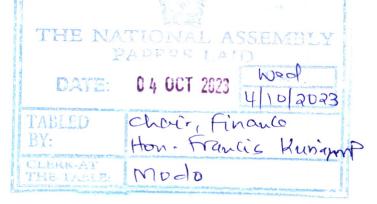


## **REPORT ON:**

## THE CONSIDERATION OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL

(AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 62 OF 2022)



**CLERKS CHAMBERS** 

DIRECTORATE OF DEPARTMENTAL COMMITTEES

PARLIAMENT BUILDINGS

**NAIROBI** 

OCTOBER, 2023

Report of the Departmental Committee on Finance and National Planning

The consideration of the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 62 of 2022)

http://www.parliament.go.ke/the-national-assembly/committees/12/finance-and-planning

## **TABLE OF CONTENTS**

| CHAI | RPERSON'S FOREWORD  | 3 |
|------|---|---|
| PART | ۲ I   | 4 |
| 1 P  | REFACE  | 4 |
| 1    | 1 ESTABLISHMENT OF THE COMMITTEE  | 4 |
| 1    | 2 MANDATE OF THE COMMITTEE  | 4 |
| 1    | 3 COMMITTEE MEMBERSHIP  | 5 |
| 1    | 4 COMMITTEE SECRETARIAT   | 5 |
| PART | Г II ′  | 7 |
|      | VERVIEW OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT)<br>L (NATIONAL ASSEMBLY BILL NO. 62 OF 2022) |   |
|      | 1 INTRODUCTION  |   |
| PART | C III 8   | 3 |
| 2    | PUBLIC PARTICIPATION/STAKEHOLDERS CONSULTATION  | 3 |
|      | 1 THE INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS OF KENYA (ICPAK)<br>2 NATIONAL TREASURY AND PLANNING          |   |
| PART | C IV 10   | ) |
| 3    | COMMITTEE OBSERVATIONS 10   | ) |
| PART | TV  | l |
| 4    | COMMITTEE RECOMMENDATION11  | l |
| PART | TVI   | 2 |
| 5    | SCHEDULE OF PROPOSED AMENDMENTS 12  | 2 |

Report of the Departmental Committee on Finance and National Planning The consideration of the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 62 of 2022) http://www.parliament.go.ke/the-national-assembly/committees/12/finance-and-planning

1 1 1 1 3

#### CHAIRPERSON'S FOREWORD

This report contains the proceedings of the Departmental Committee on Finance and National Planning on its consideration of the Public Procurement and Asset Disposal (Amendment) (No. 3) Bill (National Assembly Bill No. 62 of 2022). The Bill is sponsored by the Hon. Mejjadonk Benjamin Gathiru, Member of Parliament for Embakasi Central Constituency and was published on 16<sup>th</sup> December, 2022. The Bill went through the First Reading on 8<sup>th</sup> March, 2023 and was thereafter committed to the Departmental Committee on Finance and National Planning pursuant to Standing Order 127.

The Bill has two (2) clauses and seeks to amend the Public Procurement and Asset Disposal Act, 2015 to enhance the amount of tenders where Kenyan citizens are given exclusive preference from the sum of five hundred million shillings to twenty billion shillings. This is to protect Kenyan traders from foreign competitors.

Following the placement of advertisment in the print media requesting for comments on the Bill from the public and relevant stakeholders pursuant to Article 118(1)(b) of the Constitution and Standing Order 127(3), the Committee received two written memoranda from the National Treasury and Planning and the Institute of Certified Public Accountants of Kenya (ICPAK).

The stakeholders' comments on the Bill are contained in Part III of the Report. All the stakeholders' comments were considered while preparing the proposed Committee's amendments and some of the proposals were adopted forming part of the proposed Committee's amendments.

The stakeholders were opposed to the amendment noting that the threshold set will inhibit the participation of private firms that usually contribute to the economy through the public-private partnership framework. They also raised concerns that limiting the participation of foreign tenderers may hinder technological transfer and building local capacity and lock out foreign contractors will negatively affect Kenya's participation as a key player in regional and international trade.

A similar amendment was considered by the Committee in the 12<sup>th</sup> Parliament under the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 62 of 2022) which was published on 16<sup>th</sup> December, 2022. The Committee then, recommended to the House that the two clauses in the Bill be deleted in its entirety. Consequently, the Committee concurs with the recommendations of the Committee in the 12<sup>th</sup> Parliament.

The Committee is grateful to the Offices of the Speaker and Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings. The Committee further wishes to thank Hon. Benjamin Gathiru, MP for sponsoring the Bill and the stakeholders who participated in the consideration of the Bill. Finally, I wish to express my appreciation to the Honorable Members of the Committee who made useful contributions towards the preparation and production of this report.

On behalf of the Departmental Committee on Finance and National Planning and pursuant to provisions of Standing Order 199(6), it is my pleasant privilege and honour to present to this House the Report of the Committee on its consideration of the Public Procurement and Asset Disposal (Amendment) (National Assembly Bill No 62 of 2022 with the recommendation that Clause 2 in the Bill be **DELETED IN ITS ENTIRETY**.

## HON. CPA KURIA KIMANI, MP <u>CHAIRPERSON, DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL</u> <u>PLANNING</u>

Report of the Departmental Committee on Finance and National Planning

## PART I

## 1 PREFACE

## 1.1 ESTABLISHMENT OF THE COMMITTEE

- 1. The Departmental Committee on Finance & National Planning is one of the fifteen Departmental Committees of the National Assembly established under **Standing Order 216** whose mandates pursuant to the **Standing Order 216 (5)** are as follows:
  - i. To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
  - ii. To study the programme and policy objectives of Ministries and departments and the effectiveness of their implementation;
  - iii. To study and review all the legislation referred to it;
  - iv. To study, access and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
  - v. To investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
  - vi. To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order No. 204 (Committee on Appointments);
  - vii. To examine treaties, agreements and conventions;
  - viii. To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation;
  - ix. To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
  - x. To examine any questions raised by Members on a matter within its mandate.

