

BARINGO COUNTY ASSEMBLY

THE HANSARD

The house met on Wednesday 14th April 2021 at 9:40 a.m.

The Temporary Speaker (Hon. Tarus) in Chair

PRAYERS

The Temporary Speaker (Hon. Tarus): welcome members to this morning session, sergeant at arms ring the bell for five minutes.

(Quorum bell rung)

Clerk!

PETITION

FORMATION OF CENTRAL RIFT ECONOMIC BLOCK (CENTREB)

Petition to the County Assembly of Baringo by Lembus Advocacy and Welfare a Community Based Organization and residents of Mogotio and Eldama Ravine on the formation of Central Rift Economic Block (CENTREB).

The Temporary Speaker (Hon. Tarus): Petition to the County Assembly of Baringo by Lembus Advocacy and Welfare a Community Based Organization and residents of Mogotio and Eldama Ravine on the formation of Central Rift Economic Block (CENTREB).

We undersigned and pursuant to article 10(a) 37, 195,196 section1 (a) (b) of the Kenyan Constitution and residents of Baringo do petition the County Assembly of Baringo on the above matter of our contest and state as follows;

That Baringo County Government through its Assembly wishes for the formation of central rift economic block (CENTREB)

That the County Government of Baringo initial process to pull out of the current North Rift Economic Block (NOREB) that is not viable and which never involve public participation

That Baringo County Government evaluate itself in the viability of two economic blocks; NOREB and proposed CENTREB

That through Baringo County Assembly notifies other strategic counties included in proportion; Nakuru, Samburu, Laikipia, Narok and possibly Kericho and Bomet counties if they would accept the matter;

That the County Assembly of Baringo notifies all Baringo leaders; the Governor, six members of National Assembly Senators County women representative to permit intensive lobbying and possibly diaspora that resides in Nakuru on the matter.

That the regional block secretariat be located at Nakuru city the former Rift Valley provincial headquarters the days pending matter in any court of laws or in a constitutional body.

That we the petitioners Lembus Advocacy Welfare and the undersigned solemnly do hereby petition the County Assembly to address the following matters;

- i. That we hereby append our signatures of this petition.

- ii. That the County Assembly or Government fast track the matter attached is the copy of the list of the names in support of the petition and the list of the names is attached in the original copy with 29 members and duly received by the County Assembly of Baringo for further action.

I commit this petition to the Justice and Legal Affairs Committee. Clerk!

STATEMENTS

EFFECTS OF SOIL EROSION IN THE COUNTY

The Temporary Speaker (Hon. Tarus): Hon. Members we have a new statement by Hon. Paul Kibarar MCA Eming ward. In his absentia, Hon. Ngotie to seek the statement on his behalf, proceed Hon. Member.

Hon. Ngotie: Thank you Mr. Speaker sir, I seek statement on behalf of Paul Kibarar MCA Eming Ward from the Chairperson Environment and Natural Resources Committee on the following matters of concern;

- i. If he is aware that there are severe gulleys and other soil erosion hazards in the County?
- ii. If he is further aware that there are serious gulley erosion and other environmental hazards on-going at Maji moto Secondary School, Molok, Naula in Oterit/Eming sub locations border, Kwirindoche, Sarakwa, Kabogor and Kataimal, Kapnge'nui areas of Eming ward?
- iii. Name other areas that need urgent environmental interventions in each ward in the County?
- iv. What measures is the County Government taking to combat the continuous erosion in the County?

Thank you.

The Temporary Speaker (Hon. Tarus): Thank you Hon. Ngotie, Chairperson, Vice Chair or any member of the committee? Majority Leader.

Hon. Leparsalaach: Thank you Mr. Speaker sir, we endeavor to bring the answer in two weeks' time on behalf of the Chair.

The Temporary Speaker (Hon. Tarus): Thank you Deputy Majority Leader that answer to be provided on 28th April Wednesday at 2:30 p.m.

(Statement Deferred)

Clerk!

MOTIONS

DEVOLUTION OF PROCUREMENT DEPARTMENT TO COUNTY LEVEL

The Temporary Speaker (Hon. Tarus): We have motion by Hon. Elizabeth Kipsang MCA Baringo County move your motion.

Hon. Elizabeth: Hon. Speaker I move a motion;

Aware that the constitution of Kenya provides that service delivery to the people is of paramount importance and as such the same shall be devolved to the smallest units that is the village,

Further aware that international human rights charter provides that all persons are equal and thereby entitled to their rights as stipulated under chapter four of the constitution,

Acknowledging that section 80 of the public procurement and disposal Act provides for a determination of qualified persons in any procurement processes,

Noting that there have been perennial delays in the procurement processes in the County Government leading to payment delays to the contractors undertaking activities within County,

Now therefore, this motion urges the County Government to:

Devolve the procurement department in the County such that every department must have its own procurement department to enable seamless procurement activities within the County.

Mr. Speaker we have been having problems with the procurement department. Our procurement officers have been centralized in the treasury making many delays in payment of contractors in our County. I consulted with CECM Bungoma and advised that it was prudent that each department has its own procurement officers to enable work easily fast tracked.

