

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 25th June, 2019

The House met at 3.17 p.m.

[The Speaker (Hon. (Mrs.) Mwangangi) in the Chair]

PRAYERS

Hon. Speaker: Good afternoon, Hon. Members. We start our afternoon sitting slightly late because of the morning function which extended.

COMMUNICATIONS FROM THE CHAIR

Hon. Speaker: Hon. Members, there is still a communication further to the one I did in the morning.

UPCOMING ELECTION OF CAF OFFICIALS AND EXECUTIVE COMMITTEE MEMBERS

The County Assemblies Forum (CAF) oversees the interests of the 47 Assemblies in Kenya. Article 11(2) of the CAF Constitution provides that elections for officials, members of the Executive committee shall be held every two and half years provided that the elections following the conclusion of a general election shall be held not later than three months from the date of the general elections.

Hon. Members, further, Article 16(4) of the CAF constitution states that the first election under the Constitution shall be held within six months following the adoption of the constitution by the general assembly at a time to be decided by the governing council. The general assembly consists of all the Members of the 47 County Assemblies and all the Speakers.

Hon. Members, the election shall be to choose officials and members of the Executive committee only. Pursuant to those provisions the Hon. Members of the Assembly are hereby notified of the upcoming elections for the CAF officials and Executive committee Members which are going to be done on the 26th July, 2019.

Before then, their elections of cluster representatives who serve in the county Executive committee; you will get further confirmation on the cluster and for purposes of this Assembly, we are clustered in the Eastern cluster, the way it used to work in the old regions of the country so that you are together with Makeni, Kitui, Isiolo, Meru, Tharaka Nithi and Marsabit.

So, Hon. Members, I urge you to acquaint yourselves with the Constitution of CAF and also the election regulations which are going to be circulated in due course so that you can

support the people of your choice that you want to represent you in the leadership of CAF. For the information of this Assembly, I have offered myself for vice chair in CAF.

(Applause)

So you know what to do when you are notified accordingly.

CASA GAMES IN SEPTEMBER 2019

CASA GAMES we will have CASA games on September and the date had not been communicated to you but you know the venue is in Eldoret; you remember in the last communication, I asked that we have an *ad hoc* committee to coordinate in the planning of the games and at that time I requested the Majority and Minority Party Leaders to nominate Members to represent them. I have received the following communication on that *ad hoc* committee

The Majority Party gave the names of:

1. Hon. Paul Museku
2. Hon. Fredrick Muthoka
3. Hon. Betty Nzioki
4. Hon. Daniel Kiilu

The Minority Party the names are:

1. Hon. Johanna Munyao
2. Hon. Judas Ndawa
3. Hon. Irene Mbivya

I urge those Members to serve the Assembly effectively and to make sure that CASA games are a success and we enlist the teams that are going to represent us so that we can bag in as many trophies as possible. But most of all, the games uniform should be fitting every Member here. Hon. Kiilu and they should be supplied in good time so that Members can fit, wash them and be ready for the games.

WARD AND MUNICIPALITY PROJECTS

Hon. Members, you recall that on 18th June, 2019, I informed the elected Members to forward to the Budget committee ward projects worth Ksh. 20 million and that is for purposes of interrogation in the budgeting process. I remind the Hon. Members who are yet to give out their proposals for projects so that they can be interrogated by the Budget and Appropriations committee to do so kindly by close of business today.

On the municipalities that are covered by the World Bank Municipalities improvement grant; I am again asking Members who are from those municipalities to forward the proposals of your electorates in the municipalities of the projects that they would want implemented under that grant. Remember, public participation is key even when it is a grant that is being implemented. Remember to do that again by close of business today. Thank you.

PAPERS LAID

Hon. Speaker: We have two businesses, both of them by Hon. Kiilu. Point of order Hon. Ngunga.

Hon. Ngunga: Thank you, Madam Speaker. I stand to ask for your guidance on the communication you have made because there are times that a communication could be coming and at times that communication would be speaking for all of us such that you will have given direction and that direction would have been adhered to so we just get to hear a communication and you know at that time when Madam Speaker you are on the floor we cannot interject.

For example, you have just given the names of the Majority Leader and the way the *ad hoc* Members were arrived at the Minority leadership. One of the things I want to bring to your attention is that I do not think there has been any proper consultation as to how those Members were arrived at. So, Madam Speaker, I want to ask for your indulgence in this process so that when we come to hear of names here, how do we therefore remedy that situation. Thank you, Madam Speaker.

