

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Tuesday, 22nd March, 2016

The House met at the Temporary Chambers at the defunct Malindi Municipal Council, Malindi Town, at 2.30 p.m.

[The Deputy Speaker (Hon. Mwambire) in the Chair]

PRAYERS

QUORUM

The Deputy Speaker (Hon. Mwambire): Yes, Clerk is there quorum?

Clerk-at-the-Table: No Mr. Speaker, Sir, we have no quorum.

The Deputy Speaker (Hon. Mwambire): Ring the Quorum Bell please.

(Quorum bell was rung)

The Deputy Speaker (Hon. Mwambire): Yes Clerk is there quorum?

Clerk-at-the-Table: Yes Mr. Speaker, Sir, we have quorum.

MOTION

**ADOPTION OF THE REPORT ON THE SITE VISITS TO HEALTH SERVICES PROJECTS
WITHIN KILIFI COUNTY**

Hon. Mwayaa: Thank you Mr. Speaker, Sir. On behalf of the Chairperson of Health Services Committee, I beg to move a Motion;

THAT, this House adopts the Report of the Sectoral Committee on Health Services on the sites visits to Health Services Projects within Kilifi County laid on the Table of the House on Wednesday, 16th March, 2016. I beg hon. Chiriba to second.

(Hon. Chiriba stood at his place to second)

(Question Proposed)

The Deputy Speaker (Hon. Mwambire): Hon. Members, the Motion to deliberate on the Report of the Health Services Committee has been tabled and seconded. So, hon. Chiriba, please give your submissions.

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Hon. Chiriba: Thank you Mr. Speaker, Sir. I stand very supportive towards the adoption of this Report in regards to the site visits on the County health projects. Mr. Speaker, as I give my submissions, it should be noted that this Report was done a couple of months ago and possibly some of the information we will be sharing maybe might not be very practical on the grounds as some sites have had positive effects.

Otherwise, let me start by saying we saw a number of projects on the ground had stalled and the reason being that we had some incapacitated contractors who did not have good capital to start the projects. As we know, when a contractor is awarded a project, he is not funded straight away. He needs to have some money to start out the projects and we noted that some contractors did not have enough money to take their projects to the level where they can get their first payments which caused a number of projects to stall Mr. Speaker.

At the stalled projects, we saw that we had some facilities which did not have practitioners who could offer the services to the common *Mwananchi* and this made these projects not to offer services as intended. We also had other projects which did not have water supply which also caused these projects not to offer good health services.

Mr. Speaker, this made the Committee on Health Services to recommend to the County Executive that in awarding the contractors, they should be investigated to see that they are able to handle the projects which they are awarded or else we will remain with grounded projects which cannot offer services to this County as intended.

Mr. Speaker, we also noted that the County Executive did not have proper monitoring of the projects they award and when a project stalls, no one is aware. Sometimes when you ask, the Executive will say the project is ongoing while in real sense it is stalled. This is simply because there is no clear monitoring and evaluation which can also cause us to have shoddy jobs done around the County. So, Mr. Speaker, I stand very supportive that this Report be adopted so that clean measures can be taken. Everyone would take his part fully so that our people can get attention whenever they are in need of health services. Mr. Speaker, I stand to support. Thank you.

The Deputy Speaker (Hon. Mwambire): Anybody else? Yes hon. Nzaka.

Hon. Nzaka: Thank you Mr. Speaker, Sir. I rise to support the Motion before the House and congratulate the Chairperson Health Services and the entire Committee for the good job done. Mr. Speaker, before this Committee went for the site visits, it seems there was lack of monitoring and evaluation from the Executive. After the Committee went for the site visits, they saw some projects which were stalled and using substandard materials but after the Committee went there I am 100% sure that most of the projects were completed in time. For example in my Ward, there is a facility at Chiferi Health Center whereby the contractor was out for about three months. He was not at the site Mr. Speaker, Sir and he was using substandard materials. Even the workers had not been paid but after the site visit, I am glad to report to this House that the facility is complete.