## **1.2 MANDATE OF THE COMMITTEE**

- 2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider, public finance, monetary policies, public debt, financial institutions (excluding those in securities exchange), investment and divestiture policies, pricing policies, banking, insurance, population revenue policies including taxation and national planning and development.
- 3. In executing its mandate, the Committee oversees the following government Ministries and departments:
  - i. The National Treasury
  - ii. State Department for Economic Planning
  - iii. Commission on Revenue Allocation
  - iv. Office of the Controller of Budget

Report of the Departmental Committee on Finance and National Planning

The consideration of the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 62 of 2022) http://www.parliament.go.ke/the-national-assembly/committees/12/finance-and-planning PAGE 1/13

#### **1.3 COMMITTEE MEMBERSHIP**

4. The Departmental Committee on Finance and National Planning was constituted by the House in October , 2022 and comprises the following Members:

Chairperson Hon. CPA. Kuria Kimani, MP Molo Constituency <u>UDA Party</u>

Vice-Chairperson Hon. Amb. CPA. Benjamin Langat, CBS, MP Ainamoi Constituency <u>UDA Party</u>

Hon. Adan Keynan, MP Eldas Constituency Jubilee Party

Hon. David Mboni, MP Kitui Rural Constituency <u>Wiper Party</u>

Hon. Joseph Kipkoros Makilap, MP Baringo North Constituency <u>UDA Party</u>

Hon. CPA Julius Rutto, MP Kesses Constituency <u>UDA Party</u>

Hon. Paul Biego, MP Chesumei Constituency <u>UDA Party</u>

Hon. Dr. John Ariko, MP Turkana South Constituency **ODM Party** 

Hon. George Sunkuya, MP Kajiado West Constituency <u>UDA Party</u> Hon Andrew A. Okuome, MP Karachuonyo Constituency <u>ODM Party</u>

Hon. CPA Joseph Oyula, MP Butula Constituency <u>ODM Party</u>

Hon. Umul Ker Kassim, MP Mandera County <u>UDM Party</u>

Hon. Shadrack Ithinji, MP South Imenti Constituency Jubilee Party

Hon. Joseph Munyoro, MP Kigumo Constituency <u>UDA Party</u>

Hon. Mohamed Machele, MP Mvita Constituency <u>ODM Party</u>

Report of the Departmental Committee on Finance and National Planning

The consideration of the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 62 of 2022) http://www.parliament.go.ke/the-national-assembly/committees/12/finance-and-planning

PAGE 5/13

## **1.4 COMMITTEE SECRETARIAT**

5. The Committee is facilitated by the following staff

Mr. Benjamin Magut Principal Clerk Assistant /Head of Secretariat

Ms. Jeniffer Ndeto Deputy Director, Legal Services

Mr. Nebert Ekai Clerk Assistant II

Mr. George Ndenjeshe Fiscal Analyst III

Mr. Andrew Jumanne Shangarai Principal Serjeant-At-Arms

Ms. Shamsa A. Abdi Research Officer III

Ms Joyce Wachera Hansard Officer III

Mr. James Macharia Media Relation Officer Mr. Salem Lorot Legal Counsel I

Mr. Benson Kamande Clerk Assistant III

Ms. Terry Ondiko Fiscal Analyst III

Mr. Simon O. Ouko Assistant Serjeant-At-Arms

Ms. Nelly W. N Ondieki Research Officer III

Ms Benson Muchiri Audio Officer II

Report of the Departmental Committee on Finance and National Planning

#### PART II

## 2 OVERVIEW OF THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 62 OF 2022)

## **2.1 INTRODUCTION**

6. The main principle object of the Bill is to amend the Public Procurement and Asset Disposal Act, 2015 to enhance the amount for tenders where Kenyan citizens are given exclusive preference from the sum of five hundred million shillings to twenty billion shillings. This is to protect Kenyan traders from foreign competitors.

### 2.2 ANALYSIS OF THE BILL

The Bill proposes the following amendments:

- 7. Clauses 1 of the Bill provide for the short title.
- 8. Clauses 2 of the Bill increase the amount for exclusive preference of tenderers for Kenyans from five hundred million shillings to twenty billion shillings.
- 9. The Bill does not limit any fundamental rights and freedoms as provided under the Constitution.
- 10. The Bill affects the functions of county governments and is therefore a Bill concerning county governments for purposes of the Standing Orders.
- 11. Enactment of this Bill shall not occasion additional expenditure of public funds to be provided for through the annual estimates.

Report of the Departmental Committee on Finance and National Planning

## PART III

## 2 PUBLIC PARTICIPATION/STAKEHOLDERS CONSULTATION

- 12. Following the call for memoranda from the public through the placement of adverts in the print media, the Committee received memoranda from the following stakeholders:
  - i. Institute of Certified Public Accountants of Kenya (ICPAK)
  - ii. National Treasury and Planning

The stakeholders submitted as follows:

## 3.1 THE INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS OF KENYA (ICPAK)

In the Institute's memorandum, the CEO, Dr. Grace Kamau, submitted as follows on the Bill:

- 13. The increment margin of exclusive preference from five hundred million shillings to twenty billion shillings is too high. Whereas the threshold set will enhance the eligibility of local firms and contractors in promoting the growth of the SME sector, it has the risk of completely excluding foreign firms from participating in procurement thus inhibiting foreign investment in Kenya.
- 14. In addition, they submitted that the threshold set will inhibit the participation of private firms that usually contribute to the economy through Public Private Partnership frameworks. They also raised concerns about the capacity of citizen contractors and tenderers to adequately provide the necessary services that require specialized skills that the market space demands.
- 15. They proposed that the Bill should be amended by reducing the threshold of exclusive preference from twenty billion to five billion shillings.