Hon. Speaker: Let me answer Hon. Ngunga that point. Mheshimiwa Ngunga If you recall and if you go the HANSARD on 18th June, 2019, I communicated here on CASA games and I asked both sides of the House to give names for the *ad hoc* committee and I guided them that the Majority Party, because of the numbers had four slots and the Minority Party had three slots. I also communicated on the venue and I said the date will be communicated later because it was yet to be set from CAF offices.

Hon. Ngunga, you appreciate that I don't sit in gatherings of the Assembly parties; and so I expected the parties to do the necessary and when I get a communication that pursuant to my earlier communication, these are the names, the best I can do is to read them out to you. So, Assembly parties, put your houses in order because every communication I do here, I do from this seat but not from where you are sitting when you are putting up these names.

Hon. Muendo: Point of information.

Hon. Speaker: I will stop at that Hon. Majority Leader; I will not take another point of order on a communication by the Speaker there are no points of order.

Hon. Kamulu: Madam Speaker, clarification.

Hon. Speaker: What is the clarification?

Hon. Kamulu: Madam Speaker, thank you very much for the opportunity. I am the chairman youth, Sports in this House so Madam Speaker, I also need clarity because Standing Order 163 is selection of the last *ad hoc* committee stated that a select committee may be established such a committee as it may consider necessary for the proper discharge of its functions.

So, Madam Speaker, during the formation of that committee, the committees which are mandated to discharge sports activities as far as CASA is concerned is the committee of Youth, Culture and Social Welfare which set nominated Members with the intend to have the games organized well. I don't know as the chair of sports committee, why the change such that the Minority and Majority sit and select officials instead of the committees which are mandated to

do the work, sit and make a resolution of the same. Madam Speaker, I still need further clarity please.

Hon. Speaker: As the chair of culture committee, I will go and.....Hon. Kiilu you want to say something?

Hon. Kiilu: Yes.

Hon. Speaker: Go ahead.

Hon. Kiilu: Thank you, Madam Speaker. I still want to comment on the same and as much as I want to appreciate the work that was done by the Majority and Minority, I think there should have been consultation because definitely, last month and the records are there, I also consulted the Majority Leader because Hon. Kamulu was elected as a Member of the finance international (??) now doing away with him at this particular time, I think we are going the wrong direction.

Hon. Speaker: Hon. Members, on the issue, I do feel your sentiments and I can feel that you have issues with the matter; let me come with a considered guidance tomorrow. We can go on and on.

Hon. Muendo: Hon. Speaker, can I---

Hon. Speaker: Hon. Majority Leader, I had already said I will give a considered opinion and I am going to call both sides of this House. So, let us look in to the matter because this is a Communication from the Speaker and it seems to be drawing a lot of interest. I am awake to this. Hon. Majority Leader, what do you want to say and you say it when I am on my feet.

Hon. Muendo: Thank you, Madam Speaker. The issue at hand, the Members know very well that it is the Majority Party and Minority Party; the Minority Party to give three Members and Majority Party to give four Members. This was done in consultation with the party. Also on why we have injected the new blood is because the last time, these games were held, we were having uniforms in our fields in Kasarani; the uniforms were not fitting even my short was not fitting so you cannot tell me we continue with a committee which is giving us things when its late.

(Loud consultations)

Hon. Speaker: Order! No more points of order. Hon. Kiilu, put off your microphone.

Hon. Ngunga: You are misleading Bwana.

Hon. Speaker: Hon. Ngunga, we are in a House; if you utter another word, I will show you the door. You have to maintain order in this House no matter what you are discussing; I have said I am going to look into this matter and I will give further communication tomorrow. I had called Hon. Kiilu, proceed.

REPORT OF AD HOC COMMITTEE REPORT ON CASA GAMES 2018

Hon. Kiilu: Thank you, Madam Speaker. Hon. Speaker, I beg to lay the following Paper on the Table of the House today the 25th day of June, 2019; report of *ad hoc* committee on County Assembly Sports Association (CASA) games held in Nairobi County in the year 2018. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Kiilu. I said next Hon. Kiilu because the business is by you. The two businesses are by you.

Hon. Kiilu: Thank you, Madam Speaker. I thought you were addressing the Clerk.

Hon. Speaker: No. It was you.

REPORT ON MACHAKOS COUNTY BURSARY FUND REGULATIONS, 2019

Hon. Kiilu: Hon. Speaker I beg to lay the following Paper on the Table of the House today Tuesday the 14th May, 2019; the joint committee report on education and delegated county legislation on consideration of the public finance management that is Machakos County Bursary Fund Regulations 2019. Thank you, Hon. Speaker.

Hon. Speaker: Thank you Hon. Kiilu. Next, Mr. Clerk.

NOTICES OF THE MOTIONS

Hon. Speaker: Again we have two businesses under this Order Hon. Members, by the same Hon. Kiilu. So, Hon. Kiilu, you prosecute the first one and the next one.

