



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Fifth Session

Wednesday 5th August 2026

The House met at 2.30 p.m.

[The Temporary Speaker (Hon. Malyun Abdi) in the Chair]

PRAYER

QUORUM

Hon. Temporary Speaker: Clerk, please confirm if we have quorum.

(The Clerk -at-the-Table confirmed there was no quorum)

Hon. Temporary Speaker: Hon. Members, under Standing Order 36(2) we lack quorum and I therefore direct the Sergeant- at- Arms to ring the bell for another 10 minutes.

(Quorum Bell was rung)

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

Hon. Temporary Speaker: Order Hon. Members! I am being informed that the House is fully constituted and I therefore direct that we can now go on with the business of the day. Clerk!

MESSAGES

NOMINATION OF