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TO

SECTION 157(14) OF PUBLIC PROCUREMENT AND ASSET DISPOSAL ACT 2015

BY

THE PUBLIC PROCUREMENT REGULATORY AUTHORITY

ON

PERFORMANCE OF THE SPECIAL GROUPS (YOUTH WOMEN AND PERSONS WITH DISABILITY)

UNDER

THE THIRTY PERCENT (30%) PREFERENCE & RESERVATION SCHEME FOR THE JANUARY-JUNE, 2023 REPORTING PERIOD BEING THE FIRST-HALF OF THE 2022/2023 FINANCIAL YEAR

THE NATIONAL ASSEMBLY
PAPERS LAID
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ABBREVIATIONS AND ACCRONYMS

AGPO- Access to Government Procurement Entities

PEs – Procuring Entities

PPRA- Public Procurement Regulatory Authority

PWDs – Persons with Disabilities

SAGAs- State Corporations and Semi-Autonomous Government Agencies

[illegible]UTIVE SUMMARY

[illegible] report is prepared [illegible] (4) which provides [illegible] Provided that a procuring entity shall not [illegible] for every six months [illegible] consideration by the [illegible] be responsible for equalization of opportunities for youth, women and persons with disability, which report shall contain details of the procurement [illegible] and how they have complied with the provisions of this section.

Procuring entities that reported, they cumulatively planned to spend Kshs. **230,500,599,928.10** on goods, works and services in last Financial Year 2022/2023. Of this amount, Kshs. **41,861,522,710.92** was reserved for procurement of goods, works and services from firms owned by youth, women and PWDs. This represents a paltry average reservation of **18.16%** of the cumulative planned annual procurement spend. This implies that **11.84%** of the annual procurement budget was not reserved to the deserving groups as required by the PPAD Law. **County Governments category of procuring entities reserved the most at 33.45% of their annual procurement budget while state corporations reserved the least at 14.87%.**

A total of **174** procuring entities reported on contract awards to firms owned by women, youth and persons with disability. Women were awarded the highest quantity of contracts at 1,694 while PWDs were awarded the least No. of contacts at 506. The Youth were in between at 1,270 contracts. Further, procuring entities awarded a cumulative amount of **Kshs. 8,526,918,243,** where state corporations awarded the highest value at **Kshs. 6,555,383,332.00** while county assemblies awarded the least at **Kshs. 96,583,649.00.**

Procuring entities absorbed **10.68 %** of the reserved procurement spend of **Kshs. 42,495,405,004.26** during the reporting period. Ministries and State Departments absorbed the highest reserved amount at **27.91%** at **KShs. 275,481,151.10** with Universities, Colleges, Polytechnics and Technical Institutions absorbing the least amount of **Ksh. 13,797,558.00** out of **Ksh. 1,565,625,685.61** (0.88%) absorption rate.

In the last two reporting years (from July, 2021-June 2023), there has been an increase in the value of annual procurement budget from **KShs. 182,869,545,859.62** to **KShs. 327,606,540,263.61** which is equivalent to 44.18% increase.On the other hand, this reporting year records a decrease in the reserved procurement spend from **KShs. 177,821,857,621.94** to **KShs. 86,616,895,071.46.** This is equivalent to **51.29%** reduction of procurement spend for enterprises owned by Youth, Women and Persons With Disability.

It is noteworthy that the absorption rate for the previous Financial Year 2021/2022 was **97.24%,** while the current year under review dropped to a paltry **26.43% of the amount reserved for target groups.** This translates to gross non-compliance by procuring entities on the requirement to reserve procurements to the [illegible] groups.

On cumulative quantity of contract awards, for the last two years, procuring entities submitted reports awarding a total of **32,651** contracts to Youth, Women and PWDs during the Financial Year 2021/2022, while only **6,215** contracts were awarded in the subsequent Financial Year 2022/2023. This a sharp reduction of quantity of contract awards to the target groups.

In terms of value of contract awards, target groups were awarded a total of **KShs. 34,262,402919.97** worth of contracts during FY 2021/2022; while a paltry **Kshs. 13,634,079,071.37** worth of contracts were awarded to the same target group in FY 2022/2023. This denotes a drop in value by 60.21% compared to the previous year,

The key findings revealed a number of procuring entities that reserved less than the required minimum of 30% of their annual procurement budget for the preference and reservation scheme. Also, the absorption rate of the reserved budget was very low across all categories of procuring entities and that PWDs category was awarded the least contracts in terms of number and value. Six public sectors recorded zero compliance by all procuring that fall under their respective categories. The concerned sectors are County Service Coordination Units (47 No.), National Government Affirmative Action Funds (47 No.), NG-CDFs Committees (290 No.), Public Water Companies (58 No.), Public Schools (Primary and Secondary) Public Entity Pension Funds, (except Kenya Power Pension Fund).

It is concluded that the uptake of the 30% procurement spends reserved for the disadvantaged groups has remained below the set threshold. Therefore, it was recommended that a well-funded study to determine the factors that impede procuring entities from spending the reserved budgets among other non-compliances be commissioned. Also, Parliament should consider amending the Public Procurement and Asset Disposal Act, 2015 to confer the Authority powers impose administrative sanctions against non-compliant accounting officers and their respective procuring entities.

PART ONE: BACKGROUND INFORMATION

The public procurement and asset disposal system is anchored in the Constitution of Kenya 2010 (the Constitution). Specifically, under Article 227 (2) (a & b) states that an Act of Parliament shall prescribe categories of preference in the allocation of contracts and protection or advancement of persons or categories of persons or groups previously disadvantaged by unfair competition.

The Public Procurement and Asset Disposal Act 2015 (the Act) became effective from 7th January, 2016. The Act was purposed to give effect to the provisions of the Constitution and aspirations contained in the Kenya Vision 2030. The Act also clarified the role of the National Treasury as the policy owner, Public Procurement Regulatory Authority (PPRA or "the Authority) as regulator of the system, Public Procurement Administrative Review Board as the adjudicator of tendering and asset disposal disputes. The Act also established county treasuries to be responsible for monitoring public procurement and asset disposal procedures at the county level.

The Act underscores the need to promote local industry and provide procurement opportunities to disadvantaged and marginalized groups. The aforesaid provisions are covered under **Part XII** of the Act on **Preferences and Reservation in Procurement.** Specifically, the Act provides for Preferences and Reservations under Section 155 through to 158 setting out the eligibility, target groups, application and monitoring of the scheme.

This report is prepared pursuant to Section 157 (14) of the Act in fulfillment of the statutory requirement to always report to Parliament every six months on the performance of the preference and reservation scheme targeting youth, women and persons living with disabilities (PWDs).

Section 157 (12) & (13) of the Act instructs procuring entities at the National and County Levels of Government to submit reports to the Authority every six (6) months demonstrating compliance with the legal provisions on implementation of the preferences and reservation scheme. The report should contain disaggregated data indicating the number of youths, women and persons with disability (PWDs) from whom goods, works and services have been procured by the procuring entity as required under Section 157 (13) (b) of the Act. This is a mandatory report to be submitted to the Authority to enable preparation of a report to Parliament pursuant to Section 157 (14) of the Act.

In order for procuring entities to prepare and submit this report in line with Section 157(12) and (13) of the Act, the Authority issued reporting guidelines vide PPRA Circular No. 1/2016 of 16thDecember, 2016, revised through PPRA Circular No. 01/2021 of April,

2021 to all Accounting Officers. The Circular detailed the formats to be used by the procuring entities when preparing the reports as per the requirements set out in Section 157(13) of the Act. Further, the Circular requires the procuring entities to submit the reports to the Authority within 14 days after end of the half of the Financial Year (i.e., by January 14th and July 14threspectively).

It is against this background that this report has been prepared and being submitted to Parliament for consideration. This report presents the performance of the special groups under the 30% preference and reservation scheme during the Second-Half (January-June, 2023) of the 2022/2023 financial year is presented in two (2) parts. Part 1 presents the allocation/setting aside of the 30% procurement budget to the target groups; women, youth and people with Disabilities (PWDs) while Part 2 depicts the contract awards to the target groups in terms of number and value.

1. Procuring entities that reported to have reserved its procurement spend are majorly categorized as:
   - National Government Entities
   - County Government Entities
2. The National Government Entities that reported are disaggregated in the following categories:
   - Ministries and State Departments
   - State Corporations and SAGAs
   - Universities, Colleges, Polytechnics and Technical Institutions
   - Constitutional Commissions and Independent Offices
   - The categories of County Government entities that reported entail:
   - County Executives
   - County Assemblies

As at the time of compilation of this report, only **174** procuring entities had reported; of which **130** were from National Government, comprising of **6** Ministries and State Departments; **91** State Corporations, **20** Universities, Polytechnics, Colleges & Technical Institutions and **13** Constitutional Commissions & Independent Offices. The remaining **44** were from County Governments, comprising of **30** County Executives and entities, and **14** from County Assemblies.

The uptake of the 30% procurement spends reserved for the target groups is still low. Therefore, there is need to commission a study on the factors that impede PEs from spending the reserved budgets and all non-compliances to the scheme.

PART TWO: RESERVATION OF PROCUREMENT SPEND

2.0. Summary of Reservation of Procurement Spend for Both National and County Governments

Section 155 of the Public Procurement and Asset Disposal Act, 2015 (the Act) makes it mandatory for public entities to comply with the provisions of Part XII of the Act on Preference and Reservations in Procurement. Section 53(6), and 157(5) & (10) of the Act require accounting officers of public entities to "... **reserve a prescribed percentage of its procurement budget, which shall not be less than 30%, to the disadvantaged group and comply with the Act and the Regulations in respect of preference and reservations**. During this period, a total of **82** National and County Government procuring entities reported on the subject.

Procuring entities that reported, they cumulatively planned to spend Kshs. **230,500,599,928.10** on goods, works and services. Of this amount, Kshs. **41,861,522,710.92** was reserved for procurement of goods, works and services from firms owned by youth, women and PWDs. This represents a paltry average reservation of **18.16%** of the cumulative planned annual procurement spend. This implies that **11.84%** of the annual procurement budget was not reserved to the deserving groups as required by the PPAD Law. **County Governments reserved the most at 33.45% of the their annual procurement budget while state corporations reserved the least at 14.87%.**

Suffice it to say that majority of procuring entities are yet to comply with the requirement to reserve minimum of 30% of planned public procurement spend for firms owned by youth, women and PWDs as illustrated in the table below:-

Table 1: Summary of Reserved Procurement Spend for The Target Groups

Category of Procuring Entities	Planned Annual Procurement Budget	Actual Reserved Procurement	Expected Reservation (KShs)	Deviation (KShs)	Actual Reservation (%)	% Deviation
State Corporations and SAGAs	157,451,289,363.54	23,410,268,821.70	47,235,386,809.06	-23,825,117,987.36	14.87	-15.13
Universities, Colleges, Polytechnics & Technical Institutions	5,176,206,621.90	1,565,625,685.61	1,552,921,986.42	12,703,699.19	30.25	-0.25
Ministries and State Departments	807,157,624.00	242,147,288.00	242,147,287.20	0.80	30.00	0.00
Constitutional Commissions & Independent Offices	34,423,325,568.26	5,981,480,130.33	10,326,997,070.48	-4,345,516,940.15	17.38	12.62
County Executives	30,366,771,896.30	10,158,205,253.78	9,110,031,568.89	1,048,173,684.89	33.45	-3.45
County Assemblies	2,275,650,854.60	503,795,531.50	682,695,256.38	-178,899,724.88	22.14	-7.86
TOTAL	**230,500,599,928.10**	**41,861,522,710.92**	**69,150,179,978.43**	**-27,288,657,267.51**	**18.16**	**11.84**

2.1. National government Procuring Entities

2.1.1 Ministries and State Departments

During this half year under review, only two **(2)** Ministries & State Departments submitted reports to the Authority on their planned public procurement spend as well as their reservations for firms owned by women, youth and persons with disability. The two **(2)** procuring entities planned to spend a total of **Kshs. 807,157624.00** of which Kshs.

242,147,288.00 was reserved for procurement of goods, works and services from firms owned by youth, women and PWDs. This translated to an average **30.00 %** reservation, as required by law.

The Table below illustrates a summary of reservation levels for procuring entities under this category:

Table 2: Level of Reservation of Procurement Budgets to the Target Groups by Ministries and State Departments

	Category of Procuring Entities	Planned Annual Procurement Budget	Actual Reserved Procurement	Expected Reservation (Kshs)	Deviation (Kshs)	Actual Reservation (%)	% Deviation
1	Early Learning & Basic Education	630,923,707.00	189,277,113.00	189,277,112.10	0.90	30.00	0.00
2	State Department of University Education & Research	176,233,917.00	52,870,175.00	52,870,175.10	-0.10	30.00	0.00
		807,157,624.00	**242,147,288.00**	**242,147,287.20**	**0.80**	**30.00**	**0.00**

2.1.2 Constitutional Commissions and Independent Offices

During the reporting period, **Eight (8)** Constitutional Commissions & Independent Offices submitted reports on Planned Procurement Spend as well as reservation amounts to the target groups (youth, women and PWDs amounting to Kshs. **34,423,323,568.26** and Kshs. **5,981,480,130.33** respectively. This depicts an average reservation of a paltry **12.62%,** much less than the 30% requirement. This is negative deviation of **17.38% from the legal requirement**. The table below presents a summary of this state of affairs.