There is another facility in my ward, Bwaga-moyo dispensary whereby my people were attended under a tree. It was very terrible but after the visit by the Committee, I am glad my people are celebrating as they are getting the right treatment where there are facilities. As you are seeing Mr. Speaker, I think this great County has done a very good job. So, I urge my fellow hon. Members after the passage of this Motion, I think it will go to the executive side because it seems that there are some contractors who don't have manpower to perform their job. So, they may be terminated because they are preventing us from moving forward. I urge my fellow hon. Members to pass this Motion so that we can move ahead. Thank you, Mr. Speaker, Sir.

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The Deputy Speaker (Hon. Mwambire): Yes hon. Nzaro.

Hon. Nzaro: Thank you Mr. Speaker. I also rise to support the adoption of this Report. Mr. Speaker, the right to health is enshrined in our Constitution and it is one of the elements contained in the Bill of Rights and if you see some of our hospitals which some are highlighted in this Report, there are some hiccups in offering the best services to our Citizens. That is why the Committee found it fit to visit these sites and get the appropriate status of these hospitals Mr. Speaker.

One thing we have to acknowledge is that once we do these site visits, then there is a general change in attitude in how these people work in our hospitals. I also had an opportunity to call the CEC (County Executive Committee) Member to visit some of the hospitals in my ward and when the CEC visited those hospitals then the services which are being delivered are now moving in the right direction. What I would urge this Assembly to do is to enhance this monitoring aspect of every hospital in this County so that the delivery of services is up to date.

For the part of the contractors, Mr. Speaker, there are so many challenges which these contractors face in our County. One notable challenge is when they are processing their documents. For example, a contractor has been awarded a Tender to construct a hospital you find that the necessary documents are not availed to these contractors. The LSO (Local Service Order) and the likes, they have to take a long time chasing these crucial documents so that the work can start and be completed in good time. So, I think it is also advisable for the team or the Committee to see to it that there is a very good follow up and to liaise with the relevant department; that is the public works, so that these projects can be completed in good time and make sure that our people get the services that are required. Mr. Speaker, I beg to support. Thank you.

The Deputy Speaker (Hon. Mwambire): Hon. (Dr.) Mzungu (Chitibwi).

Hon. (Dr.) Chitibwi: Thank you very much hon. Speaker. I stand to support the adoption of this Report. I wish to congratulate the Committee for this job because that is one area where I believe we are not being sufficient. Looking at the projects that are going on and also the performance of the staff after I have gone through the Report, I am also experiencing some improvement in the service delivery although not to the standards that we would wish. I believe even other Committees... when the people and the workers see us looking at the services, there is going to be an improvement. The recommendations that have come from this Report need to be implemented.

One of the areas we have to look at is the disbursement of funds to the contractors. Many of the projects delay because the contractors do not have sufficient funds. We know there is a requirement for them to be allocated but in these days of expensive loans; a contractor cannot take too much, they only take what is sufficient to finish a phase knowing that they're going to be reimbursed for that expenditure. But we see them delaying for two, three months sometimes even four months without payment. So, my wish is that the Executive take this recommendation seriously so that they do not blame a contractor and say that they cannot perform. I know this is one of the areas where they can say we are giving contracts to our people but they cannot perform, let us not go that far. If there is a way disbursements of funds to the County can be improved it is going to help our people, our contractors and create employment in this County. I support the adoption of this Report. Thank you Mr. Speaker, Sir.

The Deputy Speaker (Hon. Mwambire): Hon. Stanley (Kenga).

Hon. Kenga: Thank you very much Mr. Speaker. Allow me to start by thanking the Committee on Health Services of County Assembly of Kilifi for having gone out carrying out

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their mandate and making sure that they bring to this House a Report that is worth adoption. Mr. Speaker, this Report has been able to unearth the challenges that are faced by the health sector and Mr. Speaker as rightly put by some of the Members who have already made contributions, the right to health is a basic provision in the Constitution and we cannot as a County and as an Assembly see that the services given to our people are not of the best quality but in making sure that we offer the best services. There is every need to make sure that in terms of infrastructure we measure up to the standards that are expected.

We have had so many challenges as a County but I want to thank the Committee for having gone out and coming out with findings and recommendations that are in the Report. As I sit here Mr. Speaker, I am very happy knowing that the Chairperson and his team did a wonderful job. This wonderful job is not going to help the people of Mwawesa alone, it is not just going to help the people of Jilore ward alone, but it is going to help the people of the great County of Kilifi. That, whatever services the people have been lacking in the various Wards is going to be provided within the required time.