REPORT OF AD HOC COMMITTEE REPORT ON CASA GAMES 2018

Hon. Kiilu: Thank you.

Hon. Speaker, aware that Standing Order 163 states that a select committee may establish such committees as it may consider necessary for proper discharge of its functions;

Aware that the joint committee on culture and youth nominated members to serve in the *ad hoc* committee for preparation of CASA games 2018;

The *ad hoc* committee was mandated to plan and strategize for the 2018 CASA games and further table a report on the same;

Hon. Speaker, I wish to give the notice of motion that this Hon. House discusses and approves the report of CASA *ad hoc* committee on the concluded CASA games held in Nairobi County in the year 2018.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kiilu. Proceed.

REPORT ON MACHAKOS COUNTY BURSARY FUND REGULATIONS, 2019

Hon. Kiilu: Thank you.

Madam Speaker, aware that the constitution of Kenya 2010 Article 43(1)(f) provides that every person has the right to education and aware that Section 116(1) of Public Finance Management Act 2012 provides that the county executive committee member for finance may establish other public funds with the approval of county executive committee and the County Assembly; Further aware that the County Assembly of Machakos enacted the Machakos County Bursary Fund Regulations 2014 whereby the elected Member of the County Assembly from the ward has a role to play in section 11(1) which is contrary to section 9 (2) of the County Governments Act 2012; Noting that the Regulations were operational since enactment until 25th January, 2018 when the executive member for finance and economic planning received a letter from the office of the Controller of Budget directing the regulations to be reviewed in order to limit the role of Members of the County Assembly to oversight, representation and legislation and also minimize the membership of the ward bursary committees to a lesser number; Aware that Article 228(5) of the constitution of Kenya provides that Controller of Budget shall not approve any withdrawals from the public funds unless satisfied that the withdraw is authorized by law; I wish to give notice of motion that, this Hon. House discusses and approves the joint committee report on education and delegated county legislation on consideration of the Public Finance Management that is Machakos County Bursary Fund Regulations 2019.

Thank you, Madam Speaker.

Hon. Speaker: Thank you Hon. Kiilu. Mr. Clerk, proceed.

STATEMENT

BUSINESS FOR THE HOUSE FOR 25TH TO 26TH JUNE, 2019

Hon. Speaker: Hon. Members, under this Order, we have one business by the Hon. Majority Leader, Mark Muendo.

Hon. Muendo: Thank you, Madam Speaker. Hon. Speaker, I stand here under Standing Order 41(2)(a) where during the statement hour, a member of the House Business Committee designated by the committee for that purpose, shall not for more than ten minutes, present and lay on the Table, a statement informing the House of the business coming before the House.

Hon. Speaker, the House Business Committee met on 24th June, 2019 and balloted business for the House pursuant to the provisions of Standing Order 151 as follows:

Tuesday 25th June, 2019
Morning at 10.00 a.m.

- Presentation of the budget highlights and revenue raising measures pursuant to Section 132(1) of the Public Finance Management Act 2012

by the County Executive Committee Member for finance and economic planning, Hon. Eng. Francis Maliti, Deputy Governor.

Afternoon at 2.30 p.m.

- Machakos County Appropriation Bill 2019; first reading by Hon. Dominic Ndambuki, chairperson.
- Report of *ad hoc* committee on CASA games by Hon. Daniel Kiilu, chairperson.

Wednesday 26th June, 2019

Morning at 10.00 a.m.

- Report of education committee on Bursary Regulations by Hon. Daniel Kiilu, Chairperson.

Afternoon at 2.30 p.m.

- Report of Budget and Appropriations committee of the Machakos County Budget Estimates for financial year 2019/2010 by Hon. Dominic Ndambuki, Chairperson.
- Machakos County Appropriation Bill 2019; Second Reading by Hon. Dominic Ndambuki, chairperson.
- Machakos County Appropriation Bill 2019; committee of the Whole House by Hon. Dominic Ndambuki, chairperson.
- Machakos County Appropriation Bill 2019; Third Reading by Hon. Ndambuki, chairperson.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mark Muendo. Mr. Clerk, proceed.

PROCEDURAL MOTION

SHORTENING THE TIME FOR INTRODUCTION OF THE MACHAKOS COUNTY APPROPRIATION BILL 2019 FROM SEVEN DAYS AS STATED IN THE STANDING ORDER 116, TO FIVE DAYS

Hon. Speaker: Hon. Members, this is a business that is brought by the Hon. Majority Leader, Mark Muendo. Hon. Muendo.

Hon. Muendo: Thank you, Hon. Speaker.