## Committee's decision The Committee noted ICPAK's concerns and resolved to delete the proposed amendment.

## 3.2 NATIONAL TREASURY AND PLANNING

Through a written submission dated 23<sup>rd</sup> May, 2023, the National Treasury, submitted that:

- 16. The amendment implies that the Cabinet Secretary shall set thresholds of above KSh. 20 billion for citizen contractors (firms wholly owned and controlled by Kenyan citizens). This will lock out local contractors (firms registered in Kenya with above 51% Kenyan shareholding) and foreign contractors (firms owned by foreign Nationals).
- 17. The proposed amendment will limit competition to citizen contractors hence the loss of benefits that accrue from international competition which includes increased prices for projects. Further, there is an inadequate capacity of citizen contractors to deliver quality complex projects promptly.
- 18. If procurements of KSh. 20 billion are reserved for local contractors, foreign bidders and local contractors will be locked out leading to capital flight, decline in direct investments and relocation of businesses to other countries. Limiting the participation of foreign tenderers may hinder technological transfer and building local capacity.

Report of the Departmental Committee on Finance and National Planning

The consideration of the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 62 of 2022) http://www.parliament.go.ke/the-national-assembly/committees/12/finance-and-planning PAGE 8/13

- 19. Additionally, locking out foreign contractors will negatively affect Kenya's participation as a key player in regional and international trade. Further, it may create room for laxity among citizen contractors due to poor quality of projects which will in the long run outweigh the intended benefits.
- 20. Arising from the above reasons, there is a need to assess the existing thresholds and evaluate if citizen contractors have the requisite capacity to handle tenders of that amount and increase gradually through prescribing in the Regulations.
- 21. The threshold for the exclusive preference given to citizen contractors is prescribed in Regulation 163 of the Public Procurement and Disposal Regulations 2020 as follows: (i) One billion shillings for procurements in respect of works, construction materials and other materials which are made in Kenya; and (ii) five hundred million shillings for procurements in respect of goods and services.

#### **Committee's decision**

The Committee agreed with the National Treasury's proposed amendment.

Report of the Departmental Committee on Finance and National Planning

The consideration of the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 62 of 2022) http://www.parliament.go.ke/the-national-assembly/committees/12/finance-and-planning

PAGE 9/13

#### PART IV

#### **3 COMMITTEE OBSERVATIONS**

22. In considering the Bill, the Committee observed as follows:

- (i) The proposed amendment will raise the threshold for exclusive preference from five hundred million shillings to twenty billion shillings;
- (ii) The leap from five hundred million shillings to twenty billion shillings is too huge i.e. 40 times more. The increase should be gradual; and
- (iii) Very few Kenyan contractors can execute tenders worth twenty billion shillings. This will therefore mean that tenders worth the amount will be reserved for the few Kenyans who can afford them.

Report of the Departmental Committee on Finance and National Planning

#### 4 COMMITTEE RECOMMENDATION

23. The Committee having considered the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 62 of 2022) recommends to the House that Clause 2 in the Bill be **DELETED IN ITS ENTIRETY**.

Report of the Departmental Committee on Finance and National Planning

The consideration of the Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 62 of 2022) http://www.parliament.go.ke/the-national-assembly/committees/12/finance-and-planning PAGE 11/13

#### PART VI

#### 5 SCHEDULE OF PROPOSED AMENDMENTS

24. The Committee proposed the following amendments to be considered by the House in the Committee Stage:

25. Clause 2: Delete

#### Justification

The increase from five hundred million shillings is too huge. Additionally, very few Kenyans can execute contracts worth twenty billion shillings. This means that such tenders will only be reserved for a few contractors.

SIGNED ...

October, 2023 ..... DATE.

HON. CPA KURIA KIMANI, MP CHAIRPERSON DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING

Report of the Departmental Committee on Finance and National Planning

## MINUTES OF THE 80<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING HELD ON TUESDASY 3<sup>RD</sup> OCTOBER 2023 IN HILTON GARDEN INN HOTEL, MACHAKOS COUNTY AT 10.00 AM

### PRESENT

- 1. Hon. CPA. Kuria Kimani, MP
- 2. Hon. Amb. Benjamin Kipkirui Langat, MP
- 3. Hon. Adan Keynan Wehliye, MP
- 4. Hon. Andrew Adipo Okuome, MP
- 5. Hon. CPA. Joseph Maero Oyula, MP
- 6. Hon. George Sunkuiya Risa, MP
- 7. Hon. Joseph Kamau Munyoro, MP
- 8. Hon. Joseph Makilap Kipkoros, MP
- 9. Hon. CPA. Julius Kipletting Ruto, MP
- 10. Hon. Mohamed Soud Machele, MP
- 11. Hon. Dr. Shadrack Mwiti Ithinji, MP
- 12. Hon. Paul Kibichiy Biego, MP
- 13. Hon. (Dr.) John Ariko Namoit, MP
- 14. Hon. Umul Ker Sheikh Kassim, MP

### ABSENT WITH APOLOGY

1. Hon. David Mwalika Mboni, MP

### SECRETARIAT

| 1. | Mr. Benjamin Magut | - | Principal Clerk Assistant II |
|----|--------------------|---|------------------------------|
| 2. | Mr. Nebert Ikai    | - | Clerk Assistant I            |
| 3. | Mr. Salim Lorot    | - | Legal Counsel I              |
| 4. | Mr. Benson Kamande | - | Clerk Assistant III          |
| 5. | Ms. Nelly Ondieki  | - | Research Officer             |
| 6. | Mr. Simon Ouko     | - | Serjeant-At-Arms             |
| 7. | Mr. Alfas Mulunda  | - | Intern                       |
| 8. | Ms. Charity Zawadi | - | Intern                       |
|    | ·                  |   |                              |

#### MIN. NO.296/2023: PRELIMINARIES

The meeting was called to order at Ten Minutes past Ten O'clock followed by introductions and a word of prayer.

