJ/1E/6/75/19 (6) dated 23rd April, 2019.

A number of land officials from both Land Registry in Thika Town and Kiambu Land Offices were interviewed and documents relevant to the matter under investigation were recovered. His Excellency Ferdinand Waititu was also interviewed.

1.3 Legal Framework

The following legal documents provided a framework which guided the investigation.

CAJ's mandate

The Commission is mandated under Article 59 (4) (2) (h-j) of the Constitution and CAJ Act, 2011 to, *inter-alia*, investigate any conduct in state affairs or any act or omission in public administration in any sphere of Government and complaints of abuse of power, unfair treatment, manifest injustice or unlawful, oppressive, unfair or unresponsive official conduct.

In addition to its investigative powers under Article 252 (1) (a) of the Constitution, Sections 26, 27, 28 and 29 of the Act gives the Commission powers to conduct investigations on its own initiative or on a complaint made by a member of the public, issue summons and require that statements be given under oath,

1.0 Analysis and Findings

It was established that Mrs. Mbugua applied for amalgamation of the plots Thika Municipality/Block XI/877, 878, 879, 880 and 881 and development plan for the properties. The then Town Clerk, Municipal Council of Thika caused the advertisement of the amalgamation and development proposal to be published on the Standard Newspaper the 18th February, 2013 requiring any person with objections to the said request to furnish the office within 14 days of the advertisement but none was received. The County Government of Kiambu approved Mrs. Mbugua's proposal after receiving no objection.

Her permission to carry on with the planned construction works was later suspended by the County Government vide a letter dated 4th September 2013 on allegation that the land belonged to Jua Kali Association.

Subsequently, Mrs. Mbugua challenged the decision by the County Government at the Milimani Law Court. After several hearings, the court ruled in her favour and directed the county government to approve the development plan for the properties.

The County Government forwarded the properties to the National Land Commission(NLC) for investigations soon after the appeal period for the ruling had expired. The properties appeared on NLC Hearing Notices of 14th, 15th and 16th March of 2017 stating the interested party as the County Government of Kiambu. The case was later recalled by the County Government claiming that they didn't have any issue with the properties.

During the investigation, it was established that in late December 2017, Mrs. Mbugua received a telephone call from the Governor's Office informing her that the Governor wanted to see her in respect to the planned development of the aforementioned properties. According to Mrs. Mbugua, during the meeting, the Governor informed her that NLC had no issue with the land and that the

FILE

Chairperson: Hon. Florence Kajuju, MBS
Vice-Chairperson: Mr. Washington Sati
Commissioner: Mrs. Lucy Ndung'u, EBS, HSC



THE
COMMISSION ON ADMINISTRATIVE JUSTICE
"Office of the Ombudsman"

Our Ref: CAJ/ATI/CAJ120/3/19(2)

22nd November, 2019



RE: REQUEST FOR INFORMATION HELD BY THE COMMISSION ON ADMINISTRATIVE JUSTICE REGARDING PROPERTIES NO. THIKA MUNICIPALITY/BLOCK XI/877 AND THIKA MUNICIPALITY/BLOCK XI/878

Receive warm compliments from the Commission on Administrative Justice (Office of the Ombudsman).

This is in reference to your letter dated 30th October, 2019 on the above captioned matter.

The Commission received a complaint on 5th March, 2019 alleging that some officials from the County Government of Kiambu had irregularly transferred ownership of two plots namely Thika Municipality/Block XI/877 and Thika Municipality/Block XI/878 registered under Mrs. Cecilia Njoki Mbugua to Ms. Esther Nyatu Wamuyu. The properties are part of a block of five properties owned by Mrs. Mbugua namely; Thika Municipality/Block XI/877, 878, 879, 880 and 881 all having a lease of 99 years starting 2011.

Pursuant to its mandate provided for under section 8 of its constitutive Act, the Commission carried out an investigation to ascertain the veracity of the allegation contained in the complaint letter. The Commission sought to establish how the two plots in question were transferred to Esther Wamuyu Nyatu.

It was established as follows:

1. That Mrs. Cecilia Mbugua is the registered owner of five plots situated in Thika town namely; Thika Municipality/Block XI/877, 878, 879, 880 and 881. (see copy of lease document)
2. She applied for approval to develop the five plots in 2013, and she was given the approval by the Kiambu County Government which later cancelled the approval to carry on with the planned construction on allegation that the plot belonged to Juakali Association.

WEST HIND TOWERS 2nd Floor, Waiyaki Way - Westlands, P.O. BOX 20414-00200, NAIROBI.

Tel: 020-2270000, 020-2303000 Toll Free Line: 0800-221349 | SMS Short Code (Safaricom Subscribers) 15700

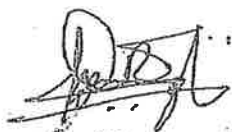
Email: info@ombudsman.go.ke (General Enquiries) | complain@ombudsman.go.ke (To lodge a complaint) | Website: www.ombudsman.go.ke

PR

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The Commission assures you of its highest regards.