Therefore, I want to appeal that once this Report is adopted, the relevant department, and relevant authorities that are supposed to implement this Report; that is where now the Chairperson of the Implementation Committee... but I am glad that as I make the contributions Mr. Speaker, he is seated and I want to believe even if he is not going to contribute because he seems not to be in that mood today, I want to believe that he is getting whatever contributions as Members we are making. That we need to see the Chairperson and the Committee on Implementation pushing and moving forward making sure that this Report is implemented within the shortest time possible.

I am saying this because I was very shocked yesterday when I learned that a Motion we had already passed so many months back was only forwarded to the Executive just the other day. If that Motion would have been forwarded immediately to the Executive Mr. Speaker, its implementation would have brought a lot of positive results and the expectations of the Assembly as regards the issues of employment in the ECD (Early Childhood Development) care givers. This is because of a weakness that we are experiencing in operations. Therefore, I believe that for this Report to be fully implemented Mr. Speaker, the Chairperson and the relevant Committees must come out very strongly and make sure that they push to have it implemented for our people to be able to receive the services that we require. Thank you very much. I beg to support.

The Deputy Speaker (Hon. Mwambire): Hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker, Sir. I rise to support the adoption of this Report. Mr. Speaker, it is a disappointment when you read the recommendations of the Committee that there is nothing good they found when they visited the few dispensaries and the Health centres. The County Government needs to ...that means there is a lot of laxity in the Health docket. Mr. Speaker, as you go through their recommendations, there is little which has been done for these health centres and the Committees visited just a few among the 35 Wards where we have health facilities and according to the recommendations, it seems like this docket has much to do.

Mr. Speaker, there are a lot of health centres done by the LASDAP (Local Authority Service Delivery Plan) and some of them done by the CDF (Constituency Development Fund) which have been like white elephant projects on the ground, they cannot help our people. So, this is the right time. I wish the implementation Committee takes up this Report and do something.

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You will find that I have gone on a few trips on the ground and some of the technical groups of the health personnel had never even visited such facilities to find out what was happening. So, I want to congratulate the Committee on Health for finding out that there is so much to be looked at in the Health docket, more so, the technical groups at the Office of the CEC Health so that our people can get help and use these facilities. The distance being walked by the pregnant women carrying their sick children at night to better facilities is such a long distance. We lose our people in Kilifi because such facilities have not been utilized. No drugs, no water, no electricity; and nothing is being done. There are less personnel, no CO's (Clinical Officers), no nurses to attend to kids and mothers in the night. Mr. Speaker, I think the Chairperson for Implementation Committee is here and he is hearing all this. If he can get this Report and reach the CEC and we want our work done as we are running short of time for the implementation in the docket of health. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwambire): Hon. Duncan Kaingu.

Hon. Kaingu: Asante sana Bw. Spika. Mimi pia naunga mkono Mswada huu. Kwanza, naipongeza sana hii Kamati ya Afya. Kuna wakati walizuru Wadi yangu na kulikuwa na miradi ya kiafya ambayo ilikuwa inazorota lakini Kamati ilipofika, wale wanakandarasi walijitahidi, walibadilisha mtindo, na wanaendelea mbele. Naongea kuhusu mradi wa kule Jibana *Health Centre*, Kaloleni, Makomboani *Health Centre*, Milalani *Health Centre* ile miradi ilikuwa inaenda pole pole katika upande wa ujenzi lakini kufikia sasa ule mwendo wa kasi umeongezeka. Kwa hivyo, naunga mkono Kamati kwa kazi hii nzuri waliyofanya.

Vile vile nikienda kwa sehemu ya *Executive* hapo Bw. Spika, lazima tuongee ukweli kuna ugonjwa hasa wale wanakandarasi waliopatiwa kazi hizo. Mara kwa mara wanasumbuliwa sana ikija upande wa mambo ya malipo. Unakuta kwamba kama Mwenyekiti wa *Public Investments and Accounts*, nimechunguza na nimeona wanalipwa hata usiku saa nane. Mara nyingi sana malipo hayo huwa yanachelewa sana. Kwa hivyo pale Kilifi...