## MIN. NO. 297/2023: <u>CONFIRMATION OF MINUTES OF THE PREVIOUS</u> <u>MEETING</u>

Confirmations of the minutes of the previous sittings were deferred to the next meeting

- Chairperson
- Vice- Chairperson

## MIN NO. 298/2023: <u>CONSIDERATION AND ADOPTION OF THE REPORT ON THE</u> <u>EQUALISATION FUND BILL (NATIONAL ASSEMBLY BILL NO.</u> <u>47 OF 2022)</u>

The Committee considered the Equalization Fund Bill (National Assembly Bill No. 47 of 2022) sponsored by Hon Kamket Kasait, MP Clause by Clause. Further the Committee considered the schedule of the amendments and resolved as follows: –

Clause 7(c) – The Committee agreed and adopted the proposed amendment

Clause 10 – The Committee agreed and adopted the proposed amendment. The Committee further proposed removal of the phrase "in consultation with the County Government" in clause 10 (d)

Clause 11 - The Committee agreed and adopted the proposed amendment

Clause 14 - The Committee agreed and adopted the proposed amendment

**Clause 16** – the Committee recommended deletion of the proposed amendment and proposed retaining the Clause as it is in the Bill

Clause 17 – the Committee recommended deletion of the proposed amendment and proposed retaining the Clause as it is in the Bill

Clause 20 – the Committee recommended deletion of the proposed amendment and proposed retaining the Clause as it is in the Bill

Clause 34 - The Committee agreed to the proposed amendment

Clause 40 - The Committee agreed to the proposed amendment

## **Adoption**

The Committee unanimously adopted the report on the Equalization Fund Bill (National Assembly Bill No. 47 of 2022) having been proposed by Hon. (Dr.) John Ariko Namoit, MP and seconded by Hon. Andrew Adipo Okuome, MP.

## MIN NO. 299/2023: <u>CONSIDERATION AND ADOPTION OF THE REPORT ON THE</u> <u>PUBLIC PROCUREMENT AND ASSET DISPOSAL</u> (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 62 OF 2022)

The Committee considered the Public Procurement and Asset Disposal Act (Amendment) Bill (National Assembly Bill No. 62 of 2022) sponsored by Hon Mejjadonk Benjamin Gathiru, MP Clause by Clause and made the following observations.

- a) The proposed amendment will raise the threshold for exclusive preference from five hundred million shillings to twenty billion shillings;
- b) The leap from five hundred shilling to twenty billion shilling is too huge i.e 40 times more. The increase should be gradual; And

c) Very few Kenyan contractors can execute tenders worth twenty billion shillings. This will therefore mean that tenders worth the amount will be reserved for the few Kenyans who can afford them.

The Committee having considered the Public Procurement and Asset Disposal Act (Amendment) Bill (National Assembly Bill No. 62 of 2022) recommends to the house that Clause 2 in the Bill be deleted in its entirety.

## **Adoption**

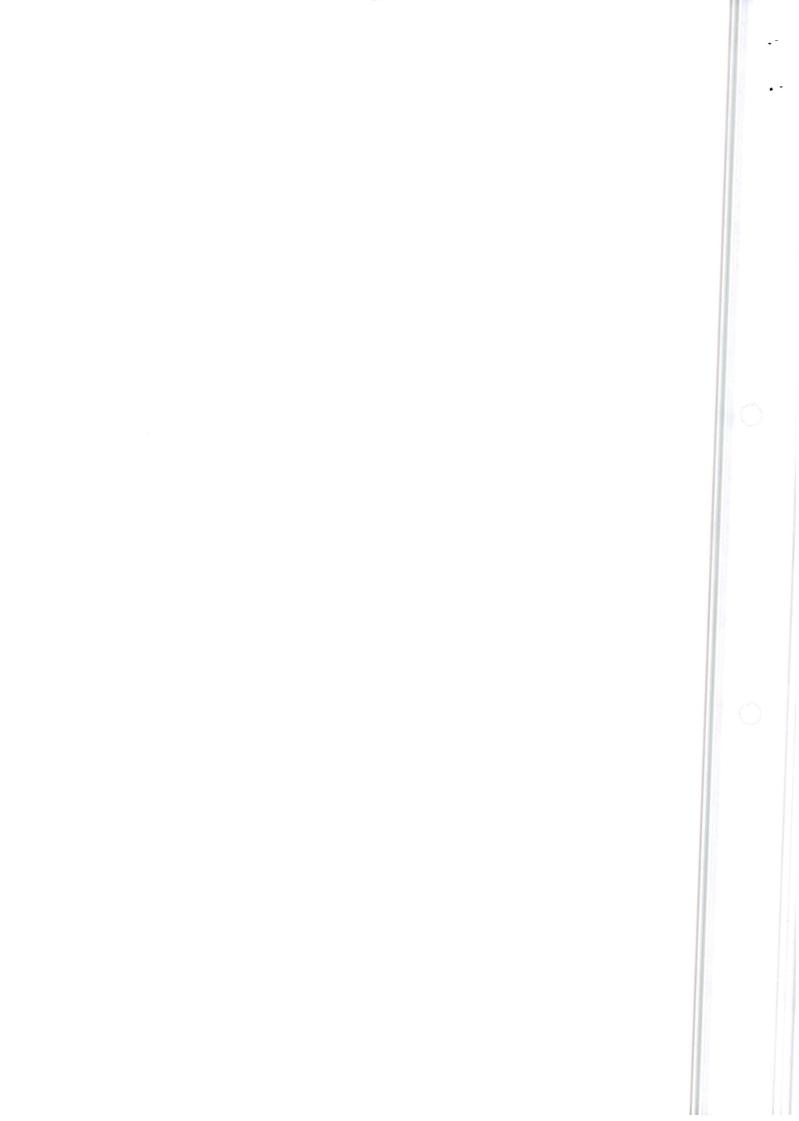
The Committee unanimously adopted the report on the Public Procurement and Asset Disposal Act (Amendment) Bill (National Assembly Bill No. 62 of 2022) having been proposed by Mohamed Soud Machele, MP and seconded by Hon. CPA. Julius Kipletting Ruto, MP.