Table 3: Level of Reservation of Procurement Spend and Absorption Rates by Commissions and Independent Offices

	Category of Procuring Entities	Planned Annual Procurement Budget	Actual Reserved Procurement	Expected Reservation (Kshs)	Deviation (Kshs)	Actual Reservation (%)	% Deviation
1	Ethics and Anti-Corruption Commission	756,395,403.00	112,528,948.00	226,918,620.90	-114,389,672.90	14.88	-15.12
2	Independent Electoral and Boundaries Commission	11,232,898,305.00	3,842,639,495.00	3,369,869,491.50	472,770,003.50	34.21	4.21
3	National Gender and Equality Commission	130,802,206.96	30,638,358.00	39,240,662.09	-8,602,304.09	23.42	-6.58
4	National Police Service Commission	365,842,580.00	40,484,330.00	109,752,774.00	-69,268,444.00	11.07	-18.93
5	Office of the Auditor General	1,392,754,300.00	489,725,900.00	417,826,290.00	71,899,610.00	35.16	5.16
6	Public Service Commission	533,063,161.00	185,411,538.20	159,918,948.30	25,492,589.90	34.78	4.78
7	Teachers Service Commission	16,091,511,795.00	81,381,156.00	4,827,453,538.50	-4,746,072,382.50	0.51	-29.49
8	The Judiciary	3,920,055,817.30	1,198,670,405.13	1,176,016,745.19	22,653,659.94	30.58	0.58
	Total	**34,423,323,568.26**	**5,981,480,130.33**	**10,326,997,070.48**	**-4,345,516,940.15**	**17.38**	**-12.62**

2.1.3 State Corporations and Semi-Autonomous Government Agencies (SAGAs)

During the Half Year under review, **57** State Corporations and SAGAs disclosed to the Authority both annual procurement budget and the amount reserved for enterprises owned by Youth, Women and Persons with Disability. The reporting entities under this

category, planned to spend Kshs. **157 451,289,363.54** on their procurements, out of which they reserved Kshs. **23,410,268,821.70** for procurement of goods, works and services from the firms owned by the target groups (Youth, Women and PWDs). This represented an average reservation of **14.87 %** which is less than the required minimum of 30% resulting a negative percentage reservation deviation **15.13%** of the total planned procurement spends.

However, majority of the procuring entities met the requirement of minimal reservation for the target groups with the Athi Water Service Board reserving the highest of **62.57 %** and Privatization Commission reserving the least (**0.98%**) of their planned procurement spends of Kshs. **45,761,344.04** and Kshs. **46,904,471.00** respectively.

The following table represents the summary of reservation of procurement spends for the state corporations that disclosed their total planned procurement spend as well as their reservation amounts:

Table 4: Level of Reservation of Procurement Spend for the Target Groups (Youth, Women and PWDs)

S/ No.	Category of Procuring Entities	Planned Annual Procurement Budget	Actual Reserved Procurement	Expected Reservation (Kshs)	Deviation (Kshs)	Actual Reservation (%)	% Deviation
1.	Athi Water Service Board	159,119,950.00	99,896,145.00	47,735,985.00	52,160,160.00	62.78	32.78
2.	Business Registration Service	88,690,176.00	26,304,296.00	26,607,052.80	-302,756.80	29.66	-0.34
3.	Capital Markets Authority	102,647,183.99	39,792,962.99	30,794,155.20	8,998,807.79	38.77	8.77
4.	Commission for University Education	99,760,000.00	31,336,238.28	29,928,000.00	1,408,238.28	31.41	1.41
5.	Commodities Fund	16,572,968.00	4,971,890.00	4,971,890.40	-0.40	30.00	0.00
6.	Communications Authority of Kenya	927,419,676.25	278,225,902.88	278,225,902.88	0.00	30.00	0.00
7.	Energy Regulatory Commission	1,153,640,280.00	32,000,000.00	346,092,084.00	-314,092,084.00	2.77	-27.23
8.	Engineers Board of Kenya	84,535,600.00	25,360,680.00	25,360,680.00	0.00	30.00	0.00
9.	Geothermal Development Company	4,852,020,050.00	235,123,425.00	1,455,606,015.00	-1,220,482,590.00	4.85	-25.15
10.	Higher Education Loan Board	230,738,807.00	69,221,642.10	69,221,642.10	0.00	30.00	0.00
11.	Human Resource Management Professional Examination Board	24,751,250.00	7,425,375.00	7,425,375.00	0.00	30.00	0.00
12.	ICT Authority	1,725,658,000.00	517,697,400.00	517,697,400.00	0.00	30.00	0.00
13.	Independent Policing Oversight Authority	233,274,621.00	71,402,501.00	69,982,386.30	1,420,114.70	30.61	0.61

S/ No.	Category of Procuring Entities	Planned Annual Procurement Budget	Actual Reserved Procurement	Expected Reservation (Kshs)	Deviation (Kshs)	Actual Reservation (%)	% Deviation
14.	Insurance Regulatory Authority	238,815,176.00	71,644,552.80	71,644,552.80	0.00	30.00	0.00
15.	Kenya Development Corporation	518,768,658.00	155,700,000.00	155,630,597.40	69,402.60	30.01	0.01
16.	Kenya Electricity Generating Company	50,187,645,280.00	7,096,302,000.00	15,056,293,584.00	-7,959,991,584.00	14.14	-15.86
17.	Kenya Export Promotion & Branding Agency	238,277,684.00	71,483,305.00	71,483,305.20	-0.20	30.00	0.00
18.	Kenya Film Commission	192,290,086.00	57,687,025.80	57,687,025.80	0.00	30.00	0.00
19.	Kenya Forestry Research Institute	690,495,869.13	207,148,760.74	207,148,760.74	0.00	30.00	0.00
20.	Kenya Institute for Public Policy and Research and Analysis	407,335,715.00	122,200,714.00	122,200,714.50	-0.50	30.00	0.00
21.	Kenya Law Reform Commission	52,173,184.00	16,240,413.00	15,651,955.20	588,457.80	31.13	1.13
22.	Kenya Medical Research Institute	3,521,127,628.80	1,056,338,288.64	1,056,338,288.64	0.00	30.00	0.00
23.	Kenya National Bureau of Statistics	176,569,060.86	54,265,488.00	52,970,718.26	1,294,769.74	30.73	0.73
24.	Kenya Petroleum Refineries Limited	786,263,503.00	235,879,051.00	235,879,050.90	0.10	30.00	0.00
25.	Kenya Power & Lighting Company	52,007,983,054.32	3,770,000,000.00	15,602,394,916.30	-11,832,394,916.30	7.25	-22.75
26.	Kenya Revenue Authority	4,771,790,430.00	200,132,978.00	1,431,537,129.00	-1,231,404,151.00	4.19	-25.81
27.	Kenya Rural Roads Authority	17,968,952,160.00	5,390,685,648.00	5,390,685,648.00	0.00	30.00	0.00
28.	Kenya Tourism Board	115,693,000.00	34,707,900.00	34,707,900.00	0.00	30.00	0.00
29.	Kenya Veterinary Board	81,875,890.00	24,562,767.00	24,562,767.00	0.00	30.00	0.00
30.	Kenya Water Towers Agency	194,575,000.00	57,772,393.50	58,372,500.00	-600,106.50	29.69	-0.31
31.	Local Authorities Provident Fund (LAPFUND)	352,355,560.00	105,706,668.00	105,706,668.00	0.00	30.00	0.00
32.	Nairobi Centre for International Arbitration	40,215,168.00	12,096,068.00	12,064,550.40	31,517.60	30.08	0.08
33.	NATIONAL AIDS CONTROL COUNCIL	808,226,734.00	222,847,068.00	242,468,020.20	-19,620,952.20	27.57	-2.43
34.	National Construction Authority	714,008,800.00	215,259,360.00	214,202,640.00	1,056,720.00	30.15	0.15
35.	National Environment Management Authority	745,761,344.04	51,036,000.00	223,728,403.21	-172,692,403.21	6.84	-23.16
36.	National Water Harvesting and Storage Authority	247,268,108.80	74,180,432.64	74,180,432.64	0.00	30.00	0.00
37.	NetFund	32,199,048.00	12,733,600.00	9,659,714.40	3,073,885.60	39.55	9.55
38.	New Kenya Co-operative Creameries Ltd	4,602,022,932.00	217,524,989.00	1,380,606,879.60	-1,163,081,890.60	4.73	-25.27
39.	NGOs Co-ordination Board	48,290,966.00	14,823,000.00	14,487,289.80	335,710.20	30.70	0.70
40.	Nuclear Power and Energy Agency	626,500,000.00	209,547,000.00	187,950,000.00	21,597,000.00	33.45	3.45
41.	Numerical Machining Complex Limited	297,530,000.00	89,259,000.00	89,259,000.00	0.00	30.00	0.00
42.	Nyayo Tea Zones Develop Corporation	1,249,070,660.00	393,976,244.00	374,721,198.00	19,255,046.00	31.54	1.54
43.	Nzoia Sugar Company	1,163,055,882.92	354,130,581.96	348,916,764.88	5,213,817.08	30.45	0.45
44.	Pest Control Products Board	162,869,488.00	5,379,446.40	48,860,846.40	-43,481,400.00	3.30	-26.70
45.	Policyholders Compensation Fund	98,678,300.00	29,603,490.00	29,603,490.00	0.00	30.00	0.00

S/ No.	Category of Procuring Entities	Planned Annual Procurement Budget	Actual Reserved Procurement	Expected Reservation (Kshs)	Deviation (Kshs)	Actual Reservation (%)	% Deviation
46.	Privatization Commission	46,90[illegible]	[illegible]0,941.00	14,071,341.30	-13,611,300.20	0.98	-29.02
47.	Salaries & Remuneration Commission	143,794,2[illegible]	49,765,078.00	43,138,267.50	6,626,860.50	34.61	4.61
48.	South Nyanza Sugar Company Limited	2,415,989,089.20	724,796,726.76	724,796,726.76	0.00	30.00	0.00
49.	Tana and Athi Rivers Development Authority	170,557,636.00	51,167,290.80	51,167,290.80	0.00	30.00	0.00
50.	Tana Water Works Development Agency	319,945,000.00	95,983,500.00	95,983,500.00	0.00	30.00	0.00
51.	Tea Board of Kenya	301,881,613.00	90,564,483.90	90,564,483.90	0.00	30.00	0.00
52.	Tourism Fund	284,593,512.00	85,378,053.60	85,378,053.60	0.00	30.00	0.00
53.	Tourism Regulatory Authority	80,838,914.73	24,251,674.41	24,251,674.42	-0.01	30.00	0.00
54.	University of Nairobi Enterprises and Services	176,096,575.56	52,866,977.40	52,828,972.65	38,004.75	30.02	0.02
55.	Uwezo Fund Oversight Board	93,332,382.00	27,999,714.60	27,999,714.60	0.00	30.00	0.00
56.	Wildlife Research and Training Institute	241,333,937.00	95,869,817.00	72,400,181.10	23,469,635.90	39.72	9.72
57.	Women Enterprise Fund	138,509,075.00	41,552,722.50	41,552,722.50	0.00	30.00	0.00
	TOTAL	**157,451,289,963.[illegible]4**	**23,410,208,821.70**	**47,235,386,809.06**	**-23,825,117,987.36**	**14.87**	**-15.13**

2.1.4 Universities, Colleges, Polytechnics and Technical Institutions

During this reporting period, **13** Universities, Colleges, Polytechnics and Technical Training Institutions disclosed their total procurement spends and the amounts reserved for the target groups to the Authority.

The **13** reporting institutions planned to spend Kshs. **5,176,406,621.40** on their procurements; of which they reserved Kshs. **1,565,625,685.61** for procurement of goods, works and services from the firms owned by the target groups (Youth, Women and PWDs). This represented on average, a reservation of **30.25%** which is slightly above the required minimum of 30% except for Katarina University which reserved the highest at 47.31%.

The table below presents the list of the Universities, Colleges and Technical Training Institutions that reported and the level of reservation of their respective procurement spend for the target groups.

Table 5: Level of Reservation of Procurement Spend by Universities, Colleges and Technical Institutions

	Category of Procuring Entities	Planned Annual Procurement Budget	Actual Reserved Procurement	Expected Reservation (Kshs)	Deviation (Kshs)	Actual Reservation (%)	% Deviation
1.	Kaimosi Friends University College (MMUST)	325,841,828.00	97,752,548.40	97,752,548.40	0.00	30.00	0.00

2.	Karatina University	73 384,300.80	34,718,990 11	22,015,290.24	12,703,699.87	47.31	17.31
3.	Kenyatta University (KU)	1,655,940,000.00	496,782,000.00	496,782,000.00	0.00	30.00	0.00
4.	Kiambu Institute of Science And Technology (KIST)	562,336,200.00	168,700,860.00	168,700,860.00	0.00	30.00	0.00
5.	Kirinyaga University	170,983,308.00	51,294,992.40	51,294,992.40	0.00	30.00	0.00
6.	Kisii University	232,879,894.60	69,863,968.00	69,863,968.38	-0.38	30.00	0.00
7.	Machakos University	257532619	77259785.7	77,259,785.70	0.00	30.00	0.00
8.	Masinde Muliro University of Science and Technology (MMUST)	328484000	98545200	98,545,200.00	0.00	30.00	0.00
9.	Meru University of Science and Technology	627652050	188295615	188,295,615.00	0.00	30.00	0.00
10.	Multimedia University of Kenya	305030000	91509000	91,509,000.00	0.00	30.00	0.00
11.	South Eastern Kenya University	159585000	47875500	47,875,500.00	0.00	30.00	0.00
12.	Taita Taveta University	67417421	20225226	20,225,226.30	-0.30	30.00	0.00
13.	Tharaka University College	409340000	122802000	122,802,000.00	0.00	30.00	0.00
		5,176,406,621.40	**1,565,625,685.61**	**1,552,921,986.42**	**12,703,699.19**	**30.25**	**0.25**

2.2 County Government Procuring Entities

2.2.1 County Executives

During the period under review, only **10 out of 47** County Executives and its entities submitted reports to the Authority on Annual procurement spend as well as their reservation amount to the firms to the youth, women and persons with disabilities (PWDs).