(Hon. (Ms.) Mbeyu stood on a Point of Order)

The Deputy Speaker (Hon. Mwambire): There is a point of order from Hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker. Can the Member on the Floor substantiate payments being done at 2:00 a.m. in the Kilifi County Government Offices? Thank you.

Hon. Kaingu: Bw. Spika, haya ninayoongea kama Mwenyekiti wa *Public Investments Accounts* nimeshuhudia wale wanakandarasi walilipwa usiku ni wanne, watano na ni kweli baadaye nikazunguka hapo...

The Deputy Speaker (Hon. Mwambire): Hon. Kaingu, we want it to be captured clearly in the HANSARD. You said as the Chairperson for Public and Investment Accounts Committee your contractors were paid at 2:00 a.m. by the officers of the County Government of Kilifi?

Hon. Kaingu: Nasema Bw. Spika, kuomba msamaha si rahisi kwa sababu ni vitu ambavyo nimeviona mwenyewe na nikisema wanakandarasi wangu ni wale waliofanya kazi katika Wadi yangu na nimeona kwa macho yangu ikifanyika. Kwa hivyo, hakuna ubaya mimi nikiongea mambo kama haya.

The Deputy Speaker (Hon. Mwambire): So, you were around when they were being paid?

Hon. Kaingu: Ndio nilishuhudia. Kwa hivyo, ni mtindo ambao unaendelea na ni vizuri ...

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(Hon. (Ms.) Mbeyu stood on a Point of Order)

The Deputy Speaker (Hon. Mwambire): There is another Point of order from Hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: Mr. Speaker, Sir, I think we need to get proper information. I wonder what the Ward Representative Hon. Kenga was doing waiting at 2:00 a.m. waiting for contractors to be paid. We need to be given the right information. Thank you.

Hon. Kaingu: Kwanza ningeliomba mnenaji aombe msamaha. Mimi kwa majina naitwa Mheshimiwa Duncan Kaingu; hii ya 'Kenga' sijui inatoka wapi. Lakini sikusema niko pale wakilipwa lakini ni mambo ambayo nimeshuhudia mwenyewe na ninefanya uchunguzi. Sikuwa karibu pale wakilipwa, lakini nimefanya uchunguzi na ni vitu ambavyo kuna umuhimu tufanye...

(Hon. Mramba stood on a Point of Order)

The Deputy Speaker (Hon. Mwambire): There is another Point of Order from Hon. Nixon Mramba.

Hon. Mramba: Mr. Speaker, what the Member is saying right now is very serious because as far as I know according to the Public Finance Management Act (PFMA), money is wired directly to the contractors account. No cheque is being issued to the contractor; instead it is paid through IFMIS (Integrated Financial Management Information System). I believe there is no bank that operates beyond the normal hours Mr. Speaker. So I don't know if he can explain clearly. What did you witness Hon. Kaingu? You need to tell this House what you saw or what you heard from the contractors because as far as I know money is being transferred directly to the accounts. So if he says "*alishuhudia, alishuhudia nini?*" Thank you.

The Deputy Speaker (Hon. Mwambire): I think Hon. Kaingu if you are in a position to give clear information it would be much better. Give it and in case you don't have it, you can even seek sometime so that you can bring documented evidence because the allegations that you are giving are serious to an extent that you have even put yourself in a very awkward situation. You have informed Members that your contractors were paid when you were there and if you go through the HANSARD that is what you have put clearly. We know very well as Members, by 2:00 a.m. in fact when the contractors are being paid I don't think it is okay for Members to be around to witness the payments.

The interest that you had with that is not very clear. Again, you could have brought a question to the House so that you can get inquiries on why payments are done at night. You could have brought a Report from PIC/PAC to give more information about what is happening. Otherwise, the way you are putting it is good but it is bringing some more questions. In case you have documents that you can share, please do so that Members can be okay. If you don't, then give us an appropriate time so that you can bring that evidence so that Members can follow it up. Proceed please.

Hon. Kaingu: Asante. Wacha kwa sababu moto umewaka na siwezi endelea na shughuli hio ya kujieleza sana mpaka nieleweke kwa sababu najua nimeeleweka lakini kwa vile imefika wakati kwamba lazima nilete ushahidi, ninaomba msamaha sina wakati wa kufanya shughuli hizo. Kufikia hapo ninaomba msamaha kwa hio hoja ambayo pengine nimeipeleka mbele na kama ineenda sana samahani.