## MIN. NO. 300/2023: ANY OTHER BUSINESS / ADJOURNMENT

There being no other business, the meeting was adjourned at Thirty minutes past One O'clock. The next meeting will be held on 3<sup>rd</sup> October, 2023 at 2. 30pm in the same venue.

Signed.... Chairperson

Date 4th October, 2023





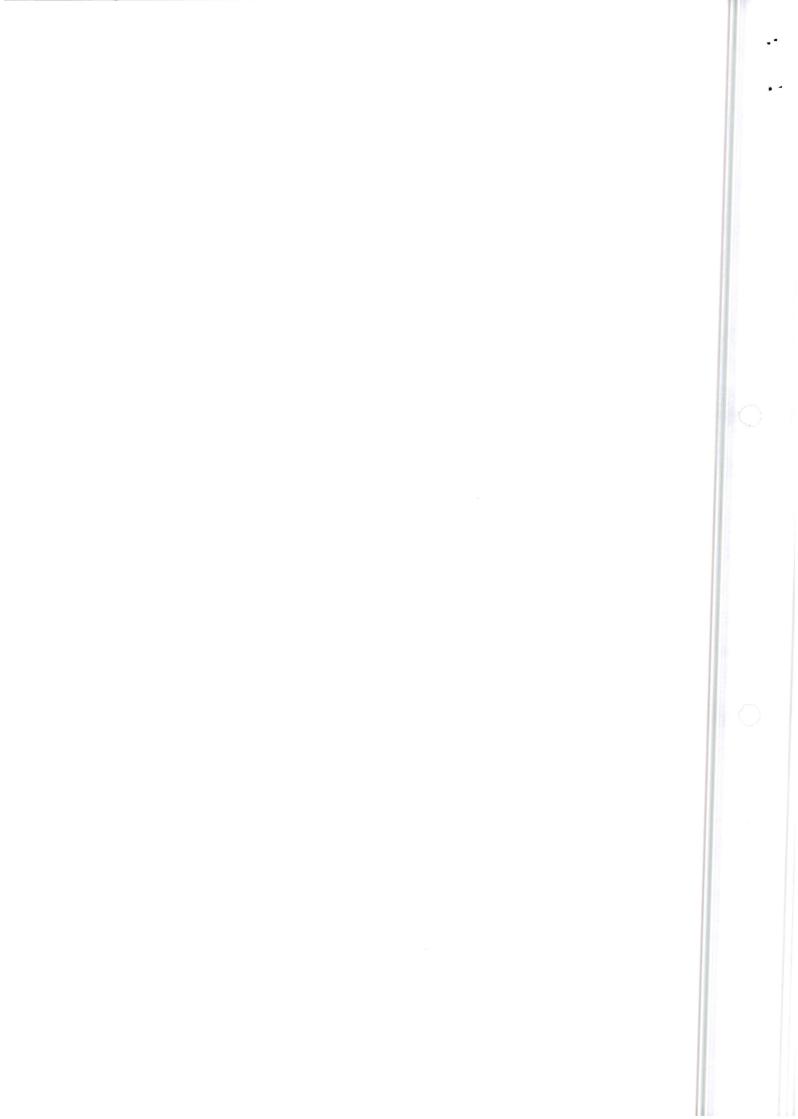
## THE NATIONAL ASSEMBLY 13TH PARLIAMENT - SECOND SESSION (2023) COMMITTEE ON FINANCE & NATIONAL PLANNING ADOPTION LIST

Date: 8 0 2023

Venue: HILTON GARDEN INN

## AGENDA:

| ADI | AMENDMEND RILL INFORMAL ASSEMBLE                               | NT AND ASSET DISPOSAL |
|-----|--|-----------------------|
| No. | NAME   | SIGNATURE             |
| 1.  | Hon. (CPA). Kuria Kimani, MP - Chairperson                     | Inthe 1               |
| 2.  | Hon. (Amb). Benjamin Kipkirui Langat, MP – Vice<br>Chairperson | $\gamma$              |
| 3.  | Hon. Dr. Adan Keynan Wehliye, MP                               | Λ Ι                   |
| 4.  | Hon. George Sunkuyia Risa, MP                                  | Guint                 |
| 5.  | Hon. (CPA) Joseph Maero Oyula, MP                              |                       |
| 6.  | Hon. Andrew Adipo Okuome, MP                                   | Ane                   |
| 7.  | Hon. David Mwalika Mboni, MP                                   |                       |
| 8.  | Hon. Joseph Makilap Kipkoros, MP                               | most                  |
| 9.  | Hon. Joseph Kamau Munyoro, MP                                  | APAPPH:               |
| 10. | Hon. (CPA) Julius Kipletting Rutto, MP                         |                       |
| 11. | Hon. Paul Kibichiy Biego, MP                                   |                       |
| 12. | Hon. Umul Ker Sheikh Kassim, MP                                |                       |
| 13. | Hon. Dr. Shadrack Mwiti Ithinji, MP                            | ·                     |
| 14. | Hon. Dr. John Ariko Namoit, MP                                 | Come .                |
| 15. | Hon. Mohamed Soud Machele, MP                                  |                       |
|     |  |                       |