Yours Faithfully,



D. M. KAROMO
FOR COMMISSION SECRETARY/CEO

**THE COMMISSION ON
ADMINISTRATIVE JUSTICE**



"Hata mnyonge ana haki"

PRESS STATEMENT

**BRIEF ON AN INVESTIGATION INTO THE IRREGULAR TRANSFER OF TWO PLOTS (THIKA
MUNICIPALITY/BLOCK XI/877 AND THIKA MUNICIPALITY/BLOCK XI/878)
BELONGING TO A COMPLAINANT**

The Commission received a complaint on 5th March, 2019 alleging that some officials from the County Government of Kiambu had irregularly transferred ownership of two plots namely Thika Municipality/BlockXI/877 and Thika Municipality/Block XI/878 registered under Mrs. Cecilia Njoki Mbugua (a widow) to Ms. Esther Nyatu Wamuyu. The properties are part of a block of five properties owned by Mrs. Mbugua namely; Thika Municipality/BlockXI/877, 878,879,880 and 881 all having a lease of 99 years starting 2011.

Pursuant to its mandate provided for under section 8 of its constitutive Act, the Commission carried out the investigation to ascertain the veracity of the aforementioned allegations contained in the complaint letter. The Commission sought to establish how the two plots in question were transferred to Esther Wamuyu Nyatu. The investigation also sought to establish if county land officials abused their powers during the transfer of the two properties in question.

Commission investigators visited Kiambu and Thika Land Offices to interview identified land officials and documents relevant to the matter under investigation. His Excellency the Governor of Kiambu was also interviewed.

It was established that Mrs. Mbugua applied to develop the properties in 2013 and was granted the same by the County Government of Kiambu. Her permission to carry on with the planned construction works was later cancelled by the county government on allegation that the land belonged to Jua Kali Association. Subsequently, Mrs. Mbugua challenged the decision by the county government in Millmani Law Court. After several hearings, the court ruled in her favour and directed the county government to approve the development plan for the properties.

In yet another effort to frustrate her, the county government forwarded the properties to National Land Commission for investigations soon after the appeal period for the ruling had expired. The properties were listed in a gazette notice by NLC stating the interested party as the County Government of Kiambu. The case was later recalled by the County Government claiming that they didn't have any issue with the properties.

During the investigations, it was established that in late December 2017, Mrs. Mbugua received a telephone call from the Governor's office informing her that the Governor wanted to see her in respect to the planned development of the aforementioned properties. According to Mrs. Mbugua, during the meeting, the Governor informed her that NLC had no issue with the land and that the County Government would approve her development plan for the properties on condition that she surrenders two properties (Thika Municipality/BlockXI/877 and Thika Municipality/BlockXI/878) which she did under a lot of duress considering the fact that it had taken long to get the approval.

A careful analysis of various land documents relating to the matter under investigation revealed that the two plots (Thika Municipality/BlockXI/877&878) measuring 0.135 Hectares which were leased to Mrs. Cecilia Mbugua for 99 years with effect from the first day of July 2011 were transferred to Ms. Esther Wamuyu Nyatu on 2nd January 2018 on purported consideration of sale.

Government to expedite the long overdue approval of the development plans to enable Mrs. Mbugua embark on her projects. The Commission also calls upon Land Registrars to exercise due diligence while conducting land transfers including inviting all interested parties for consent.

We shall forward the investigation report, our findings, together with all evidence gathered to the relevant authorities for further action.

Dated this 26th September 2019



FLORENCE KAJUJU, MBS
CHAIRPERSON OF THE COMMISSION



REPUBLIC OF KENYA

THE LAND REGISTRATION ACT
(No. 3 of 2012, Section 108)

THE REGISTERED LAND ACT
(Chapter 300, Repealed)

Certificate of Lease

TITLE No.

APPROXIMATE AREA

THIKA MUNICIPALITY BLOCK X1/877

0.0675 HA.

LESSOR THE GOVERNMENT OF KENYA

RENT KSH. 32,400/=(REV)

TERM 99 YEARS FROM 1.7.2011

This is to certify that CECILIA NJOKI MBUGUA ID/O435699

P.O BOX 1512 THIKA

is (are) now registered as the proprietor(s) of the leasehold interest above referred to, subject to the agreements and other matters contained in the registered lease, to the entries in the register relating to the lease and to such of the overriding interests set out in section 30 of the Registered Land Act as may for the time being subsist and affect the land comprised in the lease.

GIVEN under my hand and the seal of the

THIKA

District Land Registry

this 23RD day of SEPTEMBER, 2019

Land Registrar

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