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The Deputy Speaker (Hon. Mwambire): It is allowed, we have accepted. Yes Hon. Mramba.

Hon. Mramba: Thank you Mr. Speaker. Allow me to congratulate the Committee on Health Services for doing a wonderful job, although they visited very few Wards because in this Report if I can see only six Wards. The first one being Mwawesa represented here by Hon. Nzaka, Jilore, Adu, Gongoni and Magarini. So, if you get the percentage of the Wards visited against the total number of Wards; six Wards verses 35 Wards. The Health Services Committee must go back to the drawing board and visit at least half of the total number of Wards Mr. Speaker.

Then, a dispensary is not a building but the services being offered. We can see some dispensaries which are in Adu Ward which is represented in this House by Hon. Stanley Kenga are lacking anti-snake venom and several medications in Chakama and Shaka Hola. So, we must not clap here because a dispensary was built in Shaka Hola but we must know if drugs are there. Otherwise, we may clap here we say it is a good job thereafter, we may be having an ambulance there but no drugs. So, I would wish the Health Services Committee would go back to the drawing board and visit at least these dispensaries to see if we have enough drugs or not...

(Hon. Kega rose on a point of information)

The Deputy Speaker (Hon. Mwambire): There is a Point of Information. Do you wish to be informed Hon. Mramba?

Hon. Mramba: No, Mr. Speaker. I can see the Committee on Implementation is being hit left, right and centre and I would like to enlighten this for Hon. Stanley Kenga if he is not in the norm to know that our work begins after the resolution has been served to the Executive that is 60 days after the passage of the resolution. It is not the duty of the Implementation Committee to take the resolution to the County Executive Mr. Speaker. Otherwise, the Office of the Clerk is here and they have heard. So, let these resolutions be served to the relevant Departments at least on a weekly basis. Every Friday, those resolutions for that week are served immediately so that within the stipulated 60 days, work is beginning to be seen Mr. Speaker. Thank you so much.

The Deputy Speaker (Hon. Mwambire): Hon. (Ms.) Chiku.

Hon. (Ms.) Chiku: Thank you Mr. Speaker, Sir. I rise to support the Report and congratulate the Health Committee for their good oversight. I would like to concur with Hon. Mramba for what he said. The Committee has managed to visit only six Wards. It should be an ongoing exercise because looking at Mtondia Health Centre; it is on the highway and if there is any accident that has occurred from Mtondia to Malindi, we do not have a health facility which can actually save lives. Mtondia should also be upgraded because I think Kilifi District Hospital (KDH) is trying to decongest the hospital. It is now a referral Hospital and most of the patients should actually be encouraged to visit the health centres but you will still find them going back to the referral hospital. It would be a good idea in a place like Mtondia which is actually decongesting and also doubling for Matsangoni Ward. Allow me to sit down and encourage the Health Committee and the Chairperson to do another oversight job. Thank you.

The Deputy Speaker (Hon. Mwambire): Hon. Mwayaa, do you wish to your submissions?

(Question, that the Mover be now called upon to reply, put and agreed to)

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Hon. Mwayaa: Asante sana Mheshimiwa Spika. wacha nianze kwa kuwashukuru Waheshimiwa wenzangu kwa kuniunga mkono ...

(Hon. Mramba stood on a Point of Order)

The Deputy Speaker (Hon. Mwambire): There is a Point of order.

Hon. Mramba: Mr. Speaker is it in Order for the hon. Member who is representing the Chair for Health Services Committee in his first address to this House addressing in English and then changing to Kiswahili? Is that in Order Mr. Speaker?

The Deputy Speaker (Hon. Mwambire): Am ruling him out of Order. You are out of Order hon. Mwayaa, so take your seat so that you can proceed. You cannot use two languages. You can use one. Hon. Members, the Motion as presented by the Chairperson for Health Services Committee has been tabled, seconded and discussed. Allow me now to put the question.

(Question put and agreed to)

(Applause)

ADJOURNMENT

Hon. Members, there being no other Business to transact, this House is adjourned until tomorrow at 2:30 p.m. Thank you very much.

The House rose at 2:50 p.m.