**KENYA PIPELINE COMPANY LIMITED** Africa's Premier Oil & Gas Company



**KENPIPE PLAZA** 

ADVERTISEMENT OF A VACANCY

The Kenya Pipeline Company (KPC) Limited is a State Corporation established under the Companies Act (CAP 486) of the Laws of Kenya to provide efficient, reliable, safe and cost effective means of transporting quality oil and gas from source to the customer.

Pursuant to this objective, the Company is seeking to recruit a highly motivated visionary, amic and results oriented candidate to fill the undermentioned vacant position.

| 1 | Position                              | Job Ref No.      | Grade<br>KPC | No. of<br>Posts | Terms of<br>Appointment |
|---|---------------------------------------|------------------|--------------|-----------------|-------------------------|
| 1 | General Manager (HR & Administration) | KPC/ADVT/07/2023 | 2            | 1               | 5-year Contract         |

#### APPLICATION REQUIREMENTS

candidates are requested to visit the KPC website www.kpc.co.ke under the Career Opportunities section where the Job Description and Specification as well as the User Manual containing instructions on how to apply for the position have been posted.

plications should be received not later than midnight EAT on 30th March 2023.

Only the candidate offered employment shall be required to present the following clearance

- certificates: A valid Certificate of Good Conduct from the Directorate of Criminal investigations (i)
- (ii)
- A valid Clearance Certificate from Higher Education Loans Board (HELB) A valid Tax Compliance Certificate from Kenya Revenue Authority (KRA) (iii)
- A current Clearance from the Ethics & Anti-corruption Authority (EACC)

www.kpc.co.ke 💿 @kenyapipeline 🕧 Kenya Pipeline Company

A current Report from an approved Credit Reference Bureau (CRB)

Kenya Pipeline Company is an equal opportunity employer committed to diversity and gender equality. Women and persons with disability are encouraged to apply. Please note that, only shortlisted candidates will be contacted. Any form of canvassing will lead to automatic disgualification.



**COUNTY GOVERNMENT OF MURANG'A** 000 CERP TENDER NOTICE - COMMUNITY PROJECTS Irungu Kangata through his manifesto promised to implement community projects with an object of pro-th for traders and provision of safe clean water. To effectively and efficiently realize the said objectives he Muranga County government hereby invites sealed bids as indicated below; ing good ani 
 Image: Standbarded below;
 Project Disortigation