The reporting entities of this category planned to spend Kshs. **30,366,771,896.30,** of which **Kshs. 10,158,205,253.78** was reserved for procurement of goods, works and services for the firms owned by the target groups (youth, women and PWDs). On average, this represented a reservation of **33.45%** which is slightly higher than the required minimum of 30%. All the ten County Governments reserved the minimum requirement of 30% except the County Government of Nyamira which reserved 24.95% with the County Government of Uasin Gishu reserving the highest at **74.46%.**

The following table presents the level of reservation for county executives as detailed in the table below:-

Table 6: Summary of Procurement Budget and Reservation by County Executives

S/No.	County Executive	Planned Annual Procurement Budget	Actual Reserved Procurement	Expected Reservation (Kshs)	Deviation (Kshs)	Actual Reservation (%)	% Deviation
1.	Bungoma	6,021,261,224.70	2,103,778,441.90	1,806,379,267.41	297,399,174.49	34.94	4.94
2.	Busia	2,936,677,402.00	1,130,985,169.00	881,003,220.60	249,981,948.40	38.51	8.51
3.	Elgeyo Marakwet	2,039,512,334.00	704,472,486.68	611,853,700.20	92,618,786.48	34.54	4.54
4.	Embu	2,003,945,587.00	601,183,676.10	601,183,676.10	0.00	30.00	0.00
5.	Homa Bay	2,055,650.00	1,530,650.00	616,695.00	913,955.00	74.46	44.46
6.	Kisumu	2,341,342,627.00	749,402,943.00	702,402,788.10	47,000,154.90	32.01	2.01
7.	Laikipia	7,891,328,715.00	2,684,309,823.00	2,367,398,614.50	316,911,208.50	34.02	4.02
8.	Muranga	2,003,945,587.00	601,183,676.10	601,183,676.10	0.00	30.00	0.00
9.	Nyamira	1,522,309,882.60	379,833,119.00	456,692,964.78	-76,859,845.78	24.95	-5.05
10.	Trans Nzoia	3,604,389,887.00	1,201,535,269.00	1,081,316,966.10	120,208,302.90	33.34	3.34
	TOTAL	**30,366,771,896.30**	**10,358,205,253.78**	**9,110,031,568.89**	**1,048,173,684.89**	**33.45**	**3.45**

2.2.2 County Assemblies

During the period under consideration, nine **(9)** county assemblies reported on their procurement spend as well as their reserved amount of Kshs. **2,275,650,854.60** and Kshs. **503,795,531.50** respectively. This represented on average reservation of **22.14%** resulting to a negative deviation of **-7.86%** from the minimum reservation requirement of 30% of procurement spend. Only five entities out of the nine that reserved the minimum reservation requirement of 30% of their total procurement budget. The County Assembly of Wajir reserved the highest at 33.17% while, the County Assembly of Kisumu reserved the lowest of 9.66%.

Table 7: Summary of Procurement Budget and Reservation by County Assemblies

S/No.	County Assembly	Planned Annual Procurement Budget	Actual Reserved Procurement	Expected Reservation (Kshs)	Deviation (Kshs)	Actual Reservation (%)	% Deviation
1	Bungoma	126,683,315.00	12,900,081.00	38,004,994.50	-25,104,913.50	10.18	-19.82
2	Kajiado	395,488,230.00	118,646,469.00	118,646,469.00	0.00	30.00	0.00
3	Kiambu	296,450,000.00	36,900,000.00	88,935,000.00	-52,035,000.00	12.45	-17.55
4	Kisumu	389,657,929.00	37,623,512.00	116,897,378.70	-79,273,866.70	9.66	-20.34
5	Kitui	368,240,312.00	111,513,437.50	110,472,093.60	1,041,343.90	30.28	0.28
6	Muranga	175,200,000.00	48,285,120.00	52,560,000.00	-4,274,880.00	27.56	-2.44
7	Nandi	193,123,411.60	32,060,455.00	57,937,023.48	-25,876,568.48	16.60	-13.40
8	Nyandarua	212,039,800.00	66,474,500.00	63,611,940.00	2,862,660.00	31.35	1.35
9	Wajir	118,767,857.00	39,391,857.00	35,630,357.10	3,761,499.90	33.17	3.17
		2,275,650,854.60	**503,795,531.50**	**682,695,256.38**	**-173,899,724.88**	**22.14**	**-7.86**

PART THREE: CONTRACT AWARDS TO THE TARGET GROUPS

3.1 Summary of Contracts Awards by National and County Governments

During this period, a total of **174** National and County Government procuring entities reported on contract awards to firms owned by women, youth and persons with disability. Women were awarded the highest quantity of contracts at 1,694 No. while PWDs were awarded the least No. of contacts at 506. The Youth were in between at 1,270 contracts.

These procuring entities awarded a cumulative amount of **Kshs. 8,526,918,243,** where state corporations awarded the highest value at **Kshs. 6,555,383,332.00** while county assemblies awarded the least at **Kshs. 96,583,649.00** as disaggregated in the table below:-

Table 8: Summary of Contracts Awarded by National & County Government Entities to Youth, Women and PWDs

Category of Procuring Entity	WOMEN		YOUTH		PWDs		Total	Total Value
	Qty	Value (Kshs)	Qty	Value (Kshs)	Qty	Value (Kshs)	Qty	(Kshs)
State Corporations & SAGAs	1,076	2,745,491,624.00	700	2,117,131,942.00	383	1,692,110,976.00	2,156	6,555,383,332.00
Universities, Colleges, Polytechnics & Technical Institutions	170	94,557,588.00	134	136,792,714.00	46	23,848,428.00	350	255,198,730.00
Ministries & State Departments	78	71,607,764.00	45	30,222,133.00	12	4,377,062.00	135	106,206,959.00
Constitutional Commissions & Independent Offices	59	50,760,924.00	27	32,843,485.00	12	9,422,400.00	98	93,026,809.00
County Executives	282	635,085,474.00	350	697,007,977.00	50	88,425,313.00	682	1,420,518,764.00
County Assemblies	29	52,557,760.00	14	37,270,973.00	3	6,754,916.00	46	96,583,649.00
TOTAL	**1,694**	**3,650,061,134.00**	**1,270**	**3,051,269,224.00**	**506**	**1,824,939,095.00**	**3,467**	**8,526,918,243.00**

The Women category secured the highest number of contract awards at1,694 Nos. while PWDs secured the lowest at 506 Nos. Youth enterprises were awarded 1270 contracts in the this reporting period.

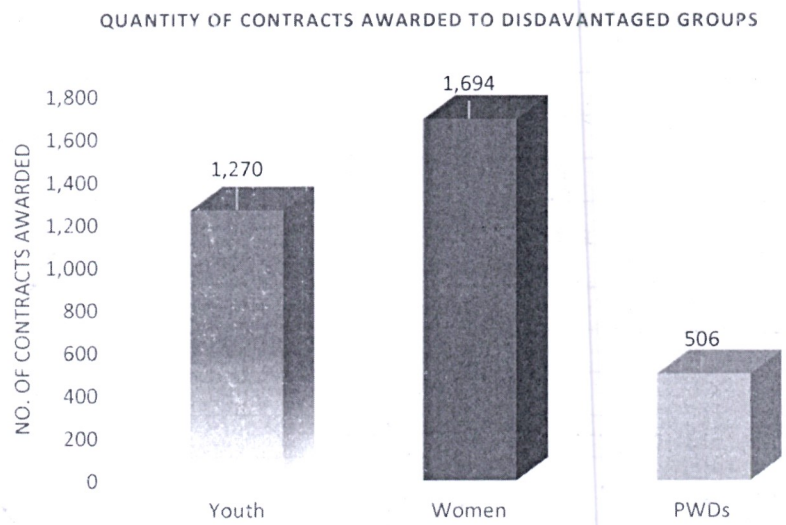

Figure 1: Quantity of Contracts Awarded to Disadvantaged Groups

Value wise, women enterprises acquired the highest share of contracts and 43% while PWDs acquired the lowest at 21%. Youth enterprises received 36% of the portion as shown in the figure below:-

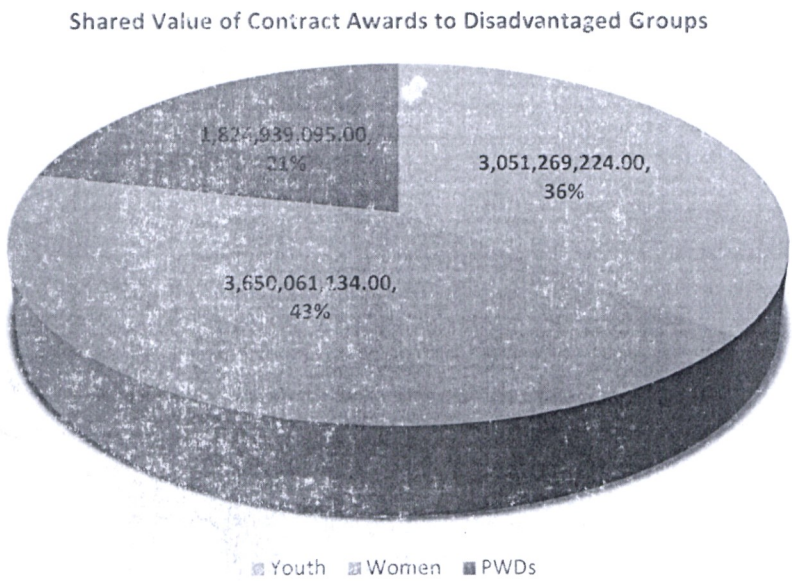

Figure 2: Shared value of Contract Awards to Disadvantaged Groups

3.2 Contract Awards by National Government Procuring Entities

3.2.1 Ministries and State Departments

During this period under review, **6** Ministries & State Departments reported to the Authority on contract awards to the firms owned by women, youth and PWDs. They awarded **78** contracts worth **Kshs. 106,206,959** to target groups. Department of Early Learning & Basic Education awarded the highest value of contracts at KShs. **43,120,892.00**/- while, Ministry of Tourism awarded the highest number of contracts of 39 contracts.

In this category of procuring entities, women enterprises received **78** contracts valued at Kshs. **71,607,764 while** Youth enterprises were awarded **45** contracts only at Kshs. **10,706,970.00**, while PWDs awarded **12** contracts **at Ksh. 4,377,062**

The following table illustrates the disaggregated data on contracts wards:

Table 9: Quantity and Value of Contract Awards to Target Groups by National Government Procuring Entities

S/ No.	Procuring Entity	WOMEN		YOUTH		PWDs		Total No. of Contracts	Total Value of Contracts (Kshs)
		Qty	Contract Value (Kshs)	Qty	Contract Value (Kshs)	Qty	Contract Value (KShs)		
1	Early Learning & Basic Education	18	39,705,812.00	1	2,875,000.00	2	540,080.00	21	43,120,892.00
2	State Department of University Education & Research	9	3,172,540.00	19	12,027,007.00	4	2,526,738.00	32	17,726,285.00
3	State Department For Forestry	20	13,751,295.00	12	6063646.00	1	81,468.00	33	19,896,409.00
4	State Department of Livestock	1	2,591,400.00	0	0.00	0	0.00	1	2,591,400.00
5	State Department of Shipping & Maritime	1	1,545,340.00	6	4,905,085.00	2	394,776.00	9	6,845,201.00
6	Ministry of Tourism	29	10,841,377.00	7	4,351,395.00	3	834,000.00	39	16,026,772.00
Total		**78**	**71,607,764.00**	**45**	**30,222,133**	**12**	**4,377,062**	**135**	**106,206,959.00**

3.2.2 Constitutional Commissions and Independent Offices

During this period under review, **13** Constitutional Commissions and Independent Offices reported on contracts awards to the firms owned by women, youth and persons with disability. The reporting procuring entities, awarded **98** contracts worth Kshs. **93,026,809.00** to the target groups as listed in table below:-

Table 10: Quantity and Value of Contract Awards to Target Groups by Constitutional Commissions and Independent Offices

S/No.	Procuring Entity	WOMEN		YOUTH		PWDs		Total	
		Qty (No.)	Contract Value (KShs)	Qty (No.)	Contract Value (KShs)	Qty (No.)	Contract Value (KShs)	Qty (No.)	Contract Value (KShs)
1.	Ethics and Anti-Corruption Commission	13	7,759,113.00	1	98,000	3	882,440.00	17	8,739,553.00
2.	Independent Electoral and Boundaries Commission	1	800,000	0	0.00	0	0.00	1	800,000.00
3.	National Gender and Equality Commission	1	238,200	0	0.00	0	0.00	1	238,200.00
4.	National Police Service Commission	3	3,599,760.00	2	264,174.00	4	5,867,860.00	9	9,731,794.00
5.	Office of the Auditor General	9	15,210,250.00	4	4,927,425.00	2	1,056,000.00	15	21,193,675.00
6.	Public Service Commission	0	0.00	0	0.00	0	0.00	0	0.00
7.	Teachers Service Commission	4	14,247,105.00	6	21,444,026.00	1	502,350.00	11	36,193,481.00
8.	The Judiciary	9	2,427,938.00	6	207,300.00	0	0.00	15	2,635,238.00
9.	Commission of Administrative Justice - Office of the Ombudsman	2	862,620.00	2	576,248.00	1	207,000.00	5	1,645,868.00
10.	Commission on Revenue Allocation	9	3,043,685.00	2	3,056,612.00	0	0.00	11	6,100,297.00
11.	Judicial Service Commission	2	1,027,000.00	3	1,632,400.00	0	0.00	5	2,659,400.00
12.	Office of The Controller of Budget	2	1,313,250.00	1	637,300.00	1	906,750.00	4	2,857,300.00
13.	Office of The Data Protection Commissioner	4	232,003.00	0	0.00	0	0.00	4	232,003.00
	TOTAL	**59**	**50,760,924.00**	**27**	**32,843,485.00**	**12**	**9,422,400.00**	**98**	**93,026,809.00**

3.2.3 State Corporations and SAGAs

During the period under review, a total **93 State Corporations and SAGAs** that reported on contract awards registered a total of **2,157** contracts worth **Kshs. 6,554,450,842.00** The distribution of the contracts by procuring entity and target groups (youth, women and PWDs) is presented in the table below:-

Table 11: Summary of All Contracts Awarded by State Corporations & SAGAs to the Target Groups

