



REPUBLIC OF KENYA

COUNTY ASSEMBLY OF KILIFI

SECOND ASSEMBLY – FOURTH SESSION

THE HANSARD

Wednesday, 19th August 2020

*The House met at the County Assembly Chamber,
Malindi Town, at 2:30 p.m.*

[The Speaker (Hon. Kahindi) in the Chair]

PRAYERS

NON-OPERATIONAL MTONDIA HIGH MAST LIGHTING

Hon.Ziro: Thank you Mr. Speaker. I wish to read a Statement on behalf of the Chairperson of Lands, Energy, Housing, Physical Planning and Urban Development in regard to a Statement that was raised by hon. Thomas Mumba Chengo.

The Response is as follows:- Reference is made to your letter referenced CAK/DPT/LAIS/VOL.I/17 dated 28th May, 2020 on a Statement sought by hon. Thomas Mumba Chengo of Tezo Ward on the Mtondia High mast lighting not being operational.

Kindly note that this was a project of the Department of Roads, Public Works and Transport and we therefore do not have the documentation. However, we have consulted with Roads, Public Works and Transport Department on the same and attached herewith kindly find their Response vide their letter reference CG/KLF/RTPW/LND/H/VOL.I/102 dated 22nd July 2020.

Further, we are aware that the contractor Biomax Ltd. was awarded a tender for supply, installation and commissioning of high mast vide tender number KCG/LEHPP/WORKS/777217/2019/202 after a competitive procurement process as per the PFM (Public Finance Management) Act and is on course in implementing the project to completion. Signed by; the hon. Member Maureen Mwangovya, CECM (County Executive Committee Member) Lands, Energy and Housing.

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There is an attachment to that effect from the Department of Roads that was written by the Chief Officer in regard to the Mtondia High Mast; that is then contractor carried out the works effectively and there is a delay in supply of the metre from Kenya Power and Lighting Company and the Department is following up. Thank you, Mr. Speaker.

Hon. Mumba: Thank you Mr. Speaker. Let me say from the Response I am not a happy man. This is not the Response I expected from the Department. First, from the Statement wrote by hon. Maureen Mwangovy, the CECM in charge of Lands, Energy and Physical Planning let me for purposes of records my name was not written well. I am not Thomas Mramba Chengo, I am Thomas Mumba Chengo.

Again, we are talking of transfer of functions here and if the functions were transferred to the Department of Lands, Energy and Physical Planning then in my understanding the Department should have transferred everything so that the CECM will have no excuse in responding to questions from this House. So for her to say that the project was executed while it was still under the Department of Roads and that she has no information about it, to me that is an excuse.

Again Mr. Speaker, we have had a tendency of saying the contractor is competitive and that is why he was awarded, but this is a project of the 2017/2018 FY. I am reading the Response from the Department of Roads, a one sentence, one paragraph Response from my Statement for a project that was done in 2017/2018. The Response as it reads “the contractor carried out the works effectively...there is a delay in supply of the metre from the KPLC and the Department is following up...”, I don’t know if the BQ (Bill of Quantities) did not state that the high mast should not be completed and serve the purpose by the contractor for the Department to follow it up for the meter? It has been three years now and they are still following up the metre. I think this is a high level of incompetence. For them to respond to this House and say they are still following up, they do not know until when because they have not specified even the time frame at which that project should be in completion. So as a House, for how long shall we wait for this project to be completed? Sincerely speaking, I am not happy with this Response and they have to state clearly when are they going to make sure the metre is installed and whose responsibility is best to install the metre on that project. I think the contractor after completing the project had a duty to make sure the lights were working and the lights cannot work if there is no metre.

I am aware that the contractor was fully paid and here they are saying they are still following up on the issues of metre. This is the same contractor they are saying he is competent. Sincerely Mr. Speaker, they have been awarding more tenders to this contractor doing similar jobs and here they can confirm to this House that he is a competent contractor who did not finish his work by then. I am a worried Member and if this is the trend then our people will lack services because of this level of incompetency. Thank you, Mr. Speaker.

Hon. Pascal: Thank you Mr. Speaker, for granting me this opportunity to also contribute on the subject matter on the Floor. I want to take this opportunity to agree and support the Member who brought the Statement before this House. As a county, we have always wanted the business sector to be up and running and by this I mean these high mast lights that we passed to be erected in different trading centres had a reason for the same. For one, we had wanted to control the security of our traders and more so those who live along the trading centres.

Again, we had wanted our traders to have ample time to trade even during the early hours of the night and that is why we have always yearned to have lighting systems in all the trading

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centres so that trade can continue even during late hours and even probably have our traders earn a good living.

The trend we are seeing today is worrying because many of these lighting systems are not working. As we speak and as you know, Tezo is a vibrant trading centre, that is beside the road and many people flock there to do business and if the lighting system there is poor or does not function completely, then we are saying that we are not doing justice to our people, Mr. Speaker.

Still on the Biomax contractor, this County Assembly needs to take action. We recommend that this contractor is investigated because as we speak, this contractor has been given numerous projects in Kilifi County but the trend is that this contractor does not complete his work.