 Mail: Transfer Min
 Project Disortigation

 Project Disortigation
 Project Disortigation

<t embers. The Muranga C No. Tonder No. Project Description OPOSED GRADING & GRAVELLING OF GICICI-NIOGU, CUGU - KARIGA; KAGOGO-NYAGA ROAD-No. MCG/197/ 2022-2023 2022-2023 KAMANGO, CUO MANAR, AUGUST MARINE, AUGUST MICATIBIZ HALLANDINI WARD MICATIBIZ PROPOSED GRADING & GRAVELLING WORKS OF MAKUTI-2022-2023 KIRUTHI-GALADULBOAD - MURUKA WARD MICATIBIZ PROPOSED GRADING & GRAVELLING WORKS OF KARIUA 2022/2023 3 2022-2023 POLICE POST ROAD - GAICHANIRU WARD MCG/200/ PROPOSED SUPPLY OF PIPES FOR MUGUMOINI WATER 2022-2023 PROJECT - GAICHAN IRU WARD 2022/2023 PROFOSED SUPPLY OF THE WARD PROJECT - CANCHAN IRU WARD PROPOSED GRADING& GRAVELLING WORKS OF PROPOSED GRADING& GRAVELLING WORKS OF MCG/201/ 2022-2023 RURII-THAARA CATHOLIC CHURCH ROAD, SIRANGA-MUTHARATA-NYATI PRY SCH ROAD – KAMAHUHA W PROPOSED GRADING & GRAVELLING WORKS OF FROPOSID DIAMARAT TUMAN V INDER ANNO VIEW ANNO MCG/202/ MCG/226/ 2022/2023 7014-6/203/ MUHULA-STADE HAD - MUGURU WARD PROPOSED GRADING & GRAVELLING WORKS OF PST. PROPOSED GRADING & GRAVELLING WORKS OF PST. 7018-22-2023 PRUS MULIKU KUALI A KAUMAO IRIUMIN KAUS WARD PROPOSED GRADING & GRAVELLING WORKS OF NIDRA, GATHANII A, KA-MUKURU KAGURUMO -GICHICHI – KIANGARI-INI, IRICIRO MACHENGO ACCESS ROADS – GACHAKI FOOTBRIDGE – RUCHU WARD PROPOSED SUPPLY OF PIPES FOR MANEHE-GATHUKII – MUCHAGATHA & GATUMBI – ITHIRU WATER PROJECT 1217021-32 MCG/228/ 2022-2023 - MUCHAGATHA & GATUMBI - ITHIRU WATER PROJECT. - KINYONA WARD DEOPODSED WATER PIPE EXTENSION & CONSTRUCTION MCG/205/ GATHANJI A, KA-MUKURU KAGURUMU - URUTINUMI - KIANGARI-INI, IRIGIRO MACHENGO ACCESS ROADS -MUTHITHI WARD PROPOSED OPENING & GRADING OF ACCESS ROADS -33 MCG/2cs/ 2022-2023-MCG/230/ OF WATER KIOSKS AT MIHANGO AREA. - KAMBITI.WA PROPOSED OPENING OF ACCESS ROADS - KINYONA 2022/202 10 2022/2023 MCG/230/ PROPOSED OPENING UP ACLESS HUMAN 4 2022-2023 (VAR) MCG/230/ PROPOSED SUPPLY & INSTALLATION OF CULVERT – 35 2022-2023 (MALION WAR) MCG/230/ PROPOSED GRADING & GRAVELLING WORKS OF GACHU 36 MCG/230/ - BOHANO - GIKANDU RY & GAITEGA PRY ACCESS 2022-2023 MC0/201/ ITHANGA WARD 2022/2023 -GITUGI - KAMBARA ACCESS ROAD - GITUGI WARD PROPOSED GRADING & GRAVELLING WORKS OF CITURI INGURI SEC. SCIL-GITHUNGURI SUBCHIEF CAMP 1217032-MCG/208/ PROPOSED GRADINU & UNIVELLING UNI SUBCHIEF CAMP ROAD - KAGUNOUINI WARD PROPOSED GRADING & GRAVELLING WORKS OF KIENI PROPOSED GRADING & GRAVELLING WORKS OF KIENI MUNICA - KARDING - UNIRU-INI ACCLSS ROAD - BOHANG - WIRNESS ROADS - MBIRI WARD PROPOSED GRADING & GRAVELLLING WORKS OF 121 37 MCG/233/ 2022-2023 THIRU WARD PROPOSED GRADING & GRAVELLING 14 MCG/210/ 2022-2023 KIRU WARD PROPOSED G RADING & GRAVELLING WORKS OF ICT RIANDEGWA PRIMARY SCHOOL ACCESS RIA WA KIAMUNU-KIANIERERI ACCESS ROAD - NG'ARA 38 MCG/234/ 2022-2023 ROAD - KAGUNDU-INI WARD PROPOSED GRADING & GRAVELLING WORKS OF KAHUN MALJUTU 2022-2023 MIRRANDO YABO MIRRANDO XVBO X002220 POST DI REVOLUCIÓN DE CONTROLO DE CONTROLO X002200 X0000 XVBO X00220 NICRA BEIDO EL TACCESS ROAD - KARUMBU WARD X0022 XVBO XVBO X00220 NICRA BEIDO EL TACCESS ROAD - KARUMBU WARD X00220 XVBO X00220 XVBO X0020 XV 15 MCG/211/ DUZ-2002 IDDD - KARUNDURUUM WAR MCC2357 IPDOSE GRANNE KARVELING WORKS OF KARUN 2022-2023 - KYAUME ACCESS ROAD - KARUNN MCG/236 IPDOSEG GRANNE & RARVELING WORKS OF MCG/236 IPDOSEG GRANNE & RARVELING WORKS OF MCG/237 IPDOSEG GRANNE & RARVELING WORKS OF NDIA MCG/237 IPDOSEG GRANNE RARVELING RARVELING WORKS OF NDIA MCG/237 IPDOSEG GRANNE RARVELING WORKS OF NDIA MCG/237 IPDOSEG RARVELING RARVELING RA 39 1217775-40 PROPOSED GRADING & GRAVELLING WORKS OF KIRUNUC ROAD, KIENDWA ROAD & KIGORU ROAD – NGINDA WARD, TROPOSED COMPLETION OF KABUTA SHOPING CENTER 41 2022-2023 CICHIBU ACCESS ROAD\_KIHUMBU-INI WARD 2022-2023 CICHIBU ACCESS ROAD\_KIHUMBU-INI WARD 42 MCG/238/ PROPOSED CONSTRUCTION OF KIANGAGE DISPENSARY-2022/2023 TOV/NSHIE WARD TOILET BLOCK, AND CON 18 MCG/214/ IAIAMURI, UIITWA - KIAMBUGI, KIKONGO - KABUTA & KIBUU - JUMBI ACCESS FOOTBRIOGE - GATURI WARO, IPROPOSEO GRADING & GRAVELLING OF ST MARY - FIROZA - KAMUNANDANI - KARICHIUNGU ACCESS ROAD. bidders may examine and obtain detailed tender d m our website www.muranga.go.ke and also the pu n web-portal https://tenders.go.ke/website 1217058ts free of 19 MCG/215/ 2022-2023 -KAMUNANDAINI - KARICHIUNGU ACCESS ROAD. -TOWNSHIP WARD. DROEDSED CONSTRUCTION OF KIANGOMA E.C.D.E charge fro ation web-potal https://tenders.go.kd/webite ders must be submitted through thei fMIS supplier portal and two hard copies indet a tende documents enclosed in plain sesiale documents and with name and reference number should be deposited in the tender box located Marang's County Government Headquarter Offices, ground floor on or before esday 29°March, 2023 at 10.00 a.m. 20 MCG/216/ PROPOSED CONSTRUCTION OF MANDOWA CAMP 2022-2023 CLASSROOM - NGINDA WARD 1217065- PROPOSED CABRO WORKS AT KIRWARA SHOPPING 2022/202 All to 2022/2023 2022/2023 CENTER - GATANGA WARD MCG/218/ PROPOSED CONSTRUCTION OF MATERNITY WARD AT 22 WAHUNDURA DISFENSARY - KAMACHARIA WARD PROPOSED CONSTRUCTION OF 2 NO BODABODA SI THAT DISULTS AND ALL A 217727-23 MCG/219/ 2022-2023 NB- No hidder will be awarded more than two tenders Tenders will be opened immediately thereafter in the pres representatives who wish to attend. oce of bidders or their MCG /220/ 2022-2023 JCTION OF MATHARITE WEIGHING SHED, AN UCTION OF A TOILET BLOCK AT MURARANDI 25 WGG7221/ 25 WGG7221/ 26 WGG7221/ 26 WGG7221/ 2022-2023 MUGUMDINI WAPO using & Infrastructure 1217741-Chief Officer- Roads, Housin FOR: COUNTY SECRETARY