Madam Speaker, aware that Section 8(2)(c) of the County Governments Act 2012, bestowed the responsibility of approving the budget and expenditure of the county government on the County Assembly;

Aware that, the county executive submitted Budget Estimates for the financial year 2019/2010 to the Assembly for approval;

Noting that the Machakos County Appropriation Bill 2019 was published on 20th June, 2019 and aware that Standing Order 116 requires that an Appropriation Bill on publication should be allowed in the House after seven days;

Aware that seven days will elapse on 26th June, 2019 and the Bill can be introduced in the House for First Reading on 27th June, 2019 at the earliest; Aware that the Bill needs to be approved by 30th June, 2019 and noting that the House sittings for this week are on 25th and 26th June, 2019; Madam Speaker, I wish to move the motion that this House shortens the time for introduction of the Machakos County Appropriation Bill 2019 from seven days as stated in Standing Order 116 to five days to ensure the Bill is approved in time.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mark Muendo. Hon. Members, this is a procedural motion.

Hon. Muendo: Madam Speaker, I need to have a seconder. Thank you, Madam Speaker. I propose Hon. Ndawa to second my motion.

Hon. Speaker: Hon. Ndawa.

Hon. Ndawa: Thank you, Madam Speaker. Madam Speaker, I want to second the motion and if you allow me to contribute at this stage.

Hon. Speaker: Go ahead.

Hon. Ndawa: Thank you, Madam Speaker. Considering the matter before this House, Madam Speaker the matter is very urgent and it is weighty so it is very important to shorten the period because if we go by the period stipulated in the Standing Orders, we might be late and we will be delaying the development of Machakos County. So, Madam Speaker, I humbly request this Hon. Members to approve this motion so that the time can be shortened to five days. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Ndawa. Hon. Members, I am aware that ordinarily you hardly debate procedural motions but because of the importance of this, allow me to propose the question so that we can have the views of the Members on the shortening of the time for processing the Appropriation Bill.

(Question proposed)

Hon. Members, I want to invite you to debate the motion as proposed. Hon. Jeremiah.

Hon. Munguti: Thank you, Madam Speaker. Madam Speaker, given the motion that we are working for our people of Machakos County and this issue of development has been long awaited, I want to propose that we as Members we approve this motion so that the stipulated time is a long time so that we can push it to five days so that our Members can have time to discuss about the budget. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Jeremiah. Hon. Betty.

Hon. (Ms.) B. Nzioki: Thank you, Madam Speaker. Madam Speaker, I want to stand and support the motion and to the Hon. Members, this is our duty, it is our mandate and responsibility. I feel it is good for us to shorten the days so that we can pass the budget as per expected, exactly the time so that we can give our people their rights, the development of which that is what has brought us here to serve Machakos County, so Madam Speaker I stand to support the motion. Thank you, Madam Speaker.

Hon. Speaker: Thank you Hon. Betty. Hon. Kalumu.

Hon. Kalumu: Thank you, Madam Speaker. I stand to support the motion saying that it will shorten the days required for us to pass the budget knowing that we have a request from the Governor who said that we need to pass it with time so that it can be able to be uploaded in the IFMIS early so that we can get money for development earlier because now Madam Speaker, the graders which are maintaining our roads are on standstill because there is no fuel.

Also the rigs which are drilling our boreholes they do not have fuel also; everything is at standstill so we need to pass the budget, shortening the days will give an advantage to us. Thank you, Madam Speaker.

Hon. Speaker: Thank you Hon. Kalumu. Can I ask the mover of the motion to reply, Hon. Majority Leader?

Hon. Muendo: Thank you, Madam Speaker. Hon. Members this motion is of great importance knowing that the earlier you pass the Appropriation Bill or the budget, the earlier it will be in the queue because all the 47 counties will put their budget to be keyed in the IFMIS. So if you delay, Madam Speaker, and you pass it the last days you will be the last to get money which will be actually we will be talking about towards November.

So I urge the House to pass the motion so as to create time for us to finish early with the budget for the budget of county government of Machakos to be in frontline when the cue starts. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Majority Leader.

(Question put and agreed to)

(Applause)

BILL

First Reading

THE MACHAKOS COUNTY APPROPRIATION BILL 2019

Hon. Speaker: Hon. Members, this business is by Hon. Dominic Ndambuki, Chairman of Budget and Appropriations Committee.

Hon. Ndambuki: Thank you, Hon. Speaker. Hon. Speaker, pursuant to Standing Order 119, I beg to table the Machakos County Appropriation Bill No.2 of 2019 to this Hon. House for the First Reading. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Ndambuki.