In Mwanamwinga where I represent, there is a borehole that was awarded in 2014/2015 that was supposed to be installed with a purifying machine for the water that is drawn from that borehole but as we speak, that borehole is not complete. We have brought numerous Statements here on the same but nothing has happened. When you listen to many of the MCAs you will realize that Biomax construction company has been given different commitments but this contractor seems to be like a big fish. He is somebody who probably is given some kind of work but there is no proper supervision on the same.

Therefore Mr. Speaker, I kindly call upon the relevant Committee to ensure that there is some kind of investigation on this contractor and a Report is brought before this House on his workmanship. Thank you. I concur that this Statement is still wanting and we need more information on the same project. Thank you, Mr. Speaker.

The Speaker (Hon. Kahindi): Hon. Ziro, do you have anything to add?

Hon. Ziro: Thank you Mr. Speaker. According to the reply that has been given; I went through the Response and I realized that the Department of Lands, Energy and Housing might not be in a position to have good information and that is why after getting this particular Statement, the CECM wrote to the Department of Roads and after writing to the Department of Roads, the Department was furnished with information which according to my observation here I believe is half-baked and therefore I was requesting for more time so that we can do more consultations with the Chair and get more information in regards to the Statements and then that information shall be reported back to the House. Thank you, Mr. Speaker.

The Speaker (Hon. Kahindi): Can we have feedback from you by next week before we break for recess?

Hon. Ziro: Mr. Speaker, I am not in a position to tell because ...

(Hon. Mwamtsi stood on a Point of Order)

The Speaker (Hon. Kahindi): Chairperson Roads, you have anything to say?

Hon. Mwamtsi: Yes.

The Speaker (Hon. Kahindi): Press your microphone.

Hon. Mwamtsi: Mr. Speaker, even as the standing Chair put it that he will consult, I think it is unethical that the Department can run away from its responsibility by saying that the work that they mandated to do is for another Department. What we know is that there is only one Government that is the County Government of Kilifi. If the question was raised to the Department of Lands which we are aware that the demanded functions be removed from the Department of Roads to it, then, it is not in order that it gives half-baked responses in the

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disguise that it was work for another Department. That is irresponsible Mr. Speaker. They should also be reprimanded. Thank you.

NON-OPERATIONAL HIGH MAST LIGHTING IN CHAURINGO VILLAGE; KAMBE-RIBE WARD

Hon. Ziro: Thank you Mr. Speaker. Again I am rising on behalf of the Chair Lands, Energy and Housing and Physical Planning to read a Response sought by hon. Shaban and the Response is as follows:-

Reference is made to your letter dated 2nd of July, 2020 on a Statement sought by hon. Dickson Shaban Special Elect on Chauringo village, Kambe-Ribe high mast lighting not being operational. Kindly note that this was a project implemented by the Department of Roads, Public Works and Transport in consultation with the said Department. Attached here kindly find their response letter with that reference number dated 22nd July, 2020. Signed by the hon. CECM Lands, Energy and Housing; Maureen Mwangovya.

Mr. Speaker, the attachment again reads as follows; that the contractor carried out the works effectively. The metre installed was a token type and we had to request for a pre-paid metre which is yet to be delivered from Kenya Power and Lightning Company and the Department is following up.

Mr. Speaker, that is the end of the Statement but before I sit down, I had a comment if you will allow me. According to my observation here, it is like the Statement was raised to the Department of Lands and Energy but actually it was directed to the Department of Roads because at the Executive there are a lot of activities. Some of the works that are supposed to be done in the Department of Roads are being transferred to the Department of Lands. The other time we had a problem here with the Department of Trade and Tourism because the Department had actually budgeted for these high mast lights to be erected in certain markets and when we were trying to do some consultations with the Department of Roads, they said the mandate lies with the Department of Roads. That is why when the Statement was directed to the Department of Lands, they wrote a letter to the Department of Roads so that they can give them information. Thank you, Mr. Speaker.

Hon. Shaban: Thank you Mr. Speaker, Sir. Before I give my views, I sought this Statement last year to the Department of Roads and I never got any Response and that is why I also raised this same Statement to the Department of Lands. The high mast at Chauringo Village where I come from; when it was installed it took like three months and then it did not work then it took almost one year. So when I raised this Statement to seek what was happening, I am happy to say that in two weeks now it is operational and the people of Chauringo Village where I come from enjoy the service and what I would have said is that as long as the high mast is working at Chauringo Village, let me hope that the bills are going to be catered for. I do not want a situation whereby the high mast light is working and then after some time we are told that the Department is not paying for the bills. It also seems like the Department is not aware that the lights are working and that is why they brought this Response.

(Hon. Mwamtsi stood in his place)

Hon. Mwamsti: It is a Point of Information to the Standing Chair ...

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(The Speaker spoke off record)

The Speaker (Hon. Kahindi): Hon. Shaban has confirmed that the high mast is working and that was the issues so we can proceed to the next Order of business.

ADJOURNMENT

The Speaker (Hon. Kahindi): There being no any other business in the Order Paper, the House stands adjourned. Thank you.

The House rose at 2:55 p.m.

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