S/No.	Procuring Entity	WOMEN		YOUTH		PWDs		TOTAL AWARDS	
		Qty (No.)	Contract Value (KShs)	Qty (No.)	Contract Value (KShs)	Qty (No.)	Contract Value (KShs)	Qty (No.)	Total Value (KShs)
1.	Athi Water Service Board	2	782,322.00	0	0.00	0	0	2	782,322
2.	Business Registration Service	2	588,000.00	1	28,970.00	0	0	3	616,970
3.	Capital Markets Authority	1	3,750.00	1	150,620.00	1	67,000	3	221,370
4.	Commission for University Education	17	7,226,363.00	4	773,440.00	4	712,300	25	8,712,103
5.	Commodities Fund	15	1,777,655.00	10	3432667	4	119112	29	5,329,434
6.	Communications Authority of Kenya	3	11,493,199	1	14,105,000	1	1,237,720	5	26,835,919
7.	Energy Regulatory Commission	0	0.00	2	12,926,900.00	0	0	2	12,926,900
8.	Engineers Board of Kenya	42	11,037,058	5	211,729.00	7	898,464	54	12,147,251
9.	Geothermal Development Company	2	74,452,482	0	0.00	1	4,005,025	3	78,457,507
10.	Higher Education Loan Board	5	13,345,467	9	10,250,741.00	2	911,000	16	24,507,208
11.	Human Resource Management Professional Examination Board	2	1,373,241.00	0	0.00	2	538,700	4	1,911,941
12.	ICT Authority	8	8,841,505.00	1	870,000.00	1	2,156,240	10	11,867,745
13.	Independent Policing Oversight Authority	15	8,603,737.00	7	3,325,498.00	1	696,566	23	12,625,801
14.	Insurance Regulatory Authority	5	9370164	1	472500	2	520,500	8	10,363,164
15.	Kenya Development Corporation	23	4,154,505.00	7	2,561,700.00	1	658000	31	7,374,205
16.	Kenya Electricity Generating Company	44	60982646	42	36,127,203	37	44168036	123	141,277,885
17.	Kenya Export Promotion & Branding Agency	12	7,039,503.00	6	3,055,280.00	4	1,311,790	22	11,406,573
18.	Kenya Film Commission	5	4,191,635.00	4	6,794,420.00	4	16016651	13	27,002,706
19.	Kenya Forestry Research Institute	3	1,691,350.00	1	255000	0	0	4	1,946,350
20.	Kenya Institute for Public Policy and Research and Analysis	64	46,730,150	24	22,573,156	0	0	88	69,303,306
21.	Kenya Law Reform Commission	12	3,726,437.00	1	329,800.00	1	2,488	14	4,058,725
22.	Kenya Medical Research Institute	43	9,489,964.00	4	3,665,070	3	870875	50	14,025,909
23.	Kenya National Bureau of Statistics	3	6,565,000.00	3	3,349,200.00	1	297,500	7	10,211,700
24.	Kenya Petroleum Refineries Limited	13	36,616,415	8	22,618,268	16	5,174,108	37	64,408,791
25.	Kenya Power & Lighting Company	1	5,183,808.00	2	8,092,450.00	0	0	3	13,276,258
26.	Kenya Revenue Authority	10	7,716,106.00	4	638299	2	291960	16	8,646,365

S/No.	Procuring Entity	WOMEN		YOUTH		PWDs		TOTAL AWARDS	
		Qty (No.)	Contract Value (KShs)	Qty (No.)	Contract Value (KShs)	Qty (No.)	Contract Value (KShs)	Qty (No.)	Total Value (KShs)
27.	Kenya Rural Roads Authority	279	1,263,621,908	285	1,250,735,782	189	748,106,754	753	3,262,464,444
28.	Kenya School of Law	0	0.00	0	0.00	0	0	0	0
29.	Kenya Tourism Board	39	8,198,152.00	15	1,932,080.00	5	1,075,800	59	11,206,032
30.	Kenya Veterinary Board	0	0.00	4	2154378	1	134275	5	2,288,653
31.	Kenya Water Towers Agency	1	858,000.00	0	0	0	0	1	858,000
32.	Local Authorities Provident Fund (LAPFUND)	6	8,875,180.00	0	0.00	0	0	6	8,875,180
33.	Nairobi Centre for International Arbitration	7	2,599,053.00	3	390,380.00	1	1,061,796	11	4,051,229
34.	National AIDS Control Council	2	1,574,000.00	11	5,347,354.00	1	390000	14	7,311,354
35.	NACADA	2	392,800.00	1	1,310,800.00	0	0	3	1,703,600
36.	National Environment Management Authority	2	395,500.00	10	3,168,509.00	9	4125035	21	7,689,044
37.	National Water Harvesting and Storage Authority	8	40503386	1	87,000.00	2	473400	11	41,063,786
38.	NetFund	5	910,982.00	2	997,376.00	1	149,900	8	2,058,258
39.	New Kenya Co-operative Creameries Ltd	17	1,387,092.00	5	1,012,854.00	6	1177675	28	3,577,621
40.	NGOs Co-ordination Board	0	0.00	2	2226144	0	0	2	2,226,144
41.	Nuclear Power and Energy Agency	7	12,872,369.00	2	1,239,000.00	1	590,700	10	14,702,069
42.	Numerical Machining Complex Limited	1	43,380.00	4	77252	0	0	5	120,632
43.	Nyayo Tea Zones Develop Corporation	2	363,080.00	4	1,202,358.00	0	0	6	1,565,438
44.	Nzoia Sugar Company	0	0.00	0	0.00	3	588313	3	588,313
45.	Pest Control Products Board	10	1,322,250.00	4	327,100.00	1	140450	15	1,789,800
46.	Policyholders Compensation Fund	1	440,000.00	3	2,627,291.00	3	1689760	7	4,757,051
47.	Privatization Commission	28	4723325	6	3,492,160.00	1	145,000	35	8,360,485
48.	Salaries & Remuneration Commission	9	3,051,830.00	1	449,500.00	1	322,500	11	3,823,830
49.	South Nyanza Sugar Company Limited	21	1,108,574.00	16	1,532,794.00	8	227,104	45	2,868,472
50.	Tana And Athi Rivers Development Authority	9	37,453,784.00	7	20804300	0	0	16	58,258,084
51.	Tana Water Works Development Agency	2	9,736,892.00	0	0.00	0	0	2	9,736,892
52.	Tea Board of Kenya	35	4,404,746.00	13	3,285,399.00	2	114,700	50	7,804,845
53.	Tourism Fund	12	4,082,466.00	8	528,680.00	1	2,799,080	21	7,410,226
54.	Tourism Regulatory Authority	11	2368141	3	627,000.00	2	213168	16	3,208,309
55.	University of Nairobi Enterprises and Services	22	1,922,925.00	2	68500	2	18500	26	2,009,925
56.	Uwezo Fund Oversight Board	7	1,814,715.00	0	0.00	0	0	7	1,814,715
57.	Wildlife Research and Training Institute	20	7,488,027.00	10	6,947,470.00	1	350260	31	14,785,757
58.	Women Enterprise Fund	7	4,011,510.00	4	1,617,240.00	2	1316600	13	6,945,350

S/No.	Procuring Entity	WOMEN		YOUTH		PWDs		TOTAL AWARDS	
		Qty (No.)	Contract Value (KShs)	Qty (No.)	Contract Value (KShs)	Qty (No.)	Contract Value (KShs)	Qty (No.)	Total Value (KShs)
59.	Agricultural Development Corporation	5	9,629,500.00	2	284,040.00	3	5,050,000	10	14,963,540
60.	Agricultural Finance Corporation	0	0.00	1	480,000	1	600000	2	1,080,000
61.	Agriculture and Food Authority	2	391,990.00	0	0.00	0	0	2	391,990
62.	Anti-counterfeit Authority	7	5,462,215.00	6	3,187,150.00	2	758350	15	9,407,715
63.	Central Rift Valley Water Works Development Agency	3	28,578,131.00	0	0.00	0	0	3	28,578,131
64.	Chemelil Sugar Company Limited	6	1,687,200.00	20	3,027,050.00	6	318,536	32	5,032,786
65.	Coast Development Authority	6	1,057,783.00	3	3,965,814.00	2	72000	11	5,095,597
66.	Competition Authority of Kenya	4	932,490.00		0	0	0	4	932,490
67.	Kenya Agricultural & Livestock Research Organization	0	0.00	0	0.00	0	0	0	0
68.	Kenya Animal Genetic Resources Centre	9	1,433,644.00	5	1,658,700.00	0	0	14	3,092,344
69.	Kenya Broadcasting Corporation	1	2184000	0	0.00	0	0	1	2,184,000
70.	Kenya Cultural Centre	0	0.00	6	1,191,464	1	131,300	7	1,322,764
71.	Kenya Fisheries Service	1	536,150.00	1	448,950.00	0	0	2	985,100
72.	Kenya Forest Service	9	2,406,408.00	6	2036718	2	914623	17	5,357,749
73.	Kenya Institute of Supplies Management	1	1,146,000.00	1	1,152,000.00	0	0	2	2,298,000
74.	Kenya Leather Development Council	1	540000	2	1,449,784.00	0	0	3	1,989,784
75.	Kenya Literature Bureau	3	647,344.00	0	0	0	0	3	647,344
76.	Kenya Maritime Authority	6	13,973,950.00	6	2253480	0	0	12	16,227,430
77.	Kenya National Highway Authority	7	627,443,764	8	461,733,931	5	750,909,944	20	1,840,087,639
78.	Kenya Pipeline Company	0	0.00	0	0.00	2	3,167,500	2	3,167,500
79.	Kenya Ports Authority	1	0	0	0.00	0	0	1	0
80.	Kenya Universities and Colleges Central Placement Service	11	1,996,236.00	5	796,000.00	1	21,900	17	2,814,136
81.	Lake Victoria North Water Services Board	14	31,976,273	9	24,128,804	0	0	23	56,105,077
82.	Lake Victoria South Water Services Board	9	28,215,435	12	69,516,501.00	0	0	21	97,731,936
83.	Micro and Small Enterprises Authority	0	0.00	0	0.00	0	0	0	0
84.	National Housing Corporation	1	261,792.00	1	154,000.00	0	0	2	415,792
85.	National Youth Council	0	0.00	1	118,800.00	0	0	1	118,800
86.	North Rift Valley Water Works Development Agency	1	9,434,034.00	4	8,412,350.00	1	62892	6	17,909,276
87.	Northern Water Services Board	2	42,504,812.00	0	0.00	0	0	2	42,504,812
88.	Public Sector Accounting Standards Board	1	511,150.00	0	0.00	0	0	1	511,150
89.	Rural Electrification Authority	13	149,216,409	5	51,191,579.00	10	78473426	28	278,881,414
90.	Technical and Vocational Education and Training Authority	6	421,000.00	10	2,508,165.00	2	552,500	18	3,481,665

S/No.	Procuring Entity	WOMEN		YOUTH		PWDs		TOTAL AWARDS	
		Qty (No.)	Contract Value (KShs)	Qty (No.)	Contract Value (KShs)	Qty (No.)	Contract Value (KShs)	Qty (No.)	Total Value (KShs)
91.	Water Resources Authority	2	710,300.00	9	4,592,850.00	2	1,455,600	13	6,758,750
92.	National Construction Authority	1	2,496,320.00	0	0.00	0	0	1	2,496,320
93.	National Council for Persons with Disabilities	18	10,082,265.00	2	1,872,000.00	5	3,757,600	25	15,711,865
	TOTAL	**1,075**	**2,745,383,124**	**699**	**2,116,956,742**	**383**	**1,692,110,976**	**2,157**	**6,554,450,842**

3.2.4 Universities, Colleges, Polytechnics and Technical Institutions

During the reporting period, **20** Universities, Colleges, Polytechnics and Technical Institutions reported to the Authority **350** contracts worth Kshs. **255,198,730.** The distribution of the contracts awarded to the target groups by the procuring entities under this category is presented in table below: -

Table 12: Summary of Contracts Awarded to the Target Groups by Universities, Colleges, Polytechnics and Technical Institutions

S/ No.	UNIVERSITY	WOMEN		YOUTH		PWDS		TOTAL CONTRACT AWARDS	
		Qty (No.)	Value (KShs)	Qty (No.)	Value (KShs)	Qty (No.)	Value (KShs)	Qty (No.)	Value (KShs)
1.	Kaimosi Friends University College (MMUST)	0	0	1	85,450	0	0.00	1	85,450
2.	Karatina University	6	446,429.00	6	1,552,572.00	2	438,760	14	2,437,761
3.	Kenyatta University (KU)	32	23,233,873.00	48	19,316,289	5	3,464,940	85	46,015,102
4.	Kiambu Institute of Science and Technology	6	14,031,262.00	8	1,227,586.00	1	14,408	15	15,273,256
5.	Kirinyaga University	5	282,660	0	0.00	0	0	5	282,660
6.	Kisii University	4	706,500.00	0	0.00	0	0.00	4	706,500
7.	Machakos University	13	3,963,615	7	2,562,520.00	2	73,090.00	22	6,599,225
8.	Masinde Muliro University of Science and Technology (MMUST)	5	2,140,400.00	9	2,772,740	10	2,143,750	24	7,056,890
9.	Meru University of Science and Technology	5	1,593,480.00	4	1,192,150.00	0	0	9	2,785,630
10.	Multimedia University of Kenya	40	11,418,130	13	516,582.00	10	844,285	63	12,778,997
11.	South Eastern Kenya University	1	4,998,000	0	0	0	0	1	4,998,000
12.	Taita Taveta University	12	5,095,220	1	21,000	1	76,000	14	5,192,220
13.	Tharaka University College	0	0	1	394,740	3	156,800	4	551,540
14.	Tom Mboya University College (Maseno)	9	8,436,100	10	3,801,163	2	1,560,295	21	13,797,558
15.	University of Nairobi	0	0	1	84,734,464	0	0	1	84,734,464
16.	Egerton University	3	352500	2	416448	0	0.00	5	768,948
17.	Garissa University	0	0.00	1	5,833,800	0	0.00	1	5,833,800
18.	Jaramogi oginga Odinga University of Science and Technology	1	655,750	4	622700	1	111,690	6	1,390,140
19.	Maseno University	28	17,203,669.00	16	9,722,860.00	9	14,964,410	53	41,890,939
20.	Rongo University	0	0	2	2,019,650	0	0	2	2,019,650

S/No.	UNIVERSITY	WOMEN		YOUTH		PWDS		TOTAL CONTRACT AWARDS	
		Qty (No.)	Value (KShs)	Qty (No.)	Value (KShs)	Qty (No.)	Value (KShs)	Qty (No.)	Value (KShs)
	TOTAL	170	94,557,588	134	136,792,714	46	23,848,428	350	255,198,730

3.3 Contract Awards by County Government Procuring Entities

3.3.1 Contract Awards By County Executives and Entities within County Government

During the period under review, only **29** out of **47** County Executives and its agencies reported to the Authority on contracts awarded to the target groups. A total of **682** contracts worthy Kshs. **1,420,518,764** for goods, works and services were awarded by this category of procuring entities. County Government of Kwale reported the highest amount of Kshs. **374,363,998.00** while county Government of Murang'a awarded the least at Kshs. **1,450,219.00**.