This motion urges that each ministry to have procurement officer to make work easy for ward based projects in the County Government. I urge members to pass this motion and Hon. Fransisca Cheburet to second.

The Temporary Speaker (Hon. Tarus): Hon. Elizabeth you request or ask someone to second...Hon. Fransisca proceed

Hon. Fransisca Cheburet: Thank you Hon. Speaker, I congratulate my colleague for coming with such a motion. We have noted that there has been overdependence and delays by other departments on procurement processes in this County thus derailing projects and developments.

When each department has its own procurement office, work will be faster than it is today. There are departments that are deemed to be of no importance thus left behind and their projects stalled and this motion has come at the right time to solve this issues. I second Mr. Speaker.

The Temporary Speaker (Hon. Tarus): Thank you, the motion has been dully moved and seconded I propose the question.

(Question Proposed)

Debate is open...Hon. Julius Ngotie MCA Eldama Ravine Ward.

Hon. Ngotie: Thank you Mr. Speaker sir I stand to support this motion. If this motion is implemented the way it is, it will go a long way for making procedures in this County Government to be quicker than now.

Secondly, if this motion can be turned into a bill, it will force the County Government to do it because you are aware that it is hard to implement it. If procurement process is devolved to departments, we will be able to know which department delays in procuring items passed in the house.

I support and hope it will be implemented the way it has been written, thank you.

The Temporary Speaker (Hon. Tarus): Hon. Chair for Implementation Committee I believe you are the one to force them to implement. Hon. Kibarar MCA Emining Ward proceeds.

Hon. Kibarar: Thank you Mr. Speaker, I stand to support this motion and thank Hon. Ngotie for reading the statement on my behalf. Hon. Speaker, Eldama Ravine and Emining wards are neighbors and we share a lot of things from health to transport, he has done a good job I will reciprocate one day.

Mr. Speaker on this motion I congratulate Hon. Elizabeth although she is a nominated member of the County Assembly by she has touched on issues that has been affecting us on implementation of projects, this motion has come at the right time because there has been various delays in terms of implementation of the projects and one of the reasons is procurement, and the departments are not equipped to make sure that the data are well captured and make sure that everything ran very fast as possible we believe if we pass this motion our projects will be implemented on time.

Every department should have five to six officers in procurement office so that they can cater for every sub County because if we allocate one person to work for every department the problem will not be solved. I support and I ask that we fast tract the implementation and I am also a member of the implementation committee, we will work fast to ensure that it is implemented in the executive I support the motion.

The Temporary Speaker (Hon. Tarus): thank you, Hon. Mailuk MCA Tangelbei.

Hon. Mailuk: Thank you Hon. Speaker for giving me this chance and I am standing to support this motion brought by Hon. Elizabeth, this motion is of much importance to us as Baringo County we have noted that the delays we usually have here warrants impeachment because of delays in project implementation and procurement process. The root cause is the cumbersome procurement process because as we speak most of the projects have not been awarded because of delays in procurement. Devolving procurement to every department will help us and I also urge members that we should take this further because we know motions are not well implemented but this motion requires a Bill. I urge Hon. Elizabeth Kipsang or any other member to develop a Bill for this to enable the next Government to run in accordance to the way we expect.

The Temporary Speaker (Hon. Tarus): Thank you Hon. Mailuk, on my right I want to give Hon. Francisca Cherutich.

Hon. Francisca Cherutich: Thank you Mr. Speaker for allowing me to contribute, I congratulate my colleague for bringing this very important motion to the floor of the House I support the motion especially because I am a member of the finance committee and most of the time when we invite departments to appear before our committees most of the problem they raise is in the procurement department and if we devolve this department to other departments we will have solved a very big issue in our County and we will reduce the issue of roll over in the County because going forward this is the biggest problem for the elected members. We are going to pass this motion today and if it will be implemented we would have solved a very serious problem in the County.

In the Finance Committee we realized that most of the departments take their projects on time to the procurement but it can stagnate for six months. I wish we could have made a Bill because if it is not implemented by the executive then as an Assembly we would not have gone far, thank you Mr. Speaker.

The Temporary Speaker (Hon. Tarus): Thank you, maybe on the issue of the Bill Hon. Elizabeth make sure that you are taking note of that and we also have the Kipchew Bill you must

study if it is not included you come up with a new one. Hon Musa Cheruiyot MCA Koibatek ward

Hon. Cheruiyot: Thank you Mr. Speaker for giving me the chance to contribute to this motion and I support it because we have been having a number of problem in procurement processes because we are experiencing a lot of delays. Another thing is that there is a lot of interest in the procurement office and I have some issues which can date back to 2017 meaning that this centralized procurement process is letting us down as the Hon. Members have said it also leads to roll over. If devolution was to decentralize every sector even procurement should be decentralized and taken back to the departments. Mr. speaker I congratulate Hon. Elizabeth for this motion but it has taken long overdue because we have been having a number of problem I support this motion and implementation should be fast because some projects have delayed even in my ward some of them have been forgotten by the members of the public, I am even following up on one which has taken too long until the members of the public are renaming it.