(Order for First Reading read - Read the First Time and ordered to be referred to the Budget and Appropriations Committee)

MOTION

REPORT OF AD HOC COMMITTEE REPORT ON CASA GAMES 2018

Hon. Speaker: Hon. Members, under this Order, we have one business by Hon. Kiilu.

Hon. Kiilu: Thank you, Hon. Speaker.

Hon. Speaker, aware that Standing Order 163 states that a select committee may establish such committees as it may consider necessary for proper discharge of its functions;

Aware that the joint committee on culture and youth nominated members to serve in the *ad hoc* committee for preparation of CASA games 2018;

The *ad hoc* committee was mandated to plan and strategize for the 2018 CASA games and further table a report on the same;

Hon. Speaker, I wish to move that this Hon. House discusses and approves the report of CASA *ad hoc* committee on the concluded CASA games held in Nairobi County in the year 2018.

Thank you, Madam Speaker. I do request Hon. Mueni, who was my vice-chairperson, to second the motion.

Hon. (Ms.) Mueni: Thank you, Madam Speaker. I second the Motion.

Hon. Speaker: Thank you, Hon. Kiilu and Hon. Mueni. Hon. Kiilu, proceed.

Hon. Kiilu: Thank you, Madam Speaker. Report of *ad hoc* committee on the first edition of CASA games held in Nairobi County on 26th August to 1st September, 2018. I will skip the table of contents.

1.0 INTRODUCTION

Madam Speaker, on behalf of the *ad hoc* committee and pursuant to the provisions of Standing Order 163 of the County Assembly of Machakos, it is my pleasure and duty to present the committees report and recommendations of the year 2018 CASA games.

2.0 MANDATE OF THE COMMITTEE

Hon. Speaker, the committee derives its mandate from Standing Order 163 as adopted by the County Assembly of Machakos on 9th July, 2014 pursuant to the provisions of section 14 of the County Governments Act (No. 17 of 2012) which states that a select committee may establish such sub-committee as it may consider necessary for the proper discharge of its functions.

3.0 COMMITTEE COMPOSITION

Hon. Speaker, the committee comprised of the following members namely:

1. Hon. Daniel Kiilu	-Chairperson
2. Hon. Benedetta Mueni	-V/Chairperson
3. Hon. Geoffrey Kamulu	-Member
4. Hon. Justus Katumo	-Member
5. Hon. Justus Kitengu	-Member
6. Hon. Margaret Ndalana	-Member
7. Hon. Caleb Mule	-Member

4.0 BACKGROUND INFORMATION

Madam Speaker, County Assembly of Machakos participated in the inaugural County Assembles Sports Association (CASA) games and cultural festival themed: Enhancing the legislative agenda through sports and culture held at Kasarani stadium in Nairobi City County. The games brought together 47 County Assemblies which initially were bundled together with the executive under the Kenya Inter-County Sports and Cultural Organization and County Assemblies.

Madam Speaker, it was communicated on the floor of the house that the Assembly will be attending and participating in KICOSCA games which were to be held at Kisii County from 12th to 19th August, 2018. Thereafter, the committee received communication from County Assemblies Forum (CAF) notifying the Assembly of the change of venue which from Kisii County to Kasarani stadium in Nairobi County from 26th August to 1st September, 2018.

Both MCAs and staff with determination represented the County Assembly in different disciplines which included folk song, darts, traditional and borrowed dance, athletics, football, netball, tug of war, pool table, Tri-cycling, table tennis, draughts and scrabble. It was a victory for Machakos County Assembly for bringing home several trophies.

5.0 SUPPLY CHAIN MANAGEMENT REPORT ON ACQUISITION OF CASA GAMES ITEMS FOR FY 2018/2019

The Supply Chain Management department is responsible for the procurement of goods, services and works in line with the County Assembly approved budget and the procurement plan.

5.1 Procurement process

1. County Assembly of Machakos Administration requested CASA Sport items through the use of purchase requisition.
2. A purchase requisition in form of a memo was forwarded to the procurement office on 9th August, 2018 approved by the Clerk for urgent purchase of the items to be used for the CASA games.
3. Pursuant to Public Procurement and Asset Disposal Act 2015 section 102(b), which states that "an Accounting officer of a procuring entity may use restricted tendering if the time and the cost required to examine and evaluate a large number of tenders would be disproportionate to the value of the goods, works or services to be procured."

In relation to this, due to lack of adequate time and considering the fact that tender would attract a large number of bidders in case of an open tender it was appropriate to use restricted tendering method to acquire items in good time.

Details of the requisition were as follows. Madam Speaker, I do not know whether I should go through all the items.

Hon. Speaker: You do not need to; the members have them in the report and they can raise questions when necessary.