Table below presents the level of absorption by every county executive that reported in terms of quantity and value of contracts awarded to by the county executives: -

Table 13: Summary of Contract Awards by County Executives

S/No.	County	WOMEN		YOUTH		PWDs		Total	
		Qty (No.)	Value (Kshs)	Qty (No.)	Value (Kshs	Qty (No.)	Value (Kshs	Qty (No.)	Value (Kshs
1.	Baringo	2	4,092,705	2	2,932,127	3	1,894,327	7	8,919,159.00
2.	Bomet	2	4,478,910	4	7,771,230	0	0	6	12,250,140.00
3.	Bungoma	10	4430364	19	12182706	2	719,710.00	31	17,332,780.00
4.	Busia	0	0	1	1,454,594	0	0.00	1	1,454,594
5.	Elgeyo Marakwet	10	12,297,646	26	27,111,653	2	4,498,850	38	43,908,149.00
6.	Embu	0	0.00	1	4,012,788	1	4,122,988	2	8,135,776.00
7.	Homa Bay	11	50,336,580	11	31,552,483	4	11,509,134	26	93,398,197.00
8.	Kajiado	13	35,848,278	12	72,356,531	1	4,497,946	26	112,702,755
9.	Kakamega	14	14,996,455	5	9,334,611.00	5	3,542,204	24	27,873,270.00
10.	Kilifi	4	14,073,169	2	2,399,817.00	0	0.00	6	16,472,986.00
11.	Kirinyaga	12	24,430,777	9	16,507,846	0	0.00	21	40,938,623.00
12.	Kisumu	6	7,326,259	8	15,891,578	1	724,860	15	23,942,697.00
13.	Kwale	52	155,980,850	78	199,946,314	4	18,436,834	134	374,363,998
14.	Laikipia	9	7,592,056	10	11,106,795	1	1,891,600	20	20,590,451.00
15.	Lamu	0	0	1	4,982,490	0	0	1	4,982,490
16.	Makueni	32	37,047,576	47	31,254,232	2	651,660	81	68,953,468.00
17.	Mombasa	1	1,957,500	1	1,692,000	0	0	2	3,649,500.00
18.	Muranga	1	1,450,219	0	0	0	0	1	1,450,219.00
19.	Nakuru	1	1,480,971	1	993,480	0	0	2	2,474,451.00
20.	Narok	4	69,251,917	3	43,287,980	0	0	7	112,539,897
21.	Nyamira	2	5,699,080	2	3,699,008	1	2,847,800	5	12,245,888.00
22.	Nyandarua	4	7,262,830	8	16,014,967	1	3,979,250	13	27,257,047.00
23.	Nyeri	1	1,027,957	2	1,307,819	0	0	3	2,335,776.00
24.	Siaya	26	70,527,525	33	76,681,284	19	24,782,530	78	171,991,339
25.	Taita-Taveta	8	10,474,772	12	21,769,494	0	0	20	32,244,266.00
26.	Trans Nzoia	3	6,692,275	3	6,533,500	0	0	6	13,225,775.00
27.	Uasin Gishu	18	30,827,178	25	44,325,805	2	2,228,820	45	77,381,803.00
28.	Wajir	0	0	4	14,565,314	0	0	4	14,565,314
29.	West Pokot	36	55,501,625	20	15,339,531	1	2,096,800	57	72,937,956.00

S/No	County	WOMEN		YOUTH		PWDs		Total	
		Qty (No.)	Value (Kshs)	Qty (No.)	Value (Kshs	Qty (No.)	Value (Kshs	Qty (No.)	Value (Kshs
		282	635,085,474	350	697,007,977	50	88,425,313	682	1,420,518,764

3.3.2 Contract Awards By County Assemblies

During the reporting period, one of the procuring entities under this category disclosed their planned procurement budget as well as their reserved amounts for the target groups. However, only **15** out of **47** County Assemblies reported to the Authority on contracts awarded to Youth, Women and PWDs. On the utilization of the reserved procurement spend, the **15** procuring entities awarded **46** contracts worth **Kshs. 96,583,649.00** as detailed in the Table below:-

Table 14: Summary of Number and Value of Contract Awarded to the Target Groups

S/No.	COUNTY ASSEMBLY	WOMEN		YOUTH		PWDs		TOTAL CONTRACTS AWARDED	
		Qty (No.)	Value (Kshs)	Qty (No.)	Value (Kshs)	Qty (No.)	Value (Kshs)	Qty (No.)	Value (Kshs)
1.	Bungoma	1	198,000	1	2,040,000	0	0.00	2	2,238,000.00
2.	Kajiado	0	0.00	1	648,000	0	0.00	1	648,000.00
3.	Kiambu	1	3,000,500	1	1,408,000	0	0.00	2	4,408,500.00
4.	Kisumu	3	4,329,000.00	3	3,700,220.00	1	296,920	7	8,326,140.00
5.	Kitui	9	13,554,800.00	1	298,700	0	0.00	10	13,853,500.00
6.	Murang'a	1	497,570	0	0.00	0	0.00	1	497,570.00
7.	Nairobi	0	0.00	0	0.00	0	0.00	0	0.00
8.	Nandi	0	0.00	0	0.00	1	6,210,000	1	6,210,000.00
9.	Nyandarua	2	2,491,700.00	1	205,500	0	0.00	3	2,697,200.00
10.	Wajir	2	3,489,160	2	4,674,800.00	0	0	4	8,163,960.00
11.	Kisii	1	15,963,920	0	0	0	0.00	1	15,963,920.00
12.	Laikipia	2	2,697,800.00	0	0.00	0	0.00	2	2,697,800.00
13.	Nakuru	1	5,283,230	3	24,147,253.00	0	0.00	4	29,430,483.00
14.	Nyeri	5	885,680.00	1	148,500	1	247,996	7	1,282,176.00
15.	Vihiga	1	166,400	0	0.00	0	0	1	166,400.00
TOTAL		**29**	**52,557,760.00**	**14**	**37,270,973.00**	**3**	**6,754,916.00**	**46**	**96,583,649.00**

PART FOUR: ABSORPTION RATES FOR RESERVATIONS

4.1 Absorption rates reservations by national and county governments

The level of Absorption was [illegible] only on those procuring entities that reported on their reserved procurement spend to the target groups for procurement of goods, works and services.

The procuring entities that reported absorbed an average of **10.68 %** of the reserved procurement spend of **Kshs. 42,495,405,004.26** during the reporting period. Ministries and State Departments absorbed the highest reserved amount at 27.91% of the reserved amount of **Ksh. 275,481,151.10** with Universities, Colleges, Polytechnics and Technical Institutions absorbing the least amount of **Ksh. 13,797,558.00** out of **Ksh. 1,565,625,685.61** (0.88%) absorption rate.

The table below presents the level of reservation of procurement spend and Absorption Rates for the target groups by categories of procuring entities:-

Table 15: Summary Absorption Rates by National and County Assemblies

Category of Procuring Entities	Reserved Procurement Spend (Kshs)	Contract Awards (Kshs)	Absorption Rate (%)
State Corporations and SAGAs	23,570,259,345.94	4,086,167,946.00	17.34%
Universities, Colleges, Polytechnics and Technical Institutions	1,565,625,685.61	13,797,558.00	0.88%
Ministries and State Departments	275,481,151.10	76,873,949.00	27.91%
Constitutional Commissions and Independent Offices	5,931,480,156.33	79,531,941.00	1.33%
County Executives	10,158,265,253.78	235,684,526.00	2.32%
County Assemblies	944,352,437.50	47,042,870.00	4.98%
TOTAL	**42,495,405,004.26**	**4,539,098,790.00**	**10.68%**

4.2 Absorption Rates By National Government Procuring Entities

4.2.1 Ministries and State Departments

During the reporting period the **6** ministries and state Departments reported on Contract Awards to the firms owned by women, youth and persons living with disabilities. However, only **3** out of the **6** procuring entities of this category disclosed their reserved procurement spend of which they awarded a total contract value of Kshs. **76,873,949.00** resulting to absorption rate of **27.91%** of the reserved amount of Kshs. **275,481,151.10.**

The Ministry of Tourism had the highest Absorption rate of **48.08%** while state Department for Early Learning & Basic Education had the lowest at **22.78%** of their reserved procurement spend as detailed in the table below: -

Table 16: Summary of Absorption levels by Ministries and State Departments

Procuring Entity	Procurements Reserved (KES)	Contract Awards (Kshs.)	Absorption Rate (%)
State Department of Early Learning & Basic Education	189,277,113.00	43,120,892	22.78
State Department of University Education & Research	52,870,175.00	17,726,285	33.53
Ministry of Tourism	33,333,863.10	16,026,772	48.08
	275,481,151.10	**76,873,949.00**	27.91

The remaining **3** procuring entities in this category awarded total contracts to target groups of **Kshs. 29,333,010.00.** However, their respective absorption is indeterminable due to failure to report on their planned reserved procurement spend. The concerned procuring entities are as detailed in the table below:-

Table 17: Summary of Ministries and State Departments that did not report on their reservation procurement period

S/No.	Procuring Entity	Contract Awards (Kshs.)
1.	State Department of Forestry	19,896,409.00
2.	State Department of Livestock	2,591,400.00
3.	State Department of Shipping & Maritime	6845201
Total		**29,333,010.00**

4.2.2 Constitutional Commissions and Independent Offices

Eight **(13)** Constitutional Commissions and Independent Offices reported to the Authority on their contract awards to the targeted disadvantaged groups but only **6** (six) disclosed their reserved procurement spend to the target groups.

The six procuring entities awarded a total contract value of **Kshs. 79,531,941.00** out of their reserved procurement spend of **Kshs. 5,981,480,130.33** resulting to **1.33%** absorption Rate as detailed in the table below: -

Table 18: Summary of Absorption levels by Constitutional Commissions and Independent Offices

S/No.	Procuring Entity	Procurements Reserved (KES)	Contract Awards (Kshs.)	Absorption Rate (%)
1.	Ethics and Anti-Corruption Commission	112,528,948.00	8,739,553.00	7.77
2.	Independent Electoral and Boundaries Commission	3,842,639,495.00	800,000.00	0.02
3.	National Gender and Equality Commission	30,638,358.00	238,200.00	0.78
4.	National Police Service Commission	40,484,330.00	9,731,794.00	24.04
5.	Office of the Auditor General	489,725,900.00	21,193,675.00	4.33

S/No.	Procuring Entity	Procurements Reserved (Kshs.)	Contract Awards (Kshs.)	Absorption Rate (%)
6.	Public Service Commission	[illegible]	[illegible]	6.00
7.	[illegible]	81,381,156.00	[illegible]	44.47
8.	The Judiciary	1,158,570,405.13	2,6[illegible],238.00	0.2[illegible]
		1,981,480,130.33	5,[illegible],941.00	1.33

The remaining five procuring entities did not report on their reserved procurement spend and therefore their absorption rate could not be estimated despite awarding a cumulative contract value of Kshs. 13,494,868.00 as indicated below:

Table 19: Summary of Constitutional Commissions and independent offices that did not report on their reserved procurement period

S/No.	Procuring Entity	Contract Awards (Kshs.)
1.	Commission on Administrative Justice of the Ombudsman	1,645,368.00
2.	Commission on Revenue Allocation	5,100,287.00
3.	Judicial Service Commission	2,659,400.00
4.	Office of the Controller of Budget	2,857,290.00
5.	Office of the Data Protection Commissioner	232,603.00
	Total	13,494,868.00

4.2.3 State Corporations and Semi-Autonomous Government Agencies (SAGAs)

During the period under review, **91** procuring entities under the state corporations category reported on contract awards to the firms owned by women, youth and persons with disability. However, only **57** out of the **91** reported on their planned reserved procurement spend. The 57 entities awarded contracts worthy Kshs. **4,086,167,946.00** out of their reserved procurement spend of **Kshs. 23,570,259,345.94** which is equivalent to an absorption rate of **17.34%** as indicated in the table below:-

Table 20: Summary of Absorption Levels by the State Corporations & SAGAs

S/No.	Procuring Entity	Procurements Reserved (Kshs.)	Contract Awards (Kshs.)	Absorption Rate (%)
1	Athi Water Service Board	99,895,145.00	782,322.00	0.78
2	Business Registration Service	26,304,296.00	616,973.00	2.35
3	Capital Markets Authority	39,792,962.99	221,370.00	0.56
4	Commission for University Education	31,336,238.28	8,712,103.00	27.80

S/No.	Procuring Entity	Procurements Reserved (Kshs.)	Contract Awards (Kshs.)	Absorption Rate (%)
5	Commodities Fund	19,597,730.40	5,329,434.00	27.19
6	Communications Authority of Kenya	278,225,902.88	26,835,919.00	9.65
7	Energy Regulatory Commission	32,000,000.00	12,926,900.00	40.40
8	Engineers Board of Kenya	25,360,680.00	12,147,251.00	47.90
9	Geothermal Development Company	235,123,425.00	78,457,507.00	33.37
10	Higher Education Loan Board	69,221,642.10	24,507,208.00	35.40
11	Human Resource Management Professional Examination Board	7,425,375.00	1,911,941.00	25.75
12	ICT Authority	517,697,400.00	11,867,745.00	2.29
13	Independent Policing Oversight Authority	71,402,501.00	12,625,801.00	17.68
14	Insurance Regulatory Authority	71,644,552.80	10,363,164.00	14.46
15	Kenya Development Corporation	155,700,000.00	7,374,205.00	4.74
16	Kenya Electricity Generating Company	7,096,302,000.00	141,277,885.00	1.99
17	Kenya Export Promotion & Branding Agency	71,483,305.00	11,406,573.00	15.96
18	Kenya Film Commission	57,687,025.80	27,002,706.00	46.81
19	Kenya Forestry Research Institute	207,148,760.74	1,946,350.00	0.94
20	Kenya Institute for Public Policy and Research and Analysis	122,200,714.00	69,303,306.00	56.71
21	Kenya Law Reform Commission	16,240,413.00	4,058,725.00	24.99
22	Kenya Medical Research Institute	1,056,338,288.64	14,025,909.00	1.33
23	Kenya National Bureau of Statistics	54,265,488.00	10,211,700.00	18.82
24	Kenya Petroleum Refineries Limited	235,879,051.00	64,408,791.00	27.31
25	Kenya Power & Lighting Company	3,770,000,000.00	13,276,258.00	0.35
26	Kenya Revenue Authority	318,537,178.84	8,646,365.00	2.71
27	Kenya Rural Roads Authority	5,390,685,648.00	3,262,464,444.00	60.52
28	Kenya Tourism Board	34,707,900.00	11,206,032.00	32.29
29	Kenya Veterinary Board	24,592,767.00	2,288,653.00	9.31

