



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Sixth Session

Tuesday 24<sup>th</sup> May 2022

The House met at 9.30 a.m.

*[Hon. Speaker (Mr. Benson Mutura) in the Chair]*

PRAYER

**QUORUM**

**Hon. Speaker:** Clerk, confirm if we have a quorum?

*(The Clerk-at-the Table confirmed there was quorum)*

**Hon. Speaker:** I am informed that we have a quorum. We can proceed!

#### **COMMUNICATION FROM THE CHAIR**

##### RESUMPTION OF BUSINESS AFTER BREAK

**Hon. Speaker:** Honorable Members, I have the following communication to convey: You are all aware that we are resuming today from the break following the adjournment from the sitting held on 12<sup>th</sup> April 2022. It is therefore my hope that you had a fruitful time in engagement with your constituency. Therefore, you are welcomed back.

Hon. Members, we acknowledge that this is the last leg of the second Assembly, and indeed, there are several pending businesses, both in the Assembly Business Committee and other committees to be considered and concluded.

Accordingly, I urge the Committee Chairpersons to expedite the consideration of the pending business as soon as possible for processing in the Assembly. I thank you.

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**STATEMENT****REQUEST FOR STATEMENT REGARDING OUTSTANDING AND DELAYED PAYMENT OF CONTRACTORS WORKING ON COUNTY INFRASTRUCTURE PROJECTS**

**Hon. Speaker:** I understand we have a statement from Hon. Redson.

**Hon. Redson Onyango:** Hon. Speaker, pursuant to Standing Order 45 (2)(c), I wish to request for a statement from the chairperson of the sectoral committee on Finance Budget and Appropriations regarding outstanding and delayed payment of contractors working on county infrastructure projects.

Hon. Speaker, infrastructure development is an integral factor of economic development in the County given the role it plays in facilitating the movement of people, goods and services across the County. We acknowledge the efforts by the NMS and the County to initiate development projects across the county, a majority of which are ongoing and at various stages.

However, Hon. Speaker, in as much as the county engages contractors and suppliers, it deems competent who delivers in terms of raising certificates for works done or evidence of supplies made. The County Finance department takes longer than expected to pay these contractors and suppliers both on a certification and on supply basis.

Hon. Speaker, in the statement the Chairperson should inquire into and report on;

1. Reasons why payment for contractors and suppliers take longer than expected even after the delivery as agreed on terms
2. The status of all contracts entered by the county since the current holder of the County finance officer assumed office
3. Steps that the County has taken to make the payment process expeditious in the wake of contractors abandoning sites and suppliers shying from doing business with the County.

Thank you.

**Hon. Speaker:** Can the Chair of Budget tell us how soon they will be able to expedite the Hon. Member's statement? Chair Budget I understand you are online; can you comment?

**Hon. Robert Mbatia:** Mr. Speaker I want to commit that we are going to give a response in the next seven (7) days.

**Hon. Speaker:** Thank you Chair. Hon. Redson, are you okay with that?

**Hon. Redson Onyango:** It is okay

**Hon. Speaker:** The next statement? Hon. Redson you had another statement?

**Hon. Redson Onyango:** Hon. Speaker, I will bring the statement at 2.30 p.m.

**Hon. Speaker:** I did not get what you said.

**Hon. Redson Onyango:** I have said I will bring the statement at 2.30 p.m., please.

**Hon. Speaker:** Hon. Redson, I had already approved that statement or do you want to withdraw it completely? But we cannot reschedule it.

**Hon. Redson Onyango:** Kindly Mr. Speaker, I am requesting to bring it at 2.30 p.m., please!

**Hon. Speaker:** You are at the mercy of the Speaker, and since you are one of the active members, I concur with you.

**Hon. Redson Onyango:** Thank you.

**BILL***Second Reading*

THE NAIROBI CITY COUNTY HARM REDUCTION BILL 2022, ASSEMBLY BILL NO.2 OF 2022

**Hon. Peter Warutere:** Thank you, Hon. Speaker, pursuant to Standing Order No. 143 (1), I wish to withdraw the Nairobi City County Harm Reduction Bill 2022, Assembly Bill No.2 of 2022 appearing in today's Order Paper. The reason behind it is because it is not proper before the House and it is currently in the Legal office for proper redrafting. Thank you, Mr. Speaker.

**Hon. Speaker:** Chair, what do you want? Do you want it to be withdrawn or what?

**Hon. Peter Warutere:** Hon. Speaker, my plea is simple. I was called about the Bill yesterday night, and as much as I was prepared, we realized that there was some error in law and we needed a little bit of time to talk to the legal people; a few quick fixes that were overlooked during the drafting are the things that we want to go through. Once the re-drafting is done properly, it does not matter whether it is next week.

**Hon. Speaker:** Thank you Chair. Clerk, in my message to the House, I have urged the Members and Committee Chairs that we can be able to expedite the pending bills and even the Bills. It is also in this part, it seems that our staffs are a bit reluctant, so it is upon you Clerk to make sure that the staff are also up to the task so that we don't give undertaking here in vain. So I believe they are going to work on it, and even those other pending bills because we have given undertaking on the issue of drafting so that we can be able to finalize some of these Bills once and for all. Hon. Member.

**Hon. Peter Warutere:** I think probably I was not clear enough. Basically what we are doing is to withdraw the Bill completely, so that we can get it re-done. I hope even if it is not in the fullness of this House, it will be done in the next Assembly.

**Hon. Speaker:** It is well that it has been withdrawn, but I was at your mercy because I know coming up with a Bill is a very tedious process and you have done a lot so far, and I was at your mercy that if now it will be withdrawn, it means now it will be in the next Assembly. But it is well in, it's in order, the Bill has been withdrawn.

*(Bill withdrawn)*

**Hon. Speaker:** Next Bill, I understand Hon. Gikonyo you have something.

**Hon. Stephen Gikonyo:** Thank you, Mr. Speaker. It regards the Committee of the Whole House on Polytechnic and Craft Centers, I would wish your indulgence that we defer this matter to the afternoon.

**Hon. Speaker:** Well, your request for deferment is in order, but it is also subject to the House Business Committee if they will be gracious enough to allow it to proceed. Therefore, I would not undertake that but you will get communication on rescheduling from the House Business Committee if it will be in order.

**Hon. Stephen Gikonyo:** I beg because of the documentation that I wanted. Thank you.

**ADJOURNMENT**

**Hon. Speaker:** Hon Members, there being no other business, the House stands adjourned to today at 2.30 p.m.

**The House rose at 10.00 a.m.**