9

#### THE NATIONAL ASSEMBLY 13<sup>™</sup> PARLIAMENT - SECOND SESSION

In the Matter of Article 118(1) (b) of the Constitution

- and In the Matter of Consideration by the National Assembly of:-
- The Penal Code (Amendment) Bill (National Assembly Bill No. 56 of 2022);
- 1. The Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 62 2. of 2022);
- The Public Service Internship Bill (National Assembly Bill No. 63 Of 2022); and 3. The National Rating Bill (National Assembly Bill No. 55 of 2022) And further 4.
- In the Matter of Articles 2(5) & (6) and 118 (1) (b) of the Constitution and Section 8 of the Treaty Making and Ratification Act, 2012

And In the Matter of Consideration by the National Assembly of the Minamata Convention on Mercury

# PUBLIC PARTICIPATION (SUBMISSION OF MEMORANDA)

#### BILLS A.

The Clerk of the National Assembly hereby invites members of the public and relevant stakeholders to submit memoranda on the Bills listed below pursuant to Article 118(1) (b) of the Constitution and Standing Order 127(3) of the National Assembly nding Orders.

- The Penal Code (Amendment) Bill (National Assembly Bill No. 56 of 2022) sponsored by Hon. David Gikaria, M.P. (Nakuru Town East).
- The principal object of the Bill is to amend the Penal Code Cap. 63 by repealing section 182 which prescribes the offence of idle and disorderly persons. The law enforcers have often used section 182 to harass innocent members of the public.
- The Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 62 of 2022) sponsored by Hon. Benjamin Gathiru Mejjadonk, M.P. (Embakasi Central).
- The principal objective of the Bill is to amend the Public Procurement and Asset Disposal Act, 2015 to enhance the amount for tenders where Kenya citizens are given exclusive preference from the sum of five hundred million shillings to twenty billion shillings. This is to protect the Kenyan traders from foreign competitors.
- The Public Service Internship Bill (National Assembly Bill No. 63 Of 2022); Sponsored by Hon. Naisula Lesuuda, M.P. (Samburu West). 3
- This is a Bill for an act of Parliament to make provision for internship of college and university graduates in the public sector, to provide hands-on training and acquisition of skills by graduates and for connected purposes. The National Rating Bill (National Assembly Bill No. 55 of 2022) sponsored by Hon. Kimani Ichung wah, MP (Leader of the Majority Party).
- This is a Bill for an Act of Parliament to provide for comprehensive framework for Imposition of rates on land and buildings by county governments; to provide for then voluation of reteable property; to provide for the appointment and powers of valuers; to provide for the establishment, powers and functions of the National Rating Tribunal and for connected purposes.

The Bills were Read a First Time on Wednesday, 8<sup>th</sup> March, 2023 and Pursuant to Standing Order 127(1), committed to Departmental Committees of the National Assembly as set out in the schedule hereunder. –

| S | CH | IF | nII | I F |
|---|----|----|-----|-----|

| No. | Bill   | Committee                     |
|-----|--|-------------------------------|
| 1.  | The Penal Code (Amendment) Bill (National Assembly Bill No. 56 of 2022)                            | Justice and Legal Affairs     |
| 2.  | The Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 62 Of 2022) | Finance and National Planning |
| 3   | The Public Service Internship Bill (National Assembly Bill No. 63 Of 2022)                         | Labour                        |
| 4.  | The National Rating Bill (National Assembly Bill No. 55 of 2022)                                   | Lands                         |

Copies of the Bills are available at the National Assembly Table Office, or on www.parliament.go.ke/the-national-assembly/ house-business/bills

#### CONVENTION

The Minamata Convention on Mercury was submitted to the National Assembly on 23<sup>ed</sup> February, 2023 and subsequently The mannate convention on reacting was sourcited to the reaction accessing of the reacting could an sourced any committed to the Departmental Committee on Environment, Forestry and Mining for consideration and reporting to the House in accordance with Section 8 of the Treaty Making and Ratification Act, 2012,

The Minamata Convention on Mercury seeks to protect human health and the environment from anthropogenic emissions and releases of mercury and its compounds

Pursuant to Articles 2(5) & (6) and 118 (1)(b) of the Constitution, the Departmental Committee on Environment, Forestry and Mining invites members of the public and relevant stakeholders to submit memoranda they may have on the Minamata Convention on Mercury.

The full text of the Minamata Convention on Mercury and its accompanying Memorandum to Parliament may be accessed at www.parliament.go.ke-

The memoranda should be addressed to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-The memoranda should be addressed to the there of the headback research, the back to be the delivered to the Office of the Clerk, Main Parliament Buildings, Nairobi; or emailed to <u>cna@parliament.go.ke</u>; to be received on or before Wednesday, 22<sup>ed</sup> March 2023 at 5.00 p.m.

> SAMUEL NJOROGE CLERK OF THE NATIONAL ASSEMBLY 16th March, 2023

"For the Welfare of Society and the just Government of the People"