S/No.	Procuring Entity	Procurement Reserved (Kshs.)	Contract Awards (Kshs.)	Absorption Rate (%)
30	Kenya Water Towers Agency	57,742,[illegible]	858,000.00	1.49
31	Local Authorities Providers Fund (LAPFUND)	105,706,668.00	8,875,180.00	8.40
32	Nairobi Centre for International Arbitration	12,096,098.00	4,051,229.00	33.49
33	National AIDS Control Council	222,847,068.00	7,311,354.00	3.28
34	National Construction Authority	215,259,[illegible]69.00	1,703,600.00	0.79
35	National Environment Management Authority	51,036,[illegible]06.00	7,689,044.00	15.07
36	National Water Harvesting and Storage Authority	74,280,[illegible]23.64	41,063,786.00	55.36
37	Nema[illegible]	12,753,[illegible]90.00	2,058,258.00	16.16
38	New Kenya Co-operative Creameries Ltd	217,524,[illegible]	3,577,621.00	1.64
39	NGOs Co-ordination Board	14,823,000.00	2,226,144.00	15.02
40	Nuclear Power and Energy Agency	209,547,000.00	14,702,069.00	7.02
41	Numerical Machining Complex Limited	89,[illegible]59,[illegible]00.00	120,632.00	0.14
42	Nyayo Tea Zones Development Corporation	393,976,[illegible]44.90	1,565,438.00	0.40
43	Pharmacy and Poisons Board	354,136,581.96	588,513.00	0.17
44	Pest Control Products Board	5,379,146.40	1,789,800.00	33.27
45	Policyholders Compensation Fund	29,603,490.00	4,757,051.00	16.07
46	Privatization Commission	27,390,524.00	8,360,485.00	30.52
47	Salaries & Remuneration Commission	49,763,128.00	3,823,830.00	7.68
48	South Nyanza Sugar Company Limited	724,796,726.76	2,868,472.00	0.40
49	Tana and Athi Rivers Development Authority	51,167,290.30	58,258,084.00	113.86
50	Tana Water Works Development Agency	95,983,300.90	9,736,892.00	10.14
51	Tea Board of Kenya	90,564,483.90	7,804,845.00	8.62
52	Tourism Fund	85,378,955.50	7,410,226.00	8.68
53	Tourism Regulatory Authority	24,251,674.41	3,208,309.00	13.23
54	University of Nairobi Enterprises and Services	52,866,977.40	2,009,925.00	3.80

S/No.	Procuring Entity	Procurements Reserved (Kshs.)	Contract Awards (Kshs.)	Absorption Rate (%)
55	Uwezo Fund Oversight Board	27,999,714.60	1,814,715.00	6.48
56	Wildlife Research And Training Institute	95,869,817.00	14,785,757.00	15.42
57	Women Enterprise Fund	41,552,722.50	6,945,350.00	16.71
	Total	**23,570,259,345.94**	**4,086,167,946.00**	**17.34**

The remaining **33** entities did not report on their planned reserved procurement spend. Therefore, their absorption rate is indeterminate despite awarding a cumulative contract value of Kshs. **2,468,566,596.00** as listed below:-

Table 21: Summary of Absorption Levels by State Corporations & SAGAs

S/No.	Procuring Entity	Contract Awards (Kshs.)
1	Agricultural Development Corporation	14,963,540.00
2	Agricultural Finance Corporation	1,080,000.00
3	Agriculture and Food Authority	391,990.00
4	Anti-counterfeit Authority	9,407,715.00
5	Central Rift Valley Water Works Development Agency	28,578,131.00
6	Chemelil Sugar Company Limited	5,032,786.00
7	Coast Development Authority	5,095,597.00
8	Competition Authority of Kenya	932,490.00
9	Kenya Agricultural & Livestock Research Organization	283,700.00
10	Kenya Animal Genetic Resources Centre	3,092,344.00
11	Kenya Broadcasting Corporation	2,184,000.00
12	Kenya Cultural Centre	1,322,764.00
13	Kenya Fisheries Service	985,100.00
14	Kenya Forest Service	5,357,749.00
15	Kenya Institute of Supplies Management	2,298,000.00
16	Kenya Leather Development Council	1,989,784.00
17	Kenya literature Bureau	647,344.00
18	Kenya Maritime Authority	16,227,430.00
19	Kenya National Highway Authority	1,840,087,639.00
20	Kenya Pipeline Company	3,167,500.00
21	Kenya Universities and Colleges central placement service	2,814,136.00
22	Lake Victoria North Water services Board	56,105,077.00
23	Lake Victoria South Water Services Board	97,731,936.00
24	National Housing Corporation	415,792.00
25	National Youth Council	118,800.00
26	North Rift Valley Water Works Development Agency	17,909,276.00
27	Northern Water Services Board	42,504,812.00
28	Public Sector Accounting Standards Board	511,150.00
29	Rural Electrification Authority	278,881,414.00
30	Technical and Vocational Education and Training Authority	3,481,665.00
31	Water Resources Authority	6,758,750.00
32	National Construction Authority	2,496,320.00

S/No.	Procuring Entity	Contract Awards (Kshs.)
33	National Council for Persons with Disabilities	15,711,865.00
		2,468,565,896.00

4.2.4 Universities, Colleges, Polytechnics and Technical Institutions

Out of the **Kshs.1,565,625,685.61** planned reserved amount by this category, a cumulative amount of only Kshs. **13,797,558.00** was awarded to firms owned by women, youth and PWDs for goods, works and services. This is equivalent to an average absorption rate of **0.88%** of the reserved amount. **Taita Taveta University** had the highest absorption rate of **25.67%** at **Kshs. 5,192,220.00**, while **Kaimosi Friends University College (MMUST)** registered the lowest absorption rate of **0.09%** at Kshs. **97,752,548.40** as detailed in the table below:

Table 22: Summary of Absorption Levels by Universities, Colleges, Polytechnics and Technical Institutions

S/No.	Procuring Entity	Procurements Reserved (Kshs.)	Contract Awards (Kshs.)	Absorption Rate (%)
1.	Kaimosi Friends University College (MMUST)	97,752,548.40	85,450.00	0.09
2.	Karatina University	34,718,990.11	2,437,761.00	7.02
3.	Kenyatta University (KU)	496,732,000.00	46,015,102.00	9.26
4.	Kiambu Institute of Science and Technology	168,790,860.00	15,273,256.00	9.05
5.	Kisii University	51,204,992.40	282,660.00	0.55
6.	Kisii University	69,862,968.00	706,500.00	1.01
7.	Machakos University	77,259,785.70	6,599,225.00	8.54
8.	Masinde Muliro University of Science and Technology (MMUST)	98,545,200.00	7,056,890.00	7.16
9.	Meru University of Science and Technology	188,295,615.00	2,785,630.00	1.48
10.	Multimedia University of Kenya	91,509,000.00	12,778,997.00	13.96
11.	South Eastern Kenya University	47,875,500.00	4,998,000.00	10.44
12.	Taita Taveta University	20,225,226.00	5,192,220.00	25.67
13.	Tharaka University College	122,802,000.00	551,540.00	0.45
	Total	**1,565,625,685.61**	**13,797,558.00**	**0.88**

The remaining **7** entities did not report on their reserved procurement spend and therefore their absorption rate was indeterminate, despite awarding a cumulative contract value of Kshs. **150,435,499.00** as listed below:-

Table 23: Summary of absorption levels under Universities, Colleges, Polytechnics and technical institutions

S/No.	Procuring Entity	Contract Awards (Kshs.)
1.	Tom Mboya University College (Maseno)	13,797,558.00
2.	University of Nairobi	84,734,464.00
3.	Egerton University	768,948.00
4.	Garissa University	5,833,800.00
5.	Jaramogi Oginga Odinga University of Science and Technology	1,390,140.00
6.	Maseno University	41,890,939.00
7.	Rongo University	2,019,650.00
	Total	**150,435,499.00**

4.3 Absorption Rate By County Government Procuring Entities

4.3.1 County Executives

During the reporting period, **30** county executive entities reported on contract awards to firms owned by women, youth and PWDs. However, only 10 disclosed their reservation procurement spend thereby awarding a total contract value of Kshs. **235,684,526.00** out of the reserved procurement amount of **10,158,205,253.78.** This translated to an absorption rate of **2.32%** as detailed in the table below:-

Table 24: Absorption levels by county government Procuring Entities

S/No.	County Executive Entity	Procurements Reserved (Kshs.)	Contract Awards (Kshs.)	Absorption Rate (%)
1	Bungoma	2,103,778,441.90	17,332,780.00	0.82
2	Busia	1,130,985,169.00	1,454,594.00	0.13
3	Elgeyo Marakwet County Executive	704,472,486.68	43,908,149.00	6.23
4	Embu	601,183,676.10	8,135,776.00	1.35
5	Homa Bay County Government	1,530,650.00	93,398,197.00	6101.87
6	Kisumu	749,402,943.00	23,942,697.00	3.19
7	Laikipia	2,684,309,823.00	20,590,451.00	0.77
8	Muranga	601,183,676.10	1,450,219.00	0.24
9	Nyamira	379,833,119.00	12,245,888.00	3.22
10	Trans Nzoia	1,201,525,269.00	13,225,775.00	1.10

S/No.	County Executive Entity	Procurements Reserved (Kshs.)	Contract Awards (Kshs.)	Absorption Rate (%)
	Total	10,153,965,253.78	235,684,526.00	2.32

Noteworthy, Homa Bay County reported an Annual Procurement Budget of Kshs. 2,055,650.00. However, it reported an annual procurement spend of Kshs. 93,398,197.00 reserved for the target groups. This anomaly is a subject of assessment by the Authority.

The remaining **20** entities awarded a cumulative contract value of Kshs. **1,186,284,457.00** awarded to the target groups. However, their respective absorption rates were not determinable since they did not report on their reserved procurement spend. These are:-

Table 25: County government Procuring Entities that did not report on their planned reserved procurement spend

S/No.	County Executive	Contract Awards (Kshs.)
1.	Baringo	8,919,159.00
2.	Bomet	12,250,140.00
3.	Kajiado	112,702,755.00
4.	Kakamega	27,873,270.00
5.	Kilifi	16,472,986.00
6.	Kirinyaga	40,938,623.00
7.	Kwale	374,363,998.00
8.	Lamu	4,982,490.00
9.	Makueni	68,953,468.00
10.	Mombasa	3,649,500.00
11.	Muranga	1,450,219.00
12.	Nakuru	2,474,451.00
13.	Narok	112,539,897.00
14.	Nyandarua	27,257,047.00
15.	Nyeri	2,335,776.00
16.	Siaya	17,1991,339.00
17.	Taita-Taveta	32,244,266.00
18.	Uasin Gishu	77,381,803.00
19.	Wajir	14,565,314.00
20.	West Pokot	72,937,956.00
	Total	**1,186,284,457.00**

4.3.2 County Assemblies

During the period under consideration, **14** procuring entities under the County Assemblies category reported on contract Awards to the firms owned by women, youth and persons with disability. However, only **9** out of the **47** reported on their reserved procurement spend. The reporting entities awarded contracts worthy Kshs. **47,042,870.00** out of their reserved procurement spend of **Kshs. 503,795,531.50** equivalent to an absorption rate of **9.34 %** as detailed in the table below:-

Table 26: County Assemblies that reported on planned reserved procurement spend

S/No.	County Assembly Entity	Procurements Reserved (Kshs.)	Contract Awards (Kshs.)	Absorption Rate (%)
1	County Assembly of Bungoma	12,900,081.00	2,238,000.00	17.35
2	County Assembly of Kajiado	118,646,469.00	648,000.00	0.55
3	County Assembly of Kiambu	36,900,000.00	4,408,500.00	11.95
4	County Assembly of Kisumu	37,623,512.00	8,326,140.00	22.13
5	County Assembly of Kitui	111,513,437.50	13,853,500.00	12.42
6	County Assembly of Muranga	48,285,120.00	497,570.00	1.03
7	County Assembly of Nandi	32,060,455.00	6,210,000.00	19.37
8	County Assembly of Nyandarua	66,474,600.00	2,697,200.00	4.06
9	County Assembly of Wajir	39391857	8163960	20.72
	Total	**503,795,531.50**	**47,042,870.00**	**9.34**

The following **5** county assemblies though reporting on contracts awarded to target groups cumulatively valued at Kshs. **49,540,779.00**, had not reported on their planned reserved procurements, therefore their respective absorption rates were not determinable. These are as listed below:-

Table 27: County assemblies that did not report their reservation amounts for the target groups

S/No.	Procuring Entity	Contract Awards (Kshs.)
1.	County Assembly of Kisii	15,963,920.00
2.	County Assembly of Laikipia	2,697,800.00
3.	County Assembly of Nakuru	29,430,483.00
4.	County Assembly of Nyeri	1,282,176.00
5.	County Assembly of Vihiga	166,400.00
	Total	**49,540,779.00**

PART FIVE: ZERO COMPLIANCE ON REPORTING REQUIREMENTS

Despite the Authority providing an electronic reporting platform for annual procurement plans and contract awards to disadvantaged groups through the Public Procurement Information Portal (PPIP), multiple procuring entities failed to report on even a single transaction they conducted. These non-compliant entities are categorized as detailed in the tables below