Hon. Kiilu: Thank you, Madam Speaker. The teams and selected participants in the various games were to represent Kenya at the EALASCA games in Kigali, Rwanda sometime back last year but that did not take place due to financial constraints. Some discipline uniforms like Volleyball and netball were not delivered as per specifications and samples causing the participants to make use of last year's uniforms.

7.0 JOINT COMMITTEE MEETINGS WITH CAPTAINS, TEAM LEADER, PROCUMENT TEAM AND HON. MEMBERS

Madam Speaker, the *ad hoc* Committee on CASA games met on Monday 5th November, 2018 to discuss the way forward and do a postmortem on performance, challenges and achievements on the just concluded CASA games held in Kasarani Sports Complex in Nairobi County.

The committee observed that, nine disciplines with nine captains participated in the competitions. These disciplines were football, tricycling, volleyball, tug of war, darts, table tennis, netball, draughts, music and dance. The Chairman embraced and recommended the participants for excellent and well done performance in all the disciplines they undertook. He further said that teamwork was the spirit of winning in every task given to a particular group of people.

During the discussions, Members enquired to know the budget for Casa games and how the finances were utilized. How much was supplied and which should be supported by certificate of inspection duly signed by the inspection committee. Further, the committee inquired on what was in the store and whether the same was also supplied.

The procurement was tasked to give a list of items in the store and their status. Finally, the procurement was tasked to state what happened to the goods and services which were not supplied and what happened to the finances budgeted for such.

8.0 OBSERVATIONS

The Committee observed that:

- 1) Majority of the participants were on duty during the time of practice thus leading to poor results obtained by the participants.
- 2) Training and practice started late and at some instances, many teams had no trainers.
- 3) Procurement of uniforms and equipment were done the last minute leading to inconveniences in the whole process.

- 4) By the time the procurement went to procure uniforms and equipment for the various disciplines, they found some of the uniforms were out of stock for they had been procured by other County Assemblies.
- 5) Some teams like the Tug of War went for the competition without training.
- 6) Conflicts of interest were realized when some of the participants were demanding for uniforms all across the disciplines.
- 7) Lack of adequate equipment for practice for some disciplines like Table Tennis and Pool Table.
- 8) Clear specifications should be provided for the items that are to be purchased.
- 9) When items are requested without clear specifications, there is a high possibility that the wrong or undesired items are supplied and due to time factor, the same cannot be rectified.
- 10) Teamwork and coordination between the Team leader, Procurement office and *ad hoc* committee is paramount for the success of the Teams.
- 11) Team captains are required to provide their list of participants through the Team Leader so as to enable the store keeper to issue the items to the participants and avoid conflicts that were witnessed.
- 12) Issuance of the games attire and equipment should be done early in advance and in a proper manner. It was noted that control over the issuance of the items was very tedious. All Hon. Members and staff couldn't be managed at ease since they all wanted to be issued with the items at the same time.
- 13) Some disciplines uniforms like Volleyball and netball were not delivered as per specifications and samples causing participants to make use of last year's uniforms.
- 14) The teams and selected participant in the various games were to represent Kenya at the EALASCA games in Kigali, Rwanda sometimes back last year but that did not take place due to financial constraints.
- 15) Lack of adequate preparations due to the fact that the participants were engaged with office work and were not consistent in practicing.

9.0 CHALLENGES

- 1) Verification of the items by inspection and acceptance committee which were delivered at Kasarani stadium was not done as required since some of these members were participating in different disciplines.
- 2) Storage of the items delivered at Kasarani was unfavorable since the vehicle allocated for this assignment was the one also used to ferry participants to and from to their fields of the event.
- 3) Issuance of items was unbearable since the officers undertaking this assignment couldn't all throughout stay in the vehicle to issue the items since they were also participating in different disciplines.
- 4) Lack of adequate preparations due to the fact that the participants were engaged with office work and were not consistent in practicing.

10.0 RECOMMENDATIONS

1. Adequate time for procurement process is required.

2. It is highly recommended that proper planning should be done early in advance to enable the procurement process to be undertaken at ease and on a timely manner. This ensures that the right items are procured at the right time and emerging issues for instance sizes for Hon. Members and staff taken care of.
3. Follow up for the delivery of the items should be done immediately the contract is awarded to the respective suppliers.
4. Procurement of uniforms, training equipment, coaches and trainers should be done three months prior competitions to avoid the last minute rush.
5. The procurement team should procure proper and quality equipment for training.
6. Timely procurement and adherence to specifications of items required for practice by the participants should be adhered to.
7. Finances to procure goods and services for casa games should be factored in the supplementary budget. This is because funds are released to Counties three months late after the approval of National budget.
8. Participants should be encouraged to register and train for at least one discipline.
9. During the competitions, there should be at least two people with expertise in giving First Aid and fully equipped with drugs and First Aid kits.
10. Both members of staff and Hon. Members should commit themselves in training in order to obtain encouraging results.
11. The Assembly should intervene in getting venues for training and doing practice. The indoor games should be accommodated within the premises of the Assembly.
12. The team captains should come up with programs and sessions of training in all the disciplines.
13. The House Leadership together with County Assembly Service Board should think of having an Assembly day where members will compete with staff.
14. The committee recommends inter-county friendly matches.
15. The committee recommends every year to have a different Team Leader for comparison in performance and interactions with the participant.