I support this motion and wish that it can be implemented fast, Thank you Mr.Speaker.

The Temporary Speaker (Hon. Tarus): Thank you back to my left Hon. Kebut MCA Ewalel Chap Chap Ward.

Hon. Kebut: Thank you Mr. Speaker I rise to support this motion and I thank the member who brought his motion but Mr. Speaker there are many factors which contribute to delays of procurement process, you remember well the other day when we were passing the second quarter budget implementation report and we highlighted several issues as the committee of finance and economic planning. Mr. Speaker sir you will realize that apart from procurement we have shortage of staff in several departments example in the public works data collection is key but we don't have staff for data collection in departments of agriculture water and roads the other issue is development of BQs the technical staff employed by the County Government are also few, this is a motion which involves money because at the end of the day we will need to recruit staff who will handle this procurement in department level.

Mr. Speaker, I request the Hon. Member who brought this motion to expound and include the other sectors which causes this delays because at the end of the day we can have enough procurement officers in every department but we don't have data collection officers and those who are developing BQs so that the result comes to the procurement. I expected the vice chair budget committee to guide us and give us a way forward because we need a budget to employ more staff, thank you Mr.Speaker I support.

The Temporary Speaker (Hon. Tarus): Thank you Hon. Kebut still on my left Hon. Cornelius Cheruiyot MCA Mumberes Maji Mazuri Ward.

Hon. Cornelius: Thank you Mr. Speaker, I support the motion, last year we passed a budget which had no roll over the supplementary delayed up to December whereby we passed it with roll over making the procurement process to delay.

Mr. Speaker the department making the BQs make skewed BQs making the procurement to be slow, Mr. Speaker devolving procurement will make work easier and Mr. speaker this financial I want to be on record that we will be having a huge roll over more than 3 Billion because there in no single project which has been implemented and the reason is that the department separate the projects by delaying since some of the staff have conflict of interest. I want to tell the

Honourable members that the roll over will be a disaster in our County. I support this motion thank you.

The Temporary Speaker (Hon. Tarus): Thank you Hon. Cornelius Cheruiyot, Finally we should have the deputy leader of the majority Hon Leparsalaach then the mover should prepare to respond.

Hon. Leparsalaach: Thank you Mr. Speaker I support this motion and congratulate the member who brought this motion. It is common knowledge that we are all wondering why projects are not implemented on time and the biggest challenge that most department have been telling us is the delay in the procurement. Mr. Speaker if this is true then I think its right that every department should have their own officers within the department so that they can supervise and award so that if we want answers they will not have any scapegoats as they are doing now

Mr. Speaker we know that this year we are going to have a roll over which is close to 4 billion which is a big shame...

(Loud Consultations)

Protect me from loud consultations from some members.

The Temporary Speaker (Hon. Tarus): Hon. Cheruiyot and Cherutich

Hon. Leparsalaach: Mr. Speaker if we roll a lot of money it is a clear indication that we are not able to utilize the money given to us by the national Government. It's going to be a failure on our part because our duty is to oversight the executive to make sure that what they get from the national Government is utilized. Mr. Speaker once this motion is approved and implemented it will assist us to make sure that our electorates are getting the services. Mr. Speaker the department of water will roll over a lot of money and because I come from an area which water are scars it is very painful. It is high time we make sure that once this motion is approved we push it for its implementation because without it then we will have done nothing to our people. Its common knowledge that if projects are not implemented then our coming back in 2022 is going to be a problem.

We should not sit down and allow some few individuals deny us the chance to implement the projects and get credit from our electorate. I totally support the motion and urge those members who have not contributed to support and also urge the chair implementation to make sure that it is implemented as soon as possible thank you.

The Temporary Speaker (Hon. Tarus): Thank you the Deputy Majority Leader I call upon the mover of the motion to respond.

Hon. Elizabeth: Thank you Mr. Speaker, I thank all the members who have supported this motion and I want to urge the chair for implementation to fast track the implementation of these motion because it is very important. I felt for the elected members of this County because we are part of the County Assembly. I want to ask all the elected members to convene a meeting with the executive so that they can discuss at length on how this motion is going to be implemented because they are the once who are feeling the pinch.

Mr. Speaker, I thank all the members who have contributed and I wish the Implementation Committee will take it seriously, thank you.

The Temporary Speaker (Hon. Tarus): thank you now that we have had several contributions and the mover has responded I want to put the question.

(Question put and agreed to)

Thank you members for passing that particular motion it is an indication that were moving in the right direction.

COMMUNICATION FROM THE CHAIR

We have the Covid-19 Jab and members of the County Assembly are encouraged to do the needful because we interact with so many people in our wards and even in our own activities, the other thing is the issue of quorum, when it's time for session let us avail ourselves for the core activity because it would be wrong that the bell is rung in every sitting let us inform other members that we need to take this matter seriously.

Order members!

ADJOURNMENT

This House stands adjourned till today Wednesday at 2:30 P.M

The House rose at 10.30 A.M