Table 28: Non-Compliant Ministries and State Departments

S/No.	MINISTRY	STATE DEPARTMENT (ACCOUNTING OFFICE)	REPORTING STATUS (JULY- DEC 2022)	REPORTING STATUS(JANUARY - JUNE 2023)
1.	The National Treasury and Planning	1) The National Treasury	Not Reported	Not Reported
		2) **State Department of Planning**	Not Reported	Not Reported
2.	Ministry of Devolution	3) State Department for Devolution	Not Reported	Not Reported
3.	Ministry of Interior and Co-ordination of National Government	4) **State Department for Interior and Coordination of National Government**	Not Reported	Not Reported
		5) State Department for Correctional Services	Not Reported	Not Reported
4	Ministry of Information, Communication and Technology (ICT)	6) **State Department for Broadcasting and Telecommunications**	Not Reported	Not Reported
		7) State Department for Information Communication Technology & Innovation	Not Reported	Not Reported
		8) State Department for Youth Affairs	Not Reported	Not Reported
5.	Ministry of Defense	9) Ministry of Defense	Not Reported	Not Reported
6.	Ministry of Foreign Affairs	10) Ministry of Foreign Affairs	Not Reported	Not Reported
7.	Ministry of Industry, Trade and Cooperatives	11) State Department for Industrialization	Not Reported	Not Reported
		12) State Department for Trade and Enterprise Development	Not Reported	Not Reported
		13) **State Department for Cooperatives**	Not Reported	Not Reported
8.	Ministry of Health	14) **Ministry of Health**	Not Reported	Not Reported
9.	Ministry of Agriculture, Livestock, Fisheries and Irrigation	15) State Department for Crop Development	Not Reported	Not Reported
		16) State Department for Agricultural Research	Not Reported	Not Reported
		17) **State Department for Fisheries and Aquaculture and the Blue Economy**	Not Reported	Not Reported
10.	Ministry of Transport, Infrastructure, Housing, Urban Development and Public Works	18) State Department for Transport	Not Reported	Not Reported
		19) **State Department for Infrastructure**	Not Reported	Not Reported
		20) State Department for Housing, Urban Development and Public Works	Not Reported	Not Reported
11.	Ministry of Education	21) State Department for Vocational and Technical Training	Not Reported	Not Reported
		22) State Department for Post-Training Skills Development	Not Reported	Not Reported
12.	**Ministry of Water, Sanitation and Irrigation**	23) Ministry of Water, Sanitation and Irrigation	Not Reported	Not Reported
13.	Ministry of Sports, Culture and Heritage	24) State Department for Culture and Heritage	Not Reported	Not Reported
		25) State Department for Sports	Not Reported	Not Reported
14.	Ministry of East African Community (EAC) and Regional Development	26) State Department for East African Community	Not Reported	Not Reported
		27) State Department for Regional and Northern Corridor Development	Not Reported	Not Reported
15.	**Ministry of Energy**	28) Ministry of Energy	Not Reported	Not Reported

S/No.	MINISTRY	STATE DEPARTMENT (ACCOUNTING UNIT)	REPORTING STATUS (JULY- DEC 2022)	REPORTING STATUS(JANUARY- JUNE 2023)
16.	Ministry of Petroleum and Mining	29) State Department for Petroleum	Not Reported	Not Reported
		30) State Department for Mining	Not Reported	Not Reported
17.	Ministry of Public Service, Youth, Gender, Social Protection and Development of the ASALs	31) **State Department for Public Service**	Not Reported	Not Reported
		32) State Department for Development of the ASALs	Not Reported	Not Reported
		33) State Department for Social Protection	Not Reported	Not Reported
		34) **State Department for Gender**	Not Reported	Not Reported
18.	The State Law Office and Department of Justice	35) The State Law Office and Department of Justice	Not Reported	Not Reported

Table 29: Non-Compliant Constitutional Commissions and Independent Offices

S/No.	Procuring Entity	REPORTING STATUS (JULY-DEC 2022)	REPORTING STATUS (JAN-JUNE 2023)
1.	Kenya National Commission on Human Rights	Not Reported	Not Reported
2.	Office of the Registrar of Political Parties	Not Reported	Not Reported
3.	Parliamentary Service Commission	Not Reported	Not Reported
4.	Central Bank of Kenya	Not Reported	Not Reported

Table 30: Non-Compliant State Corporations and SAGAs

S/No.	PROCURING ENTITY	REPORTING STATUS (JULY-DEC 2022))	REPORTING STATUS (JAN-JUNE 2023)
1.	Agro Chemical and Food Company Ltd	Not Reported	Not Reported
2.	Anti-Counterfeit Authority		
3.	Anti-Doping Agency	Not Reported	Not Reported
4.	Anti-FGM Board	Not Reported	Not Reported
5.	Betting Control and Licensing Board	Not Reported	Not Reported
6.	Board of Registration of Quantity Surveyors (BORAQS)	Not Reported	Not Reported
7.	Bomas of Kenya	Not Reported	Not Reported
8.	Centre for Mathematics, Science and Technology Education in Africa	Not Reported	Not Reported
9.	Coast Water Services Board	Not Reported	Not Reported
10.	Consolidated Bank of Kenya	Not Reported	Not Reported
11.	Council of Governors	Not Reported	Not Reported
12.	County Assemblies Forum	Not Reported	Not Reported
13.	East Africa Portland Cement Company Ltd	Not Reported	Not Reported
14.	Energy and Petroleum Regulatory Authority	Not Reported	Not Reported
15	Financial Reporting Centre	Not Reported	Not Reported
16.	Forest and Environment Research Institute	Not Reported	Not Reported
17.	Huduma Kenya Secretariat	Not Reported	Not Reported
18.	IDB Capital Ltd	Not Reported	Not Reported
19.	Industrial and Commercial Development Corporation	Not Reported	Not Reported

S/No.	PROCURING ENTITY	REPORTING STATUS (JULY-DEC 2022))	REPORTING STATUS (JAN-JUNE 2023)
20.	Intergovernmental Relations Technical Committee	Not Reported	Not Reported
21.	Jomo Kenyatta Foundation	Not Reported	Not Reported
22.	Kenya Accountants and Secretaries National Examination Board	Not Reported	Not Reported
23.	Kenya Accreditation Service	Not Reported	Not Reported
24.	Kenya Building Research Centre	Not Reported	Not Reported
25.	Kenya Bureau of Standards	Not Reported	Not Reported
26.	Kenya Civil Aviation Authority	Not Reported	Not Reported
27.	Kenya Deposit Insurance Corporation	Not Reported	Not Reported
28.	Kenya Ferry Services Ltd	Not Reported	Not Reported
29.	Kenya Industrial Estates Limited	Not Reported	Not Reported
30.	Kenya Industrial Property Institute	Not Reported	Not Reported
31.	Kenya Institute for the Blind	Not Reported	Not Reported
32.	Kenya Institute of Curriculum Development	Not Reported	Not Reported
33.	Kenya Institute of Special Education	Not Reported	Not Reported
34.	Kenya Institute of Supplies Examination Board	Not Reported	Not Reported
35.	Kenya Medical Laboratory Technicians and Technologists Board	Not Reported	Not Reported
36.	Kenya Medical Supplies Authority	Not Reported	Not Reported
37.	Kenya Medical Training College	Not Reported	Not Reported
38.	Kenya National Assurance Company Ltd	Not Reported	Not Reported
39.	Kenya National Convention Bureau	Not Reported	Not Reported
40.	Kenya National Examinations Council	Not Reported	Not Reported
41.	Kenya National Shipping Line	Not Reported	Not Reported
42.	Kenya National Trading Corporation Ltd	Not Reported	Not Reported
43.	Kenya Ordinance Factories Corporation	Not Reported	Not Reported
44.	Kenya Reinsurance Corporation	Not Reported	Not Reported
45.	Kenya Safari Lodges and Hotels	Not Reported	Not Reported
46.	Kenya Tsetse and Trapanosomiasis Eradication Council	Not Reported	Not Reported
47.	Kenya Utalii College	Not Reported	Not Reported
48.	Kenya Wildlife Service	Not Reported	Not Reported
49.	Kenya Yearbook Editorial Board	Not Reported	Not Reported
50.	Kenyatta International Convention Centre	Not Reported	Not Reported
51.	Kenyatta National Hospital	Not Reported	Not Reported
52.	Kenyatta University Teaching, Referral and Research Hospital	Not Reported	Not Reported
53.	Kerio Valley Development Authority	Not Reported	Not Reported
54.	Medical Practitioners and Dentists Board	Not Reported	Not Reported
55.	Miwani Sugar Company Ltd	Not Reported	Not Reported
56.	Muhoroni Sugar Company Limited	Not Reported	Not Reported
57.	National Cohesion and Integration Commission	Not Reported	Not Reported
58.	National Commission of Science Technology and Innovation	Not Reported	Not Reported

S/No.	PROCURING ENTITY	REPORTING STATUS (JULY-DEC 2022))	REPORTING STATUS (JAN-JUNE 2023)
59.	National Council for Law Reporting	Not Reported	Not Reported
60.	National Crime Research Centre	Not Reported	Not Reported
61.	National Government Affirmative Action Fund Board	Not Reported	Not Reported
62.	National Government Constituencies Development Fund (NG-CDF) Board	Not Reported	Not Reported
63.	National Industrial Training Authority	Not Reported	Not Reported
64.	National Museums of Kenya	Not Reported	Not Reported
65.	National Quality Control Laboratory	Not Reported	Not Reported
66.	National Social Security Fund	Not Reported	Not Reported
67.	National Youth Service	Not Reported	Not Reported
68.	Postal Corporation of Kenya	Not Reported	Not Reported
69.	Pyrethrum Processing Company of Kenya Ltd	Not Reported	Not Reported
70.	Regional Centre on Ground Water Resources	Not Reported	Not Reported
71.	Rift Valley Water Works Development Agency	Not Reported	Not Reported
72.	School Equipment Production Unit	Not Reported	Not Reported
73.	Sports Kenya	Not Reported	Not Reported
74.	Sports Stadia Management Board	Not Reported	Not Reported
75.	State Corporations Advisory Committee	Not Reported	Not Reported
76.	Tana Water Services Board	Not Reported	Not Reported
77.	Tanathi Water Services Board	Not Reported	Not Reported
78.	Tourism Finance Corporation	Not Reported	Not Reported
79.	Water Appeals Board	Not Reported	Not Reported
80.	Kenya Trade Network Agency	Not Reported	Not Reported
81.	Commission for University Education	Not Reported	Not Reported
82.	Special Economic Zones Authority	Not Reported	Not Reported
83.	The Kenya National Examination Council	Not Reported	Not Reported

Table 31: Non-Compliant Universities, Colleges, Polytechnics and Technical Institutions

S/No.	PROCURING ENTITY	REPORTING STATUS (JULY-DEC 2022)	REPORTING STATUS (JAN-JUNE 2023)
1.	Bomet University College	Not Reported	Not Reported
2.	Bureti Technical Training Institute	Not Reported	Not Reported
3.	Coast Institute of Technology	Not Reported	Not Reported
4.	Jomo Kenyatta University of Agriculture and Technology (JKUAT)	Not Reported	Not Reported
5.	Keroka Technical Training Institute	Not Reported	Not Reported
6.	Kibabii University	Not Reported	Not Reported
7.	Kisii National Polytechnic	Not Reported	Not Reported
8.	Kisiwa Technical Training Institute	Not Reported	Not Reported
9.	Laikipia University	Not Reported	Not Reported
10.	Lugari Diploma Teachers' Training College	Not Reported	Not Reported

S/No.	PROCURING ENTITY	REPORTING STATUS (JULY-DEC 2022)	REPORTING STATUS (JAN-JUNE 2023)
11.	Machakos Technical Institute for the Blind	Not Reported	Not Reported
12.	Masai Technical Training Institute	Not Reported	Not Reported
13.	Mathenge Technical Training Institute	Not Reported	Not Reported
14.	Matili Technical Training Institute	Not Reported	Not Reported
15.	Mawego Technical Training Institute	Not Reported	Not Reported
16.	Meru National Polytechnic	Not Reported	Not Reported
17.	Meru Teachers College	Not Reported	Not Reported
18.	Mitunguu Technical Training Institute	Not Reported	Not Reported
19.	Moi Teachers College-Baringo	Not Reported	Not Reported
20.	Mukirita Technical Training Institute	Not Reported	Not Reported
21.	Mukuruwe-ini Technical Training Institute	Not Reported	Not Reported
22.	Musakasa Technical Training Institute	Not Reported	Not Reported
23.	Mwingi Baptist Youth Polytechnic	Not Reported	Not Reported
24.	Nairobi Technical Training Institute	Not Reported	Not Reported
25.	Nkabune Technical Training Institute	Not Reported	Not Reported
26.	Nkabune Technical Training Institute	Not Reported	Not Reported
27.	North Eastern Province National Polytechnic	Not Reported	Not Reported
28.	Nyandarua Institute of Science and Technology	Not Reported	Not Reported
29.	Nyeri Technical Training Institute	Not Reported	Not Reported
30.	Olkessos Technical Training Institute	Not Reported	Not Reported
31.	P.C Kinyanjui Technical Training Institute	Not Reported	Not Reported
32.	Railway Training Institute	Not Reported	Not Reported
33.	Ramogi Institute of Advanced Technology	Not Reported	Not Reported
34.	Rift Valley Institute of Science & Technology	Not Reported	Not Reported
35.	Rift Valley Technical Training Institute	Not Reported	Not Reported
36.	Runyenjes Technical and Vocational College	Not Reported	Not Reported
37.	Rwika Technical Institute	Not Reported	Not Reported
38.	Sang'ato Institute of Science & Technology	Not Reported	Not Reported
39.	Shamberere Technical Training Institute	Not Reported	Not Reported
40.	Siaya Institute of Technology	Not Reported	Not Reported
41.	Sigalagala National Polytechnic	Not Reported	Not Reported
42.	Sot Technical Training Institute	Not Reported	Not Reported
43.	Sotik Technical Training Institute	Not Reported	Not Reported
44.	St. John's Teachers Training College- Kilimambogo	Not Reported	Not Reported
45.	St. Joseph's Technical Institute for the Deaf Nyang'oma	Not Reported	Not Reported
46.	Technical University of Kenya	Not Reported	Not Reported
47.	Technology Development Centre - Athi River	Not Reported	Not Reported
48.	The Kisumu National Polytechnic	Not Reported	Not Reported
49.	The Nyeri National Polytechnic	Not Reported	Not Reported
50.	The Sigalagala National Polytechnic	Not Reported	Not Reported

S/No.	PROCURING ENTITY	REPORTING STATUS (JULY-DEC 2022)	REPORTING STATUS (JAN-JUNE 2023)
51.	Thika Technical Training Institute	Not Reported	Not Reported
52.	Thogoto Teachers College	Not Reported	Not Reported
53.	Turkana University	Not Reported	Not Reported
54.	University of Embu	Not Reported	Not Reported
55.	Wote Technical Training Institute	Not Reported	Not Reported

Table 32: County Executives

S/No.	COUNTY EXECUTIVE	REPORTING STATUS (JULY -DEC 2022)	REPORTING STATUS (JAN- JUNE 2023)
1.	Meru	Not Reported	Not Reported
2.	Nandi	Not Reported	Not Reported
3.	Marsabit	Not Reported	Not Reported
4.	Garissa	Not Reported	Not Reported
5.	Isiolo	Not Reported	Not Reported
6.	Kericho	Not Reported	Not Reported
7.	Kiambu	Not Reported	Not Reported
8.	Kisii	Not Reported	Not Reported
9.	Mandera	Not Reported	Not Reported
10.	Migori	Not Reported	Not Reported
11.	Nairobi City	Not Reported	Not Reported
12.	Tana River	Not Reported	Not Reported
13.	Tharaka Nithi	Not Reported	Not Reported
14.	Turkana	Not Reported	Not Reported
15.	Vihiga	Not Reported	Not Reported

Table 33: County Assemblies

S/No.	COUNTY ASSEMBLY	REPORTING STATUS (JULY- DEC 2022)	REPORTING STATUS (JAN- JUNE 2023)
1.	Baringo	Not Reported	Not Reported
2.	Bomet	Not Reported	Not Reported
3.	Busia	Not Reported	Not Reported
4.	Embu	Not Reported	Not Reported
5.	Garissa	Not Reported	Not Reported
6.	Homa Bay	Not Reported	Not Reported
7.	Isiolo	Not Reported	Not Reported
8.	Kakamega	Not Reported	Not Reported
9.	Kericho	Not Reported	Not Reported
10.	Kirinyaga	Not Reported	Not Reported
11.	Kwale	Not Reported	Not Reported

S/No.	COUNTY ASSEMBLY	REPORTING STATUS (JUL - DEC 2022)	REPORTING STATUS (JAN- JUNE 2023)
12.	Lamu	Not Reported	Not Reported
13.	Makueni	Not Reported	Not Reported
14.	Marsabit	Not Reported	Not Reported
15.	Meru	Not Reported	Not Reported
16.	Migori	Not Reported	Not Reported
17.	Mombasa	Not Reported	Not Reported
18.	Narok	Not Reported	Not Reported
19.	Nyamira	Not Reported	Not Reported
20.	Samburu	Not Reported	Not Reported
21.	Taita Taveta	Not Reported	Not Reported
22.	Tana River	Not Reported	Not Reported
23.	Tharaka Nithi	Not Reported	Not Reported
24.	Trans Nzoia	Not Reported	Not Reported
25.	Turkana	Not Reported	Not Reported
26.	Uasin Gishu	Not Reported	Not Reported
27.	West Pokot	Not Reported	Not Reported

Not even a single report was submitted to Authority by all the above listed procuring entities. However, there was recorded zero compliance by all procuring entities from the sectors listed below:

1. County Service Coordination Units (47 No.)
2. National Government Affirmative Action Funds (47 No.)
3. NG-CDFs Committees (290 No.)
4. Public Water Companies (58 No.)
5. Public Schools (Primary and Secondary)
6. Public Entity Pension Funds, (except Kenya Power Pension Fund)

PART SIX: COMPARATIVE ANALYSIS FOR THE LAST TWO YEARS

In the last two reporting years (from July, 2021-June 2023), there has been an increase in the value of annual procurement budget from **KShs. 182,869,545,859.62** to **KShs. 327,606,540,263.61** which is equivalent to 44.18% increase as detailed in the table below:-

Table 34: Summary of Planned Procurement Budget for Financial Years 2021/2022 and 2022/2023

Category of Procuring Entities	Planned Annual Procurement Budget	
	2021/2022	2022/2023
State Corporations and SAGAs	111,930,148,256.86	245,899,469,858.54
Tertiary Institutions	6,791,635,355.5	8,052,360,143.71
Ministries & State Departments	30,381,857,124.57	3,259,921,442.5
Constitutional Commissions & Independent Offices	7,654,925,660.03	16,847,907,198.00
County Executives	23,685,036,302.66	51,271,230,766.26
County Assemblies	2,425,943,160.00	2,275,650,854.60
TOTAL	**182,869,545,859.62**	**327,606,540,263.61**

On the other hand, this reporting year records a decrease in the reserved procurement spend from **KShs. 177,821,857,621.94** to **KShs. 86,616,895,071.46.** This is equivalent to reduction of procurement spend by **51.29%** as detailed in the table below:-

Table 35: Summary of Reserved Procurement Spend for Financial Years 2021/2022 and 2022/2023

Category of Procuring Entities	Reserved Procurement Spend	
	2021/2022	2022/2023
State Corporations and SAGAs	101,829,454,809.55	73,769,840,957.56
Tertiary Institutions	6,991,350,788.75	2,415,708,043.11
Ministries & State Departments	12,886,200,432.14	977,976,432.75
Constitutional Commissions & Independent Offices	40,086,051,484.3	15,381,369,229.88
County Executives	14,355,030,990.10	10,398,640,676.27
County Assemblies	1,673,769,117.1	682,695,256.38
TOTAL	**177,821,857,621.94**	**86,616,895,071.46**

Therefore, the overall absorption rate for the previous Financial Year 2021/2022 was **97.24%,** while the current year under review dropped to a paltry **26.43%.** This translates to gross non-compliance by procuring entities on the requirement to reserve procurements to the target groups.

On cumulative quantity of contract awards, for the last two years, procuring entities submitted reports awarding a total of **32,651** contracts to Youth, Women and PWDs during the Financial Year 2021/2022, while only **6,215** contracts were awarded in the subsequent Financial Year 2022/2023. This is a drop of contract awards to target groups by 80.6% as detailed in the Table below:

Table 36: Summary of Quantity of Contracts Awarded to Women, Youth and PWDs Cumulatively for the Financial Year 2021/2022

Target Groups	Number of Contracts Awarded (No.)		Percentage Share of No. of Contract Awards	
	FY 2021/2022	FY 2022/2023	2021/2022	2022/2023
Women	20,026	3,254	61.33%	52.35%
Youth	10,317	2,120	31.60%	34.10%
PWDs	2,308	842	7.07%	13.55%
Total	**32,651**	**6,216**	**100.00%**	**100.00%**

In terms of contract awards, target groups were awarded a total of **KShs. 34,262,402919.97** worth of contracts during FY 2021/2022; while a paltry **Kshs. 13,634,079,071.37** worth of contracts were awarded to the same target group in FY 2022/2023. This denotes a drop in value by 60.21% compared to the previous year, as detailed in the table below:

Table 37: Summary of Value of Contracts Awarded to Women, Youth and PWDs

S/No.	Target Group	Value of Contracts Awarded (KShs.)		Percentage Share of Value of Contract Awards	
		FY 2021/2022	FY 2022/2023	FY 2021/2022	FY 2022/2023
1.	Women	19,836,635,626.37	5,769,273,743.42	57.90	42.32
2.	Youth	11,941,002,759.92	5,065,661,200.75	34.85	37.15
3.	PWDs	2,484,764,533.68	2,799,144,127.37	7.25	20.53
	Total	**34,262,402,919.97**	**13,634,079,071.54**	**100.00**	**100.00**

The PWDs category enjoyed a comparative percentage increase of the annual portion awarded to the disadavntaged groups in FY 2022/2023 from 7.25% to 20.53% being the highest share garnered by the group since inception of the scheme. On the other hand, women enterprises experienced a drop in the percentage share of the portion from 57.9% to 42.32% in the year under review. The Youth maintained a common percentage share as detailed in the figure below:-

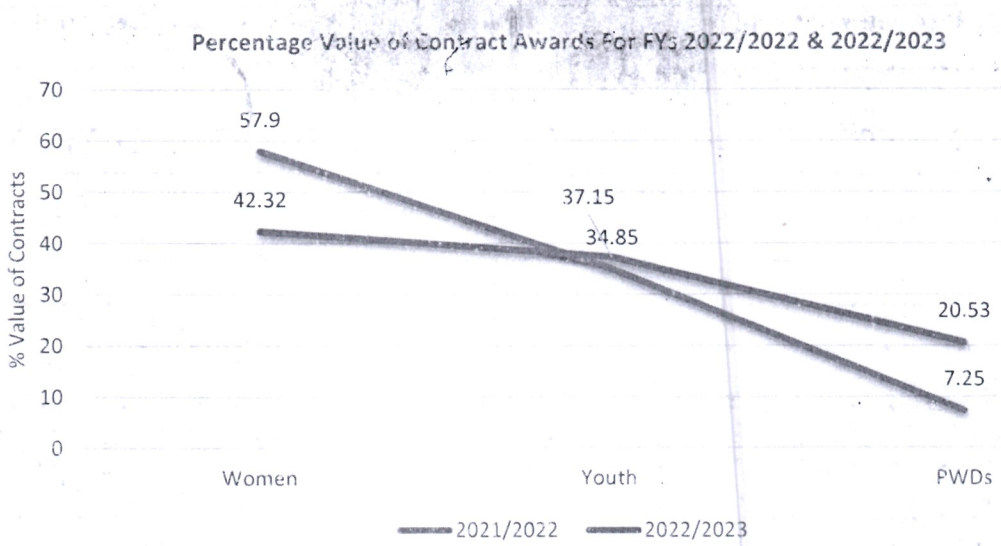

Figure 3: Percentage Value of Contract Awards for Financial Years 2022/2022 & 2022/2023

PART SEVEN: KEY FINDINGS, CONCLUSION & RECOMMENDATIONS

Key findings that emerged from this report are that:

A number of procuring entities were partially compliant to the requirement of Section 157(5) of the Act in that they did not disclose all the information required, in terms of the annual procurement budgets and the amounts reserved for the target groups. Also, a number of procuring entities reserved less than the required minimum of 30% of their annual procurement budget for the preference and reservation scheme. It was also noted that even where procuring entities reserved procurement budgets for the disadvantaged groups, absorption of the same has been very low across all categories of procuring entities. The PWDs category was awarded the least contracts in terms of number and value by all the procuring entities that reported. In the extreme, some procuring entities did not award contracts to these target group at all thus posting zero compliance to these legal requirements.

In conclusion, the National Treasury and the Authority have issued directives in form of circulars to Accounting Officers on implementation requirements that have guided the operationalization of preferences and reservations schemes. The two institutions have continued to build the capacity of procuring entities and suppliers to enhance uptake of the schemes. Notwithstanding these major achievements, the uptake of the 30% procurement spends reserved for the target groups has remained below the set threshold.

It is against this background that we recommend the need to commission a well-funded study to determine the factors that impede procuring entities from spending the reserved budgets among other non-compliances. The proposed study will go a long way in improving the implementation of the preference and reservation schemes of public procurement. Further, Parliament should consider amending the Public Procurement and Asset Disposal Act, 2015 to confer the Authority powers impose administrative sanctions against non-compliant accounting officers and their respective procuring entities.

PPRA/6/1/1 VOL V (45) **9th October ,2023**

The Executive Director
NGOs Co-ordination Board
P.O BOX 44617-00100
NAIROBI

Email: amokua@ngobureau.go.ke

RE: ADVICE ON VARIATION OF CONTRACTS PURSUANT TO SECTION 39 OF THE PPADA, 2015(AMENDMENT) ,2022

We acknowledge receipt of your email 5th October 2023, regarding the above subject matter.
We note that you awarded a contract for the provision of google services to Cloud IT on 17th November,2022 at ksh eight hundred and twenty-two thousand, nine hundred and sixty shillings. In January 2023, the Government of Kenya Introduced 16% tax charges to all Google adds account which was to be effective from 1st February 2023. In a nutshell this cost increment was to be passed to customers.

You are therefore requesting for a clarification on the following; -

- Whether this is to be considered as a contract price variation
- Whether it can be considered as variation after an increase in tax

Based on the foregoing, our comments are as follows:

We refer you to **section 139 (1)** of the Act which states that, any contract variation or amendments for goods, works and services shall be as prescribed. This is well replicated in **section132(1) of the regulation 2020**, which guides that contract variation or amendments envisaged under section 139 of the Act for goods, works and services may either emanate from procuring entity on its own volition or from the contractor because of **the circumstances that were not foreseen** during project design

Please note **section 139(2)** of the Act states that an Accounting Officer of a Procuring Entity on the recommendation of an evaluation committee or as prescribed in the signed contract agreement may approve the request for

a) Use of prime costs
b) Use of contingencies
c) Reimbursable costs; and
d) Use of provisional sums

Conclusion

We opine that, contract variations are covered under use of **contingency provisional sums** pursuant to **section 139(2)** of the Act and **Section 132 (4)** of the Regulation,2020.

Please be guided accordingly,

Patrick K. Wanjuki
DIRECTOR GENERAL

THE NATIONAL ASSEMBLY
Directorate of Legislative & Procedural Services
THE TABLE OFFICE

INTERNAL MEMO

TO : **Director, Audit, Appropriation & Other Select Committees**

FROM : **Head of the Table Office Department**

DATE : **12th October, 2023**

SUBJECT: MESSAGE FROM THE EXECUTIVE

On **Thursday, 12th October 2023**, the Hon. Speaker conveyed a Message from the Executive regarding the **nomination of a Member to the National Government Constituencies Development Fund Board**, pursuant to Standing Order 42.

Enclosed herewith, please find the said Message for your necessary action.

Wanjiru Ndindiri
Encls.

Copy: Clerk of the National Assembly
Deputy Clerks
Director, Legislative & Procedural Services
Chief Librarian/ Deputy Director, Information & Research Services