11.0 ACKNOWLEDGEMENTS

Madam Speaker, the Committee is grateful to this Hon. House through the office the Speaker for the support granted in executing its mandate. The Committee wishes to thank the sincerely office of the Clerk Machakos County Assembly for facilitating and providing technical support to the Committee.

The committee also wishes to thank all players who really fought very hard in various disciplines and in addition, the chairperson of this committee takes this opportunity to thank all the Hon. Members for availing themselves for CASA games and attending the event fully. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kiilu.

(Question proposed)

Hon. Members, I now invite you to debate the motion. Hon. Fredrick Muthoka

Hon. Muthoka: Thank you, Madam Speaker. I stand here to support this report by our Education Chairman, Hon. Kiilu and say in this House, since we came in this House the Second House 2017, these CASA games has been a great nightmare to these Members; uniforms coming late, uniform coming with not your size. I remember we were in tug of war with Hon. Kituku; his sweater was here at the stomach and we are in Kasarani waiting to enter in the field. So there have been inadequate preparations and that is why Chairman you can see even the Members it is like they are saying they do not have confidence with these CASA games.

So, I will urge the Members when you are considering this *ad hoc* Committee which is coming up, let us have serious person, serious people who are not compromised. I remember when Hon. Mbevi broke his leg, he had left home his insurance card; Hon. Museku had to remove to pay with his ATM Ksh. 60,000 for him to be admitted. So even we should be collecting these insurance cards from the Members who are participating and we carry them where we are going for the games.

Imagine you are in Eldoret, your card is in Nairobi and you have an emergency. So, I think we need serious people who can perform and do this work. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Fred Muthoka. Hon. Mueni

Hon. (Ms.) Mueni: Thank you, Madam Speaker. I was in the *ad hoc* Committee and what I am asking the Members, is to do the practice when the time starts. I am happy the Mheshimiwa who was on the floor is among the *ad hoc* Committee which is coming. So I hope you will do your best. Madam Speaker, I think what the Members do not do is the practice and in the recommendation, everything is there.

The money for procurement does not come in time and I think Madam Speaker we did our best so let us wait for the coming games and now you are the Chair of the athletics this time and I hope the people will do the best but the Members they do bad---

Hon. Speaker: Which Chair is that Hon. Mueni you have given me?

(Laughter)

Hon. (Ms.) Mueni: I think you will be following the steps of the committee which is coming so that they can do what is necessary. Madam Speaker, we went to Nairobi to check for the uniforms we went and got the best but that time there was no money to buy so we came back. We came to have the uniforms which we did not choose so I do not know whether it was for the problem of the *ad hoc* Committee or it is for the money in the Assembly which was not there.

So, Madam Speaker, I think every time people learn through mistakes and if they follow the recommendations we have given they will do the best. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mueni. Hon. Mitaa.

Hon. Mitaa: Thank you, Madam Speaker for granting me the opportunity to first of all, thank the *ad hoc* Committee for the good report they have brought to the House. Madam Speaker, mine is to just say that everything is a learning process and we have had our shortcomings, we have learnt a lot from those shortcomings and going forward the best we can do is to improve where we have been failing.

Madam Speaker, it is in black and white that we as Hon. Members, we do not go for practice and it impacts on us negatively when we go to the field no matter which category we are playing. Again, Madam Speaker, on the side of procurement, there has also been that shortcoming much of this had been said that funds are being released late to procure these goods and it is true sometimes because of the law of demand and supply, maybe our people are getting funds when it is late when the demand is high hence they get poor quality goods.

So, how I wish Madam Speaker we can budget in advance and maybe open a kitty for those games maybe local arrangements can be done once now that funds are availed we return the money; we can have local arrangements Madam Speaker, and that would solve the problem because even some facilities which were supposed to be used on practice, they were not availed. Even I think players who were playing table tennis had to borrow from an opponent and I think they were doing well and the opponent somehow intervened and they could not proceed. So, Madam Speaker I think we can get better results with good preparations. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mitaa. Hon. Johana, are you sure because you are doing shaking your head. Go ahead.

