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PARLIAMENT OF KENYA



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THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT - SECOND SESSION

**THE DEPARTMENTAL COMMITTEE ON TRANSPORT,
PUBLIC WORKS AND HOUSING**

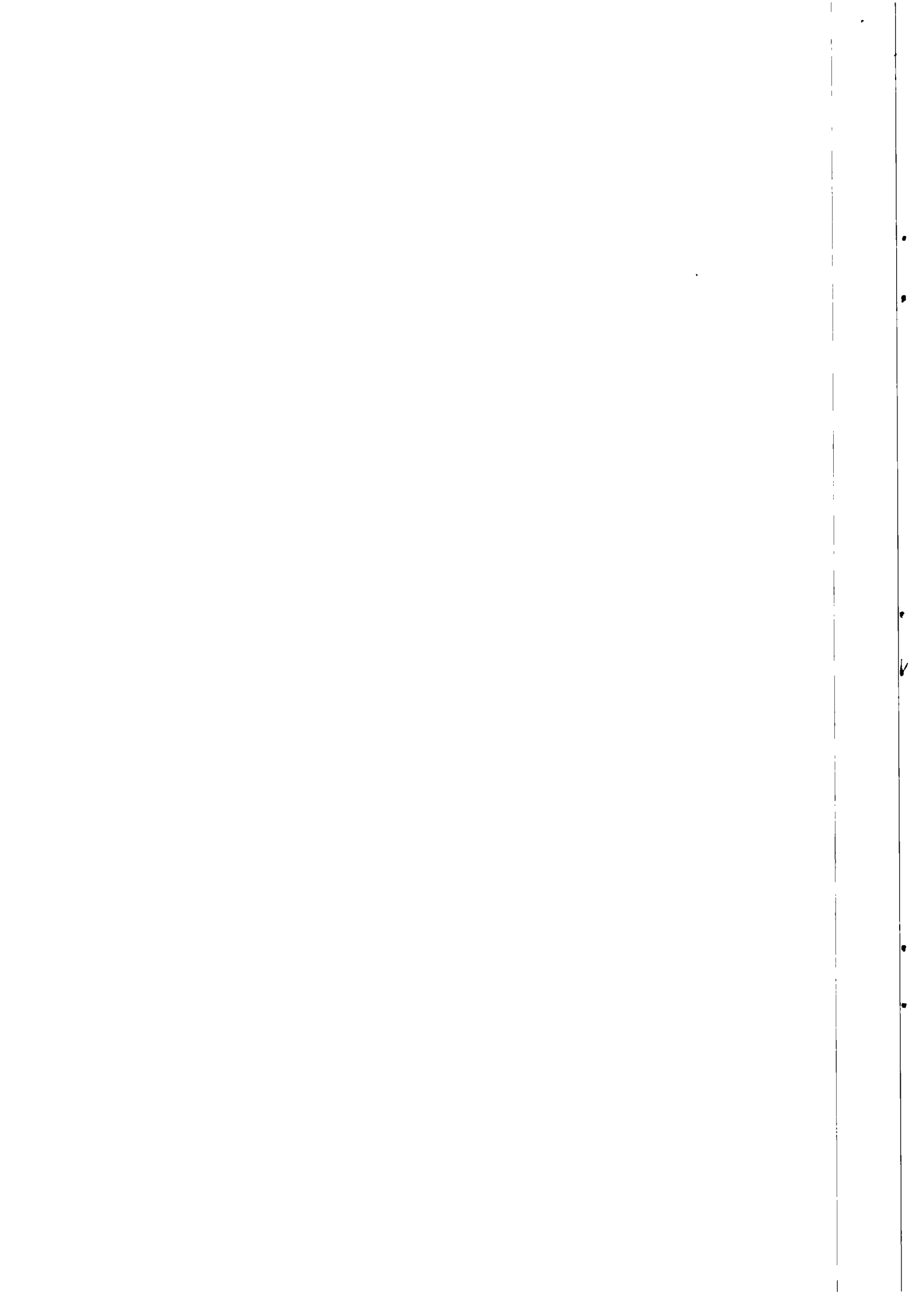
REPORT

ON

**CONSIDERATION OF THE PETITION REGARDING CONSTRUCTION OF
FOOT BRIDGES / CROSSINGS ALONG OUTER RING ROAD, NAIROBI**

**DIRECTORATE OF COMMITTEE SERVICES
CLERK'S CHAMBERS
NATIONAL ASSEMBLY
PARLIAMENT BUILDINGS
NAIROBI**

AUGUST 2018



PARLIAMENT OF KENYA



THE NATIONAL ASSEMBLY
TWELFTH PARLIAMENT - SECOND SESSION

**THE DEPARTMENTAL COMMITTEE ON TRANSPORT,
PUBLIC WORKS AND HOUSING**

REPORT

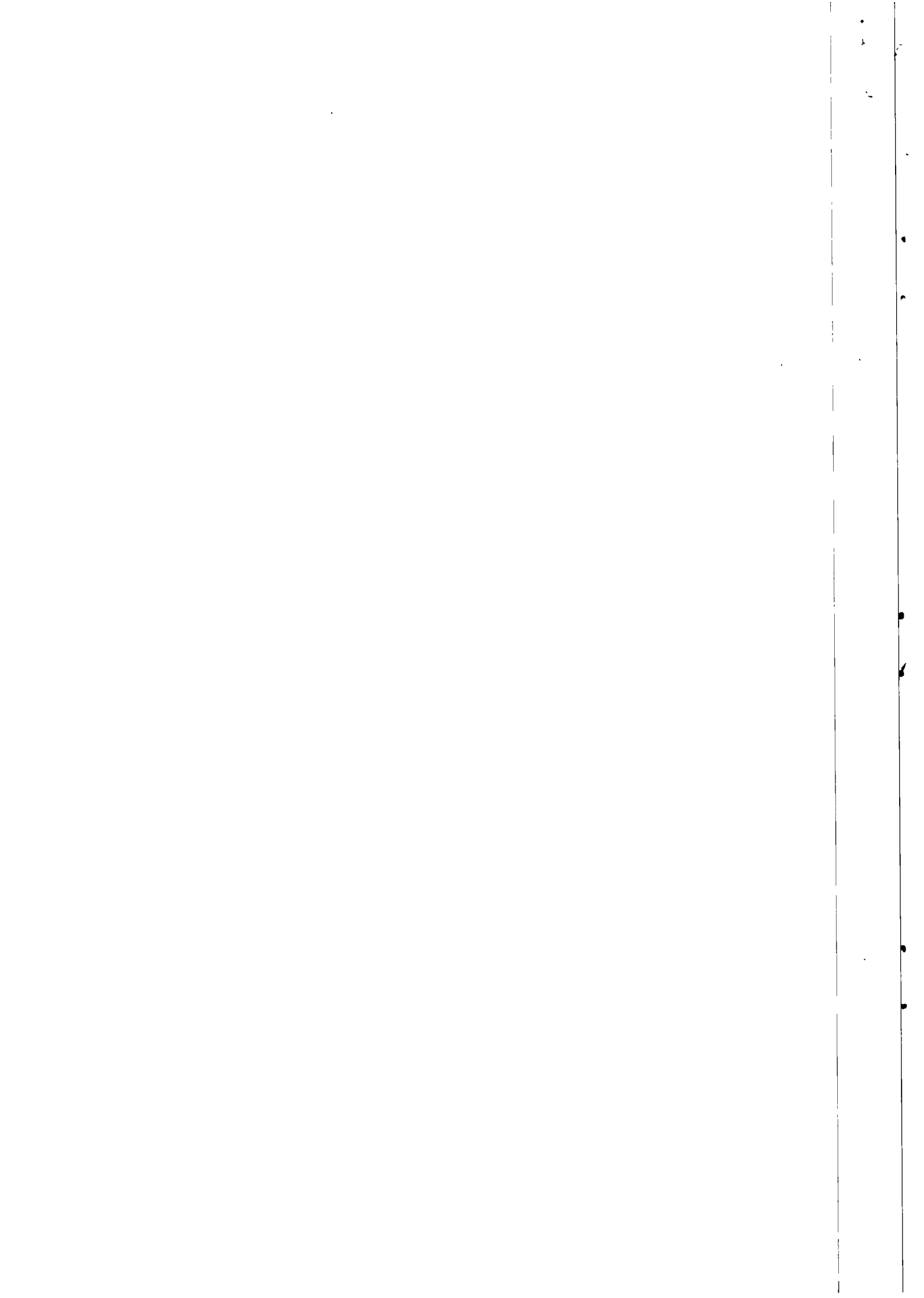
ON

**CONSIDERATION OF THE PETITION REGARDING CONSTRUCTION OF
FOOT BRIDGES / CROSSINGS ALONG OUTER RING ROAD, NAIROBI**

**DIRECTORATE OF COMMITTEE SERVICES
CLERK'S CHAMBERS**

**NATIONAL ASSEMBLY
PARLIAMENT BUILDINGS
NAIROBI**

AUGUST 2018



LIST OF ABBEVIATIONS

MP - Member of Parliament

KURA - Kenya Urban Roads Authority

NTSA - National Transport and Safety Authority

NMT - Non- Motorized Traffic

ANNEXURES

Annex 1: Copy of Petition

Annex 2: Response by NTSA

Annex 3: Response by KURA

Annex 4: Committee Minutes

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1.0 PREFACE

On behalf of the Departmental Committee on Transport, Public Works and Housing and pursuant to provisions of Standing Order 199 (6), it is my pleasant privilege and honour to present to this House the Report on the Petition regarding Construction of foot bridges/ crossings along outer ring road, Nairobi.

The petition was tabled before the House pursuant to Standing Order 225 (2)(a) by the Member for Embakasi West Constituency, Hon. George Theuri, on behalf of Embakasi West residents.

Pursuant to Standing Order 227 (1), the petition was referred to the Departmental Committee on Transport, Public Works and Housing for consideration and preparation of a report within 60 days.

1.1 Mandate of the Committee and Membership

a) Mandate

The Departmental Committee on Transport, Public Works and Housing is established under Standing Order 216(1) whose mandate, pursuant to the Standing Order 216 (5), is as follows;

- a. investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
- b. study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;
- c. study and review all legislation referred to it;
- d. study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
- e. investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
- f. to vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (*Committee on Appointments*);
- g. examine treaties, agreements and conventions;

- h. make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
- i. make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
- j. consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
- k. examine any questions raised by Members on a matter within its mandate.

Further, the Second Schedule to the Standing Orders mandates the Committee to consider matters relating to the following subjects:-

- a) Transport;
- b) Roads;
- c) Public works;
- d) Construction and maintenance of roads, rails and buildings;
- e) Air and seaports; and
- f) Housing.

In executing this mandate, the Committee oversees various State Departments, namely:

- i. The State Department of Transport;
- ii. The State Department of Infrastructure;
- iii. The State Department of Housing and Urban Development;
- iv. The State Department of Public Works; and
- v. The State Department of Shipping and Maritime Affairs.

b) Committee Membership

- | | |
|-------------------------------------|-------------------------|
| 1. Hon. David Pkosing CBS, M.P. | Chairperson |
| 2. Hon. Moses Kuria, M.P. | Vice Chairperson |
| 3. Hon. Johnson Many Naicca, M.P. | |
| 4. Hon. David Njuguna Kiaraho, M.P. | |
| 5. Hon. Peris Pesi Tobiko, M.P. | |

6. Hon. Savula Ayub Angatia, M.P.
7. Hon. Samuel Arama, M.P.
8. Hon. Suleiman Dori Ramadhani, M.P.
9. Hon. Rigathi Gachagua, M.P.
10. Hon. Ahmed Bashane Gaal, M.P.
11. Hon. Ahmed Abdisalan Ibrahim, M.P.
12. Hon. Dominic Kipkoech Koskei, M.P.
13. Hon. Gideon Mutemi Mulyungi, M.P.