Hon. Munyao: Thank you, Madam Speaker. I wish also to applaud the *ad hoc* Committee for the good work done right from the planning and also implementation because regardless of the issues raised, the challenges also pointed out in the report; we were able to participate in the CASA games in the year 2018. So, I am sure we witnessed a lot of commitment that time and again I want to appreciate that they were able to do some self-evaluation and point out the weaknesses all rather observations and also did some recommendations for future.

Madam Speaker, the issue of lack of practice was highly witnessed in most of the disciplines. I remember also participating in tug of war on day two in my tracksuit without even uniform but we have seen that Members who were in that discipline some did not turn up the second day due to some of the challenges being cited here and again I have also seen in the report the EALASCA games in Kigali which was also meant to be a motivation and which can also be a motivation especially for teams or Members who win at the premiers or at the National level going international.

If they do not also get a chance to proceed, I am sure a good number of us would see no point of participating if there is nothing motivating them also to enjoy visiting other places to also represent the Country or rather the County outside our Country. So, I would request that as much as we have some of these financial challenges, we see how best we can be able to do to motivate members who excel. I was a member of the traditional dances, the folk songs and in one item, we were position one in the other one we were position two and I was among the unlucky guys who never got a chance to visit Kigali and enjoy the town of Kigali and represent the County there.

So, I would request we enhance or tighten our planning in good time financial or even the other preparations so that we concentrate on practicing in the games and minimize the issues which have been raised in the report. Otherwise, it is a nice report, it is a pointer to the weak areas where we can improve and I am sure if all this was to be taken into consideration, I am sure we are likely to have better CASA games for this year. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Johana. Hon. Kisini

Hon. Kisini: Thank you Madam Speaker for also giving me time to share in this report. I also want to support this report and say that it is commendable and it has touched on many aspects which arose during that time. One of them as said is the participation; I think even if you are given the uniform, even if you are done what and you fail to train, you will not achieve your goal. So, because that was highlighted, I think it is the key point, the key thing to be done. Then it has also highlighted about the timings of the uniform; we were also getting them at the playing field at Kasarani and that is not good we should go there when we are prepared.

So those are some of the items which should be addressed. Otherwise, I want to say that I want to thank the cultural dance and it is true because we have even seen that they really practiced and they got it. I will not fail also to commend or to congratulate the relay team and more especially the Hon. Kiteng'u who really pushed that relay for almost to come the last to number two. I really noticed that he really tried and he is really an athlete so Hon. Kiteng'u bravo from me; you really did it good.

(Applause)

Madam Speaker, as I finish up, we wish you all the best on that seat which you want; go and get it. Thank you, Madam Speaker.

Hon Speaker: Thank you, Hon. Kisini. Hon. Members, I will ask the mover of the Motion to reply. Hon. Kiilu

Hon. Kiilu: Thank you, Madam Speaker. Let me first of all start by congratulating all the Hon. Members for participating in the report. Secondly, let me also appreciate all those who attended the games and more especially let me congratulate you and your team, the Clerk and the others. Actually, you had a lot of energy and you energized many. Again let me also say that, Madam Speaker, it is good that these Members realize that this team was not one of the weakest and if there are issues, personally, I do not like blaming I like looking for solutions.

If there is any problem that came I think it came from the procurement not from the committee because we did our best and I want to thank the Clerk because he gave us all the time to go to Nairobi and purchase the uniform as Mheshimiwa Mueni has said. Unfortunately, the finances were not there for us to procure that time; actually it was the best and it was taken by the Kajiado County.

However, we do not expect this time to happen so. I want to appreciate what Hon. Mitaa has said; let us budget in advance so that we do not get undersize uniforms. Actually, even personally, my tracksuit could not fit me because it is oversize. I tried to fold the hands they could not even the trouser itself. This time around let us do the procurement early in advance.

Madam Speaker, also allow me to inform Hon. Mbuva that my team was very active and actually we were are very serious; let him not say that we need serious people. Even if they are given the team today and the procurement is not done in the right manner and at the right time, definitely they will face the same challenges but as an Assembly, let us accept that something went wrong somewhere so let us try to correct so that we can give the best to the Hon. Members and also the staff of this Assembly. Otherwise, thank you, Hon. Speaker for the time. Thank you.

Hon. Speaker: Thank you, Hon. Kiliu.

(Question put and agreed)

(Applause)

ADJOURNMENT

Hon. Speaker: Hon. Members, at this point we have come to the end of this afternoon sitting the 25th day of June, 2019 so the sitting will adjourn to continue on 26th day of June 2019 at 10.00 a.m. Have a good evening.

The House rose at 4.25 p.m.