14. Hon. Kulow Maalim Hassan, M.P.
15. Hon. Mugambi Murwithania Rindikiri, M.P.
16. Hon. Rehema Dida Jaldesa, M.P.
17. Hon. Shadrack John Mose, M.P.
18. Hon. Tom Mboya Odege, M.P.
19. Hon. Vincent Kemosi Mogaka, M.P.

c) Committee Secretariat

- | | |
|-----------------------------|------------------------------|
| 1) Ms. Chelagat Tungo Aaron | First Clerk Assistant |
| 2) Mr. Ahmed Salim Abdalla | Third Clerk Assistant |
| 3) Ms. Mercy Wanyonyi | Legal Counsel |
| 4) Mr. James Muguna | Research Officer |
| 5) Mr. Eugene Luteshi | Audio Officer |
| 6) Mr. Abdinasir Moge Yusuf | Fiscal Analyst |
| 7) Ms. Zainabu Wario | Sergeant at Arms |
| 8) Mr. Yeziel Jilo | Sergeant at Arms |

1.3 Committal and Consideration of the Petition

Pursuant to the provisions of Standing Orders 227 (1), the petition was referred to the Departmental Committee on Transport, Public Works and Housing for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the Standard Orders 227 (1) and (2).

The Committee proceeded with the consideration of the petition by holding meetings to set up terms of reference and scheduling meetings.

In considering the petition, the Committee invited and held meetings with the officials from the Ministry of Transport and Infrastructure, National Transport Authority and Kenya Urban Roads Authority. However, the Petitioner was not available to attend the meeting. The meetings were aimed at responding to issues raised by the petitioners.

1.4 Committee Observations

Having held meetings and considered the submissions presented on the petitions, the Committee observed that:-

The Committee made the following observations, that:-

1. The Works on Outer Ring Road Improvement Project are ongoing at an overall progress of 92%. The works on the main carriageway are substantially completed. The contractor is currently working on installation of road furniture.
2. KURA allocated funds under the project for construction of 11No. foot bridges at various locations along the project road
3. Three footbridges had been provided between Jogoo Road and Eastern Bypass (Taj Mall) section but more bridges are yet to be constructed.

1.5 Response to the Prayers in the Petition

The petitioners prayed that the National Assembly through the Committee Transport, Public Works and Housing:-

- a) Allocate/ appropriate funds for construction of adequate foot bridges/ underpasses at the major black spots especially in Umoja Mutindwa area, Donholm area and Tajj Mall area and establishment of bus stops along the Outer ring Road;
- b) Ensures that the Petitioners' plight addresses; and
- c) Makes any order or direction that it deems fit in the circumstances of the matter

In response to the above prayers, the Committee recommends that:-

The footbridges bridge be erected with immediate effect while KURA in Consultation with NTSA agree on the type of bridges to be constructed in future so as to enhance safety of all road users.

1.6 Adoption of the Report

We the members of the Departmental Committee on Transport, Public Works and Housing have pursuant to Standing Order 199 adopted this Report on the consideration of the Public Petition by residence of Embakasi West Constituency regarding construction of foot bridges/ crossings along Outer Ring Road. We affix our signatures to affirm our approval and confirm its accuracy, validity and authenticity today Sunday 6th August, 2018:-

- 1. Hon. David Pkosing CBS, M.P


.....


Chairperson


- 2. Hon. Moses Kuria, M.P.


.....

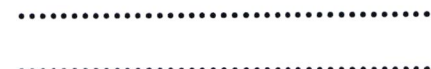
Vice Chairperson

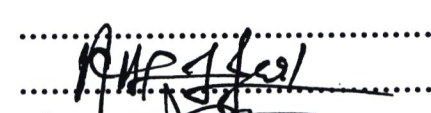
- 3. Hon. Samuel Arama, M.P.
- 4. Hon. David Njuguna Kiaraho, M.P.
- 5. Hon. Johnson Many Naicca, M.P.
- 6. Hon. Rigathi Gachagua, M.P
- 7. Hon. Peris Pesi Tobiko, M.P.
- 8. Hon. Suleiman Dori Ramadhani, M.P.
- 9. Hon. Savula Ayub Angatia, M.P.
- 10. Hon. Ahmed Abdisalan Ibrahim, M.P.
- 11. Hon. Ahmed Bashane Gaal, M.P.
- 12. Hon. Dominic Kipkoech Koskei, M.P.
- 13. Hon. Gideon Mutemi Mulyungi, M.P.
- 14. Hon. Kulow Maalim Hassan, M.P.
- 15. Hon. Mugambi M. Rindikiri, M.P.
- 16. Hon. Rehema Dida Jaldesa, M.P.
- 17. Hon. Shadrack John Mose, M.P.
- 18. Hon. Tom Mboya Odege, M.P.
- 19. Hon. Vincent Kemosi Mogaka, M.P.



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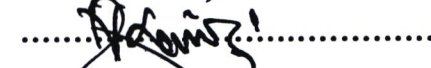

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1.7 Acknowledgment

The Committee wishes to sincerely thank the Offices of the Speaker and the Clerk of the National Assembly for the support and services extended to the Members to enable the Committee complete this report within the given timelines.

I am grateful for the Members of the Committee whose support enabled the Committee to accomplish this task. Special thanks to the Secretariat for their technical support during the compilation of the report.

On behalf of the Committee, and pursuant to Standing Orders 227(2) of the National Assembly, it is my honor and privilege to present this report to the House for consideration and adoption.

SIGNED  Date. 6/08/2018

HON. DAVID PKOSING, CBS, M.P
CHAIRPERSON,
DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS & HOUSING

2.0 BACKGROUND INFORMATION

- 2.1 The Petition by the residents of Embakasi West Constituency in Nairobi County was presented to the House by the Hon. George Theuri, MP, Member for Embakasi West Constituency on 10th April, 2018 pursuant to Standing Order 225 (2)(a).
- 2.2 Pursuant to House rules, the petition was referred to the Departmental Committee on Transport, Public Works and Housing for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the provisions of Standing Order 227.
- 2.3 The petitioners wished to draw the attention of the House to the following:-
- i) **THAT**, the residents of Embakasi West Constituency highly appreciate the numerous economic, environmental and infrastructural benefits brought about by the redesigning and construction of the Outer ring Road into a dual carriage road include creation of jobs, facilitation of transport access among others;
 - ii) **THAT**, the road connects Thika Road and North Airport Road and Transverse through Eastlands with at least 100,000 vehicles uses the road on a daily basis;
 - iii) **THAT**, Outer Ring Road project is expected to have a positive effect on Traffic, real estate, trade and the general economy of the eastern part of Nairobi;
 - iv) **THAT** the said road has reduced travel time from Mombasa Road to Thika Road from three hours to just about ten minutes which is a relief to Commuters who for years have had to sit in traffic for hours;
 - v) **THAT**, Outer Ring Road design gives an outline that the road would encompass eight lanes, a median lane for the proposed Nairobi Rapid Transit System, four passenger transfer stations, 10 foot bridges, six underpasses and two interchanges;
 - vi) **THAT**, despite these numerous benefits, a number of innocents Kenyans have lost their life and injured through road accident along this road, robbing many households of their bread winners and leaving untold suffering on the maimed and their families;
 - vii) **THAT**, a majority of the road accident victims are pedestrians and especially school going children who are involved in road accidents due to lack of foot bridges/ underpasses and marked pedestrian crossing for use by pedestrians;

- viii) **THAT**, efforts to resolve this matter with the relevant government agencies have been futile; and
- ix) **THAT**, the matter presented in the petition was not pending before any tribunal court of law or independent body
- x) The petitioners prayed that the National Assembly through the Committee Transport, Public Works and Housing:-
 - a) Allocate/ appropriates funds for construction of adequate foot bridges/ underpasses at the major black spots especially in Umoja Mutindwa area, Donholm area and Taji Mall area and establishment of bus stops along the Outer ring Road;
 - b) Ensures that the Petitioners' plight addresses; and
 - c) Makes any order or direction that it deems fit in the circumstances of the matter

3.0 SUBMISSIONS AND EVIDENCE

Having been seized of the Petition, the Committee commenced its consideration by inviting the Hon. George Theuri, MP, on behalf of the petitioners and officials from the Ministry of Transport and Infrastructure, National Transport Authority and Kenya Urban Roads Authority for a meeting on the same date. During the meeting, written and oral evidence was adduced as recorded hereunder:-

3.1 Meeting with the Director General, National Transport and Safety Authority (NTSA)

On Tuesday 21st June, 2018 the Committee held a meeting with officials from National Transport and Safety Authority and were informed that:-

The Authority acknowledges that the Construction of the Outer Ring Road had brought improved economic, environmental and infrastructural benefits and also greatly improved traffic flow from Embakasi to Thika Road.

As the mobility and speed on the road has increased drastically, the convergence of dense population, inadequate infrastructure for non- motorized traffic (NMT), unsafe road user behavior and continued encroachment of the road reserves has seen in an increased in conflict between road users leading to an increase in crashes and deaths on the road.

As at 19th June, 2018 the number of deaths that had occurred on Outer Ring Road as a result of crashes had already exceeded the total number which occurred throughout 2017 and majority of the victims are pedestrians.

In September, 2017, whilst conducting the analysis of the trends and patterns on Nairobi's roads, the Authority observed an emerging increase in the deaths occurring on Outer ring road weekly. The Authority, after conducting a road safety inspection, identified five recommendations to be addressed in collaboration with the relevant stakeholders including Kenya Urban roads Authority and National Police Service as well as the Nairobi County Government.

The Authority was aware that KURA was in the process of erecting pedestrian safety facilities along the road.

That to comprehensively and conclusively address the challenge of absence or inadequate NMT infrastructure, the Authority in its Strategic plan intends to ensure that the road authority have a statutory obligation to fulfil the needs of all road users from design, construction and operationalization of all new roads and installation of the facilities on existing roads.

3.2 Meeting with the Kenya Urban Roads Authority (KURA)

On Tuesday 21st June, 2018, the Committee met with Officials from KURA who made their presentation as follows, that:-

The Works on Outer Ring Road Improvement Project are ongoing at an overall progress of 92%. The works on the main carriageway are substantially completed. The contractor is currently working on installation of road furniture. Non- Motorised Traffic (NMT) facilities, fresh produce market, wellness centres, access roads and other auxiliary works.

KURA allocated funds under the project for construction of 11No. foot bridges at various locations along the project road.

Between Mumias Road and Kangundo Road, there is a fly over and pedestrians are to be provided with walkways and cycle track below the fly over. The section between Kangundo Road and Jogoo Road (Mutindwa/ Tena Estate area), is to be served by two footbridges

Three footbridges are also provided between Jogoo Road and Eastern Bypass (Taj Mall) section. It is anticipated that these services will provide safe passage of pedestrians across the dual carriageway road.

The road covers a stretch of about 10.6km and ideally the requirements may be up to 20 footbridges. KURA will therefore monitor the conditions upon completion and use of planned footbridges and where necessary plan for any additional facilities.

4.0 COMMITTEE OBSERVATIONS AND RECOMMENDATION

4.1 Observations

The Committee made the following observations, that:-

1. The Works on Outer Ring Road Improvement Project are ongoing at an overall progress of 92%. The works on the main carriageway are substantially completed. The contractor is currently working on installation of road furniture.
2. KURA was allocated funds under the project for construction of 11No. foot bridges at various locations along the project road
3. Three footbridges had been provided between Jogoo Road and Eastern Bypass (Taj Mall) section but more bridges are yet to be constructed.

4.2 Recommendation

The Committee having heard from the officials makes the following recommendation, that:-

- 1. The footbridges to be erected with immediate effect while KURA in consultation with NTSA agreed on the type of bridges to be constructed in future so as to enhance safety of all road users.**
- 2. KURA should ensure the specifications and design for the foot bridges erected are disability friendly in line with the Convention on the Rights of Persons with Disability.**

SIGNED DAVID PKOSING.....Date.....6/08/2018.....

HON. DAVID PKOSING, CBS, M.P

CHAIRPERSON,

DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS & HOUSING

MINUTES OF THE FORTY THIRD (43RD) SITTING OF THE DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS & HOUSING HELD ON FRIDAY, 3RD AUGUST 2018 AT 9.30 A.M. IN BARAZA II CONFERENCE ROOM, SAROVA WHITESANDS BEACH RESORT & SPA, MOMBASA

MEMBERS PRESENT

1. Hon. David Pkosing - Chairperson
2. Hon. Samuel Arama
3. Hon. Ahmed Bashane Gaal
4. Hon. Suleiman Dori Ramadhani
5. Hon. Dominic Kipkoech Koskei
6. Hon. Johnson Many Naicca
7. Hon. Kulow Maalim Hassan
8. Hon. Peris Pesi Tobiko
9. Hon. Rehema Dida Jaldesa
10. Hon. Tom Mboya Odege
11. Hon. Vincent Kemosi Mogaka

MEMBERS ABSENT WITH APOLOGY

1. Hon. Moses Kuria - Vice Chairperson
2. Hon. Savula Ayub Angatia
3. Hon. Ahmed Abdisalan Ibrahim
4. Hon. Gideon Mutemi Mulyungi
5. Hon. Mugambi Murwithania Rindikiri

6. Hon. David Njuguna Kiaraho
7. Hon. Rigathi Gachagua
8. Hon. Shadrack John Mose

SECRETARIAT

- | | | |
|-----------------------------|---|---------------------|
| 1. Ms. Chelagat Aaron Tungo | - | Clerk Assistant I |
| 2. Mr. Ahmed Salim A. | - | Clerk Assistant III |
| 3. Ms. Mercy Wanyonyi | - | Legal Counsel |
| 4. Mr. James Muguna | - | Researcher |
| 5. Mr. Eugene Luteshi | - | Audio Officer |
| 6. Mr. Yeziel Jilo | - | Sergeant at arm |
| 7. Mr. Robert Langat | - | Office Assistant |

MIN No. TPWH 186/2018: PRELIMINARIES

The Chairperson called the meeting to order twenty minutes to ten o'clock, with a word of prayer from Hon. Samuel Arama, MP. The Chairperson informed the Committee that the agenda of the meeting was to prepare and adopt the report on the petition conveyed by Hon. George Theuri on behalf of the residents of Embakasi West Constituency in Nairobi County regarding construction of Foot Bridges / Crossings along Outer Ring Road. Members adopted the agenda, the proposer being Hon. Kulow Maalim and the seconder being Hon. Peris Tobiko.

MIN No. TPWH 187/2018: CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS

Minutes of the 42nd sitting held on Thursday, 2nd August 2018 were confirmed as a true record of the proceedings, having being proposed by Hon. Vincent Kemosi and seconded by Hon. Ahmed Bashane Gaal.

MIN No. TPWH 188/2018: REPORT WRITING FOR THE PETITION CONVEYED BY HON. GEORGE THEURI REGARDING CONSTRUCTION OF FOOTBRIDGES / CROSSINGS ALONG OUTER RING ROAD, NAIROBI

The Committee noted that the petitioners prayed that the National Assembly through the Committee Transport, Public Works and Housing:-

- a) Allocate/ appropriates funds for construction of adequate foot bridges/ underpasses at the major black spots especially in Umoja Mutindwa area, Donholm area and Tadj Mall area and establishment of bus stops along the Outer ring Road;
- b) Ensures that the Petitioners' plight addresses; and
- c) Makes any order or direction that it deems fit in the circumstances of the matter.

The Committee further noted that in its previous meetings, the Committee had invited the Hon. George Theuri, MP to receive his oral submissions and that on 21st June 2018 the Committee held a meeting with officials from National Transport and Safety Authority and officials from the Kenya Urban Roads Authority. Having considered all the submissions made, the Committee observed as follows:

1. That the works on Outer Ring Road Improvement Project are ongoing at an overall progress of 92%. The works on the main carriageway are substantially completed. The contractor is currently working on installation of road furniture;
2. That KURA was allocated funds under the project for construction of 11No. foot bridges at various locations along the project road; and
3. That three footbridges had been provided between Jogoo Road and Eastern Bypass (Taj Mall) section but more bridges are yet to be constructed.

The Committee having considered the petition in its entirety, recommended that the footbridges should be erected with immediate effect while KURA in consultation with NTSA agreed on the type of bridges to be constructed in future so as to enhance safety of all road users. The Committee further urges KURA to ensure the specifications and design for the foot bridges erected are disability friendly in line with the Convention on the Rights of Persons with Disability.

MIN No. TPWH 189/2018:

**ADOPTION OF THE REPORT ON THE PETITION
CONVEYED BY HON. GEORGE THEURI
REGARDING CONSTRUCTION OF FOOTBRIDGES**

**/ CROSSINGS ALONG OUTER RING ROAD, IN
NAIROBI**

The Committee adopted the report on the petition conveyed by Hon. George Theuri on behalf of the residents of Embakasi West Constituency in Nairobi County regarding construction of Foot Bridges / Crossings along Outer Ring Road. Adoption of the report was proposed by Hon. Suleiman Dori and seconded by Hon. Seconded by Hon. Vincent Kemosi.

MIN No. TPWH 190/2018: **ADJOURNMENT**

There being no other business, the sitting was adjourned at twenty five minutes past noon. The next meeting to be held at 2.30pm, same day.

Signed..... .....
(Chairperson)

Date..... 06/08/2018.....

Approved.
BA
SNA
10/4/18

REPUBLIC OF KENYA



Hon. Speaker,
Pls approve for
consideration of an
Order of Business
10/4/18

THE NATIONAL ASSEMBLY
TWELFTH PARLIAMENT
(SECOND SESSION)

PUBLIC PETITION

BY RESIDENT OF EMBAKASI WEST CONSTITUENCY REGARDING
CONSTRUCTION OF FOOT BRIDGE /CROSSING S ALONG OUTER
RING ROAD

I, the UNDERSIGNED, on behalf of residents of Embakasi West Constituency,

DRAW the attention of the House to the following: -

- i) THAT, the residents of Embakasi West Constituency highly appreciate the numerous economic, environmental and infrastructural benefits brought about by the redesigning and construction of the Outer Ring Road into a dual carriage road include creation of jobs, facilitation of transportation access among others;
- ii) THAT, the road connects Thika Road and North Airport Road and transverse through Eastland's with at least 100,000 vehicles uses the road on a daily basis;
- iii) THAT, Outer Ring Road project is expected to have a positive effect on traffic, real estate, trade and the general economy of the eastern part of Nairobi;
- iv) THAT, the said road has reduced travel time from Mombasa Road to Thika Road from three hours to just about 10 minutes which is a relief to commuters who for years have had to sit in traffic for hours.
- v) THAT, Outer Ring Road design gives an outline that the road would encompass eight lanes, a median lane for the proposed Nairobi Rapid Transit System, four passenger transfer stations, 10 foot bridges, six underpasses and two interchanges;
- vi) THAT, despite these numerous benefits, a number of innocents Kenyans have lost their life and injured through road accident along this road, robbing many households of their bread winners and leaving untold suffering on the maimed and their families;
- vii) THAT, a majority of the road accident victims are pedestrians and especially school going children who are involved in road accident due to lack of foot bridges/underpasses and marked pedestrian crossing for use by pedestrians;

**PUBLIC PETITION
BY RESIDENT OF EMBAKASI WEST CONSTITUENCY REGARDING
CONSTRUCTION OF FOOT BRIDGES/CROSSINGS ALONG OUTER
RING ROAD**

- viii) **THAT**, efforts to resolve this matter with the relevant government agencies have been futile; and
- ix) **THAT**, the matter presented in this petition is not pending before any tribunal, court of law or Independent body.

THEREFORE, your humble Petitioners pray that the National Assembly, through the Departmental Committee on Transport, Public Works and Housing:-

- i. Allocate/appropriates funds for construction of adequate foot bridges/underpasses at the major black spots especially in Umoja Mutindwa area, Donholm area and Taji Mall Area and establishment of bus stops along the Outer Ring Road;
- ii. Ensures that the Petitioners' plight is addressed; and
- iii. Makes any other order or direction that it deems fit in the circumstances of the matter.

And your **PETITIONERS** will ever pray.

PRESENTED BY:

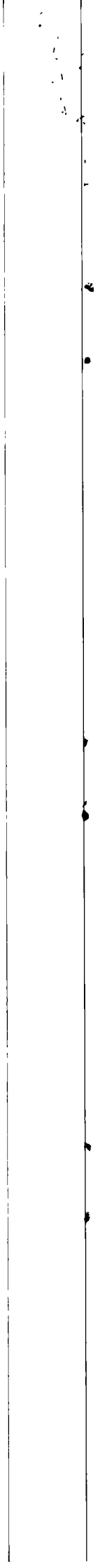


**HON. GEORGE THEURI, MP
MEMBER FOR EMBAKASI WEST CONSTITUENCY**

DATE:.....10/4/2018.....

PETITION FROM FOR THE INSTALLATION OF FOOT BRIDGES ON THE NEW DUAL CARRIAGE WAY,
OUTERING ROAD.

| NO | NAME | ID NUMBER | TELEPHONE NUMBER | SIGNATURE |
|----|--------------------|-----------|------------------|--------------------|
| 1 | Klinsie Makokha | 27920330 | 0712734386 | <i>[Signature]</i> |
| 2 | Catherine Nyirani | 27247756 | 0712888625 | <i>[Signature]</i> |
| 3 | Irene Kinario | 31895360 | 0723302610 | <i>[Signature]</i> |
| 4 | VICTOR GIBE | 35737027 | 0728991758 | <i>[Signature]</i> |
| 5 | Joseph Andag | 13374167 | 0702770935 | <i>[Signature]</i> |
| 6 | Muhuna Paul | 22846710 | 0720140351 | <i>[Signature]</i> |
| 7 | JOSES KARANI EDWIN | 2256474 | 0721971472 | <i>[Signature]</i> |
| 8 | ODOJO J. McDermott | 1129474 | 0725708913 | <i>[Signature]</i> |
| 9 | PERIS M BURY | 3049587 | 0722376257 | <i>[Signature]</i> |
| 10 | LINDA AUWOR | 24770784 | 0720339611 | <i>[Signature]</i> |
| 11 | Gamma Akinyi | 13658224 | 0712278605 | <i>[Signature]</i> |
| 12 | Caroline Muthala | 22658906 | 0729141785 | <i>[Signature]</i> |
| 13 | EBITH MWARI | 13032265 | 0722405953 | <i>[Signature]</i> |
| 14 | Mkwaji Shanya | 11450905 | 0725559609 | <i>[Signature]</i> |
| 15 | Jackine Mwikali | 28568877 | 0726213183 | <i>[Signature]</i> |
| 16 | Petronila Mwangi | 24732649 | 0723253461 | <i>[Signature]</i> |
| 17 | Dorothy Sanya | 27378763 | 0724052577 | <i>[Signature]</i> |
| 18 | ALEY NYAMBA | 20650962 | 0722496201 | <i>[Signature]</i> |
| 19 | Martin Ndicangwa | 27101222 | 0790389088 | <i>[Signature]</i> |
| 20 | BRIAN OREN | 24725833 | 0725140239 | <i>[Signature]</i> |
| 21 | SALOME WARINGA | 27144128 | 0723938883 | <i>[Signature]</i> |
| 22 | Catherine Wangui | 3485779 | 0728117774 | <i>[Signature]</i> |
| 23 | WANGARI NGURU | 22133016 | 0721157817 | <i>[Signature]</i> |
| 24 | Wine Modi | 24853361 | 0797843902 | <i>[Signature]</i> |
| 25 | Elizabeth Wangari | 28226426 | 0722427407 | <i>[Signature]</i> |
| 26 | Charles O. Syhwa | 7123654 | 0733544246 | <i>[Signature]</i> |
| 27 | Munga Mike | 13750157 | 0763247376 | <i>[Signature]</i> |
| 28 | ROSE THUNE | 2644889 | 0723941879 | <i>[Signature]</i> |
| 29 | REGINA WAMBUI | 22133603 | 0726066324 | <i>[Signature]</i> |
| 30 | DORIS NYIRANI | 22902092 | 0714117117 | <i>[Signature]</i> |
| 31 | KEVIN WANJAU | 29105669 | 0719184428 | <i>[Signature]</i> |
| 32 | Sandria Deborah | 35601949 | 0719666147 | <i>[Signature]</i> |
| 33 | Irene Gatere | 35389980 | 0797404415 | <i>[Signature]</i> |
| 34 | Elizabeth Akinyi | 34408538 | 0790389613 | <i>[Signature]</i> |
| 35 | Fran OKOTE | 11300931 | 0722178550 | <i>[Signature]</i> |
| 36 | OKOTI DAN | 20392836 | 0723427971 | <i>[Signature]</i> |
| 37 | LILLIAN GAZU | 24139105 | 0721214298 | <i>[Signature]</i> |
| 38 | Justine Kenji | 26472877 | 0741656560 | <i>[Signature]</i> |
| 39 | Ken MUIE | 30572271 | 072429194 | <i>[Signature]</i> |
| 40 | AUB MAINA | 20400512 | 0722319702 | <i>[Signature]</i> |
| 41 | Andrew Munjal | 25447291 | 0708756139 | <i>[Signature]</i> |





NATIONAL TRANSPORT AND SAFETY AUTHORITY

**NTSA SUBMISSION ON THE PETITION REGARDING CONSTRUCTION
OF FOOT BRIDGES/CROSSINGS ALONG OUTER RING ROAD,
NAIROBI**

INTRODUCTION

The Authority acknowledges that the construction of Outer ring road has brought about improved economic, environmental and infrastructural benefits and also greatly improved traffic flow from Embakasi to Thika Road.

Prior to construction, the road had been encroached by road side markets and after its construction, the road has attracted increased population in the form of commuters and businesses involving both motorized and non-motorized road users.

As the mobility and speed on the road has increased drastically, the convergence of a dense population, inadequate infrastructure for non-motorized traffic (NMT), unsafe road user behavior and continued encroachment of the road reserves has seen in an increased in conflict between road users leading to an increase in crashes and deaths on this road.

CURRENT STATISTICS

| COMPARISON OF FATALITIES ON OUTERING ROAD 2017/2018 | | | | |
|---|-----------|-----------|----------|-------------|
| | 2017 | 2018 | Change | % Change |
| PEDESTRIANS | 10 | 14 | 4 | 40.0 |
| DRIVERS | 1 | 0 | -1 | -100.0 |
| PASSENGERS | 1 | 2 | 1 | 100.0 |
| MOTOR CYCLISTS | 6 | 7 | 1 | 16.7 |
| PEDAL CYCLISTS | 1 | 0 | -1 | -100.0 |
| TOTAL | 19 | 23 | 4 | 21.1 |

Keep our roads safe

As at 19th June 2018, the number of deaths that have occurred on Outer ring road as a result of crashes has already exceeded the total number which occurred throughout 2017. Notably the majority of the victims are pedestrians.

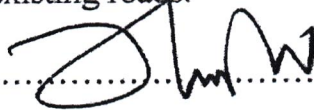
In September 2017, whilst conducting analysis of the trends and patterns on Nairobi's roads, the Authority observed an emerging increase in the deaths occurring on Outer ring Road weekly. The Authority conducted a road safety inspection of the road on 28th September 2017 and the report identified five recommendations to be addressed in collaboration with the relevant stakeholders namely the Kenya Urban Roads Authority and the National Police Service and the Nairobi Country Government.

Consequently, the Authority is aware that KURA in the process of erecting pedestrian safety facilities along the road.

The Outer ring road experience is indicative of a wider challenge and is an illustration of what the Authority considers to be omission at the road design stage, of road safety in the form of the needs of all road users are not adequately investigated and considered. Rather than install pedestrian facilities after the commissioning of a road, these facilities ought to be part and parcel of the design.

The comprehensively and conclusively address the challenge of absence or inadequate NMT infrastructure, the Authority in its Strategic plan intends to ensure that road authority have a statutory obligation to fulfil the needs of all road users from design, construction and operationalization of all new roads and installation of the facilities on existing roads.

Signed



FRANCIS MEJA

DIRECTOR GENERAL

PUBLIC PETITION BY RESIDENTS OF EMBAKASI WEST CONSTITUENCY REGARDING
CONSTRUCTION OF FOOTBRIDGES/CROSSINGS ALONG OUTER RING ROAD

Our humble response to the petition is as follows.

- i) Allocate/ Appropriate funds for construction of adequate footbridges/underpasses at the major black spots especially in Umoja Mutindwa area, Donholm area and Taj mall area and establishment of bus stops along Outer Ring Road

The Government has set aside funds for the construction of 11 footbridges along Outer Ring Road. Umoja/Mutindwa area, Donholm area and Taj mall area are among the areas selected to have footbridges.

Additional Ten (10 No.) bus stops/Bus parks will be constructed to address the needs of busses and matatus along the corridor. The key ones are at Jogoo Road Outer Ring interchange near Naivas, Juja road roundabout near Nairobi River and General Service Unit (GSU) junction.

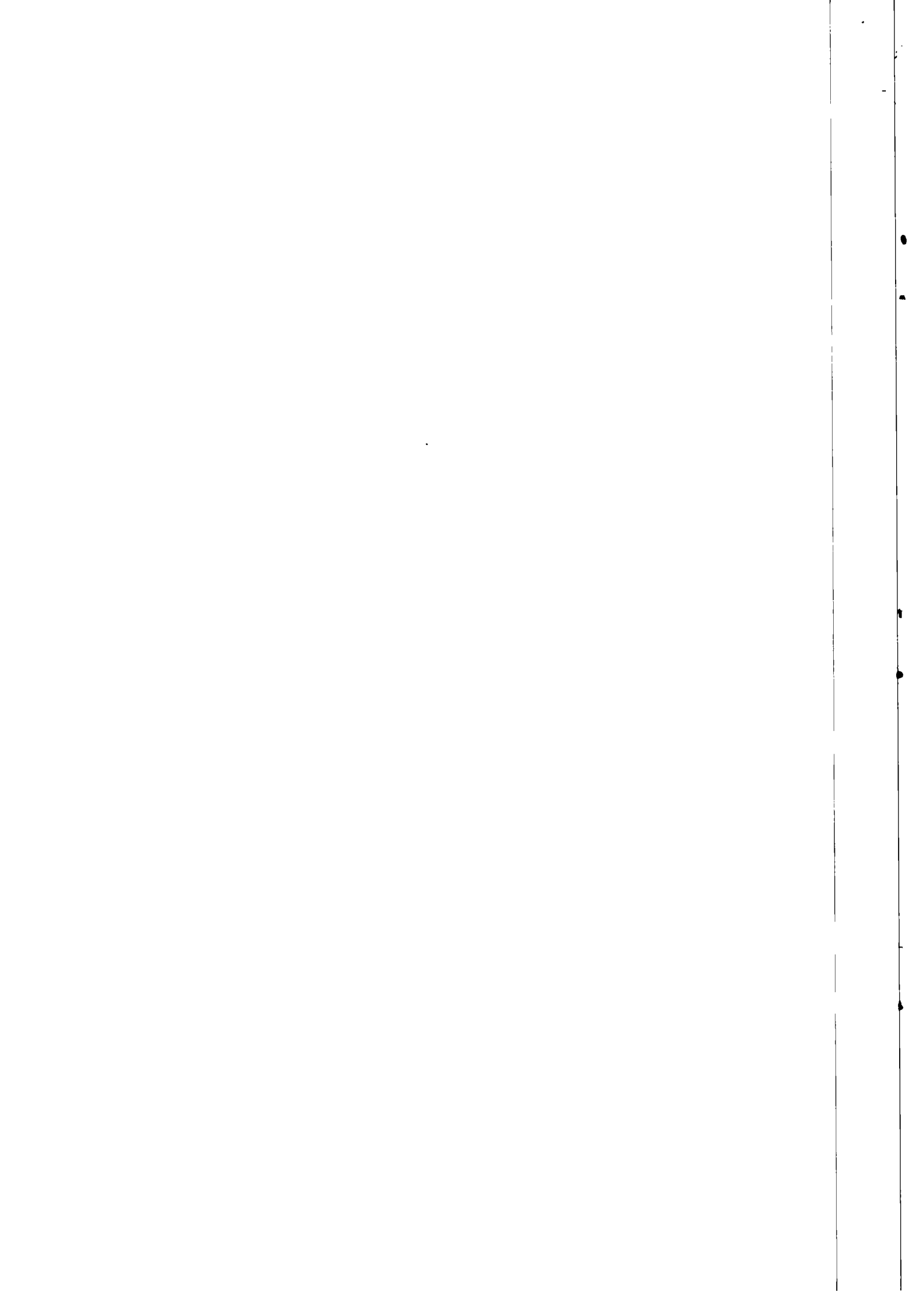
- ii) Ensure that the petitioners plight is addressed; and

The petitioners' plight as stated will be fully addressed when all the above stated facilities are in place. The footbridges and underpasses are to be put at approximately 500m intervals hence safe for the pedestrians to cross.

- iii) Makes any other order or direction that seems fit in the circumstances of the matter.

In order to address other emerging issues, the Government has planned for the following additional facilities along the project corridor to Enhance Safety, Traffic Movement and Drainage;

- Widening of foot paths to 3m width on both sides throughout the project corridor wherever space is available and improvement of cycle track.
- Improvement of GSU roundabout with additional overpass across Thika superhighway
- At the sections adjacent to Mutindwa and Kenya Pipeline; it is proposed to construct additional lanes at the BRT corridor to address the challenges associated with lack of space for service roads at these sections.
- Provision of drainage from Eastern Bypass to Ngong River through Bus Rapid Transit (BRT) corridor to improve drainage around Taj Mall area.





SUPPLIMENTARY INFORMATION ON THE
PRESENTATION TO

THE PARLIAMENT COMMITTEE ON ROADS AND TRANSPORTATION

ON THE

PETITION REGARDING CONSTRUCTION OF FOOTBRIDGES ALONG
OUTER RING ROAD, NAIROBI

BY

KENYA URBAN ROADS AUTHORITY (KURA)

21ST JUNE, 2018; 11.45AM

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1.0 EXECUTIVE SUMMARY

- The Nairobi Outer Ring Road Project is an improvement of an arterial road in the city of Nairobi, designed as a congestion-relief highway.
 - The road has been improved for 10.6km long (total lane length 93.954 Km including loops and slip roads), 2-way dual carriageway of bituminous surface.
 - It starts from Nairobi-Thika highway at the GSU roundabout, approximately 7 km from Globe Cinema Roundabout and runs in easterly direction through important road junctions like Baba Dogo, Kariobangi, Huruma estate, Dandora, Juja road junction, Kangundo Road intersection, Jogoo road roundabout, and finally terminates at the Junction with Eastern Bypass.
 - The project road predominantly traverses a fairly densely populated urban setting with a disproportionate share of the populace being youth: 20-30 years at 46.4 % and 30-40 years constituting 25.2 %, mostly engaged in the informal entrepreneurial activities.
 - The proposed project recognizes these activities and seeks to support them by way of providing additional market facilities, ablution facilities, artisan skills training, and rehabilitation of trading sites by paving them using an appropriate mix of machine and labour-based techniques so as to enhance and sustain employment opportunities to the unemployed youth; preferably women.
 - The project shall also provide children's traffic safety park, HIV/AIDS counselling, sensitization and related health services to the informal operators/ inhabitants along the corridor as a means to improving the living standards and supporting their operations.
 - Key outcomes include improved accessibility to the larger populations of Nairobi Eastlands area, reduced travel time to commuters, improved air quality to travellers and residents residing closer to the roadway, improved property values arising from reduced congestion, and improved business environment for informal traders arising from new market facilities and improved sanitation
-
- The expansion of the existing single carriageway road into a dual highway is expected to directly enhance the traffic circulation and eliminate bottlenecks to traffic flow to various economic activity centres such as the industrial zone, and the vast populous residential areas of Eastlands. The proposed dual carriage highway would therefore impact positively on the informal and formal businesses by providing them with improved accessibility and enhanced roadside air quality

2.0 PROJECT BACKGROUND

2.1 Project Objective

The project loan amounting to UA 77.04 million (about KES 10.4 Billion) and grant amount of UA 0.56million (about 76.2 Million) were approved by the African Development Bank; ADF Board in November 2013. The development objective of the project is mainly to enhance Nairobi city's economic efficiency through improved mobility and accessibility to businesses thereby supporting economic and social development of the Nairobi city and the Country at large. The specific objective is to improve the road transport infrastructure network by expanding traffic capacity of the Nairobi Outer Ring Road to address congestion, and provision of market stalls for the informal traders (most of whom are women). This will in part, contribute to fostering inclusive growth by reducing gender related income disparities between the various income groups in Nairobi.

2.2 Project Contract Details

| | |
|-----------------------------|--|
| Project Name | Nairobi Outer Ring Road (C59)Improvement Project |
| Contract Number | KURA/AfDB /006/2013-2014 – Civil works contract KURA/AfDB /007/2013-2014 – Consultancy Service contract |
| Financier | African Development Bank (AfDB) – 96.5% - LOAN G.O.K (Development Vote) – 3.5 % |
| Supervision Consultant | LEA International Canada <i>in Joint Venture with</i> LEA South Asia Pvt, Ltd |
| Contractor | Sinohydro Tianjin Engineering Co. Ltd |
| Contract Amount: | KES. 7,395,183,298.13 (Road works) |
| Contract Amount | KES. 868,216,196.07 (Fresh Produce Market) |
| Contract Period | 36 Months |
| Commencement Date | 17th September, 2014 |
| Time for Completion | 36 months |
| Revised time for Completion | 46 months |
| Initial Completion Date | 17th September, 2017 |
| Revised Completion Date | 14th July, 2018 |
| Defects Liability Period | 12 months |
| Time Elapsed | 97.50% (Based on the Revised contract Period) |
| Physical Progress | 92.35 % (Road works) |
| Financial Progress | Amount certified for works and services is KES 6.830 Billion |

2.4 Scope of Construction Works

The major items of Works to be executed under the Contract include the following:

- 1) Site Clearance and top soil stripping
- 2) Construction of earthworks
- 3) Construction of pavement layers comprising:
 - a) For the Main Carriage Way (MCW)
 - 350 mm selected gravel material for sub grade layer
 - 175 mm sub base layer cement improved gravel
 - 125 mm (0/30) GCS 2% Cement Improved layer
 - 125 mm DBM (37.5 mm Super Pave)
 - 50 mm AC (19 mm Super Pave)
 - The BRT section at the median is 9.27 m wide.
 - b) For the Service Road (SR)
 - 350 mm selected gravel material for sub grade layer
 - 175 mm sub base layer cement improved gravel
 - 125 mm (0/30) GCS 2% Cement Improved layer
 - 75 mm DBM in Service Road
 - 50 mm AC (19 mm Super Pave)
 - There is also the cycle track at the edge of the service road 1.5 m wide and also the footpath cum drain 2.5 m wide.
- 4) Construction of 3 No. River Bridges (Mathare , Nairobi and Ngong rivers)
- 5) Construction of 3 No. Overpasses (Juja , Jogoo, Donholm junctions)
- 6) Construction of 2 No. Flyovers. (Kangundo viaduct, Taj mall junction)
- 7) Construction of 11 No. Footbridges along the project road.
- 8) Protection works using stone pitching and gabions where necessary.
- 9) Relocation of utilities along the project road.
- 10) Implementation of the Environmental and Social Management Plan as developed and adopted during design including:
 - Preparation of project specific ESMP
 - Seek NEMA approval for all camp sites and material sources
 - Implementation of the management actions
 - Mid – term environment and social audits
 - Decommissioning, rehabilitation and restoration activities, audits and reporting.
- 11) Provision of road furniture, including road marking and traffic signs.
- 12) Landscaping including top soiling and grassing.
- 13) Provision of road side amenities
- 14) Maintenance of traffic through and around the works during the construction period.
- 15) Maintenance of the works during the Defects Liability Period which is 365 days.
- 16) All other miscellaneous road works required to be done therein the Contract
- 17) Maintenance of the existing 10 Km bituminous road.

3.0 PROJECT PROGRESS

3.1 Contract Period

- Initial Work Program: The project initially was to end on 17th September, 2017. This has since been revised to 14th July, 2018.
- The Contractor had submitted the Revised Work Programme showing the completion date for major works by 14th July 2018 and for Foot Bridges by 29th December 2018.
- KURA has instructed the Contractor to expedite the construction of the footbridges and ensure that they are completed before 29th December, 2018.

3.2 Summary on Physical Progress of Works

- Progress on road works up to the end of May, 2018 is 92.35%
- Progress on Fresh Produce Market Works is 62.10%
- Amount Certified for road works is Kshs 6.753 Billion (91.32%)
- Amount certified for Fresh Produce Market works is 0.456 Billion (52.53%)

3.3 Detail on Progress of Major Works Items:

| (i) Structures Completed (4.169 Km) | 100% Completed |
|-------------------------------------|----------------|
| A Mathare River Bridge | 0.210 km |
| B Juja Overpass (2) | 0.060 km |
| C Nairobi River Bridge | 0.140 km |
| D Kangundo Flyover | 2.613 km |
| E Jogoo Interchange | 0.053 km |
| F Lunga Lunga Underpass | 0.040 km |
| G Donholm Overpass (2) | 0.058 km |
| H Ngong River Bridge | 0.168 km |
| I Taj mall Flyover | 0.822 km |
| J Dandora Underpass | 0.005 Km |

(ii) Roadworks completed

- Main Carriageways done for 20.77 km (out of 21.07)
- Service roads done for 16.40 km (out of 16.51)
- Slip Roads completed up to 6.99 km (out of 7.91)

(iii) Deviation Roadworks completed (5.95 Km out of 12 Km)

- Quarry Road completed 1.88 km (out of 2.80)
- Baraka Road completed 2.15 km (out of 2.15)
- Fedha Road completed 2.00 km (out of 2.20)

(iv) Foot Bridges (11 Nos.); Construction of 4 No. are in progress out of which 2 of these have been already erected.

(v) Status of Children Traffic Safety Park: Location and layout finalized. Contractor is instructed for execution

(vi) Status of Wellness Centres: Handing over to Nairobi City County is to be finalised within June, 2018.

(vii) Status of Rehabilitation of Kariobangi Market: Work in Progress (25% work is completed).

3.4 Status on Construction of Footbridges

| S. No. | Chainage | Location | Present Status |
|--------|----------|---|--------------------------|
| 1 | 1+020 | Baba Dogo Junction | Bridge has been erected |
| 2 | 1+890 | Before Kariobangi Market | Bridge has been erected |
| 3 | 2+360 | In front of Holy Trinity Church, Kariobangi | Construction in progress |
| 4 | 5+395 | Mutindwa area | Construction in progress |
| 5 | 0+185 | GSU Roundabout | Location finalized. |
| 6 | 3+403 | In between Nairobi River and Mutarakwa Junction | Location Finalized |
| 7 | 6+260 | Tena Estate (In front of Water Tank) | Location finalized. |
| 8 | 8+095 | Quarry Road Junction | Location finalized. |
| 9 | 8+860 | In between Avenue Park and Fedha | Location finalized. |
| 10 | 9+590 | Pipeline area | Location finalized |
| 11 | 0 +090 | Across Thika Super Highway | Location finalized. |

3.5 Other Outstanding works:

| | |
|----|---|
| 1 | Service Road (RHS) Km 7+600- 7+710 (NCPB area) |
| 2 | Slip Road SR6 & Balance length of 70m of SR5 (Near Taj mall area) – in progress |
| 3 | Street Lighting works – in progress |
| 4 | Road furniture works (Road marking in Service Road & Road sign boards, Overhead/Cantilever Gantry, Guard Rail, Road Studs etc.) – in progress |
| 5 | Junction Development works at Kariobangi |
| 6 | Side slope protection works- Manyanja 1 (RHS), SR3 (RHS), Service Road between Donholm 1- Donholm 2 Overpass (RHS), SLNTM-1 (Taj mall area) – in progress |
| 7 | Land Scaping works (Side slopes & BRT), Plantation of Trees – in progress |
| 8 | Rehabilitation of Kariobangi Market (drainage, Light, gate, parking etc.) – in progress |
| 9 | Kenya Pipeline protection works at NCPB area and Pipeline area |
| 10 | Kenya Railways Level crossing works (7 Nos.) – in progress |
| 11 | Footpath & Cycle track works – in progress |
| 12 | Deviation Road- Quarry Road, Fedha Road drain works & other deviation roads – in progress |
| 13 | Children Traffic Safety Park – location and layout finalized |
| 14 | Kangundo Fresh Produce Market – in progress |

3.6 Additional Works Proposed to Enhance Safety, Traffic Movement and Drainage:

a) NMT (Non-Motorised Transport) Facilities

- Widening of foot paths to 3m width on both side throughout the corridor wherever ROW is available.
- Improvement of cycle track.

b) Traffic Movement/Reducing Traffic Congestion

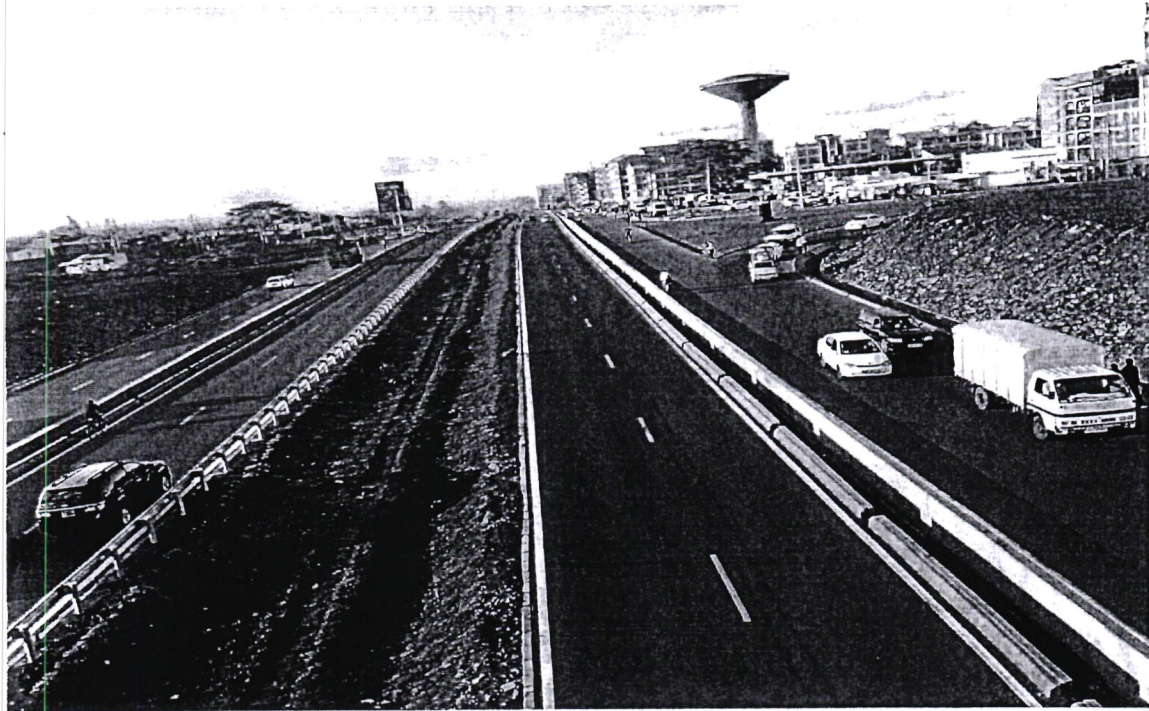
- At GSU area; Improvement of GSU roundabout with additional overpass along Thika superhighway
- Provision of Service Lane expansion on RHS from GSU round about to GSU new gate
- At the sections adjacent to Mutindwa and Kenya Pipeline; it is proposed to construct additional lanes at the BRT corridor to address the challenges associated with lack of space for service road at the said sections.
- Additional Bus bays, bus lay-bys and bus terminus in the following locations.
 - Already constructed bus bays: LHS 7, RHS 10 (Total 17).
 - Additional bus bays/bus lay-bys: LHS 10, RHS 12 (Total 22).
 - Matatu Terminus at GSU(Allsops) and Juja - 2 numbers (Already Constructed at Juja)
- Additional lanes for Matatus and provision for Car Parks in the following locations.
 - Additional lane for Matatus at Baba Dogo, Juja, Mutindwa, Donholm and between Eastern Bypass (RHS) and end loop.
 - Parking bays at Kariobangi area introduced both LHS and RHS.
- Provision of drainage from Eastern Bypass to Ngong river through BRT to improve drainage around Taj Mall area

4.0 CHALLENGES AND MITIGATION MEASURES

| No | Challenge | Description | Mitigation measures |
|----|------------------------------|--|---|
| 1 | Encroachment of Road Reserve | Erection of structures, construction of business premises/kiosks by road side traders including garages encroaches on the service roads and cycle tracks/foot paths. This also affects the locations for construction of footbridges | Key stakeholders including Nairobi City County, PSV operators and informal traders have been involved in clearance of encroachments. |
| 2 | Dumping of solid Waste | Growth of many illegal dumping sites in the road corridor and the rivers along the road. This is contributed by the fact that the tracks heading | Measures have been put in place to minimize this and restore the environment to its natural condition. One way of achieving this is making neat landscaping to discourage |

| | | | |
|---|---|--|--|
| | | to the dump site uses the road. | dumping and enhancing enforcement. |
| 3 | Relocation of services | High costs and delays in relocating power lines, water and wastewater pipes, power and data cables | This was mitigated by prompt and effective engagement with respective service providers. A few sections still require power poles and cables to be relocated. This is being followed up with Kenya Power, Nairobi City Water and sewerage Company and other agencies |
| 4 | Resettlement of Project Affected Persons (PAPs) | A total of 19 properties were affected by land acquisition. | Affected plots were gazetted and timely acquired for the project by effective liaison with Physical Planning Department as well as National Land Commission. The needed corridor has been acquired except for one plot near Eastern Bypass |
| | | A total of 445 businesses were displaced and about 880 people were affected. | Mitigation mechanisms were discussed and agreed with the project affected persons (PAPs) and Resettlement Plan was successfully implemented. . |

5.0 Project Progress Photographs



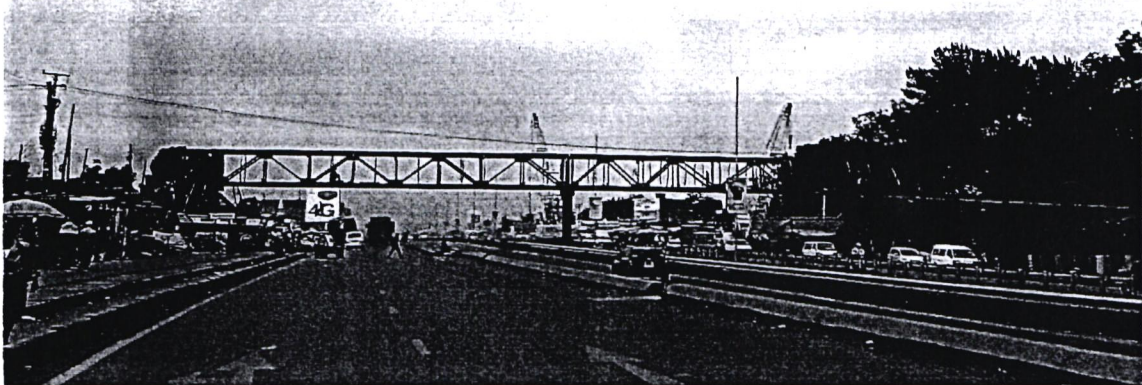
The road section at Km 6+500 (near Jogoo Road interchange)



The road section at Km 4+500 (near Kangundo Road viaduct)



The footbridge under construction at Km 1+890 (near Access to Kiamaiko)



The footbridge under construction at Km 1+020 (near Baba Dogo Junction)

6.0 WAY FORWARD

From the foregoing, it is clear that the improvement of the road has been quite challenging and complex due to the built up area traversed by the project road. The following establishes the proposed way forward with regard to the completion of the remaining works and operation of the project road:-

- The project to be completed and managed by an all-inclusive, collaborative and integrated governance system with the inclusion of all the stakeholders including the Nairobi City County and other Government Agencies especially on the issues of road side encroachments.
- Construction of footbridges has been programmed to be done based on the priority sections which has been identified based on the high population of pedestrians in areas like Kariobangi area, Mutindwa area, Donholm and Fedha/Pipeline Estates near Taj mall.
- Frequent meetings are being held to monitor progress and address challenges which are faced due opening of the road to traffic and completion of remaining works.
- The Contractor submitted the Revised Work Programme of works showing the completion date for major works by 14th July 2018 and for Foot Bridges by 29th December 2018. KURA has instructed the Contractor to expedite the construction of the footbridges and ensure that they are completed before 29th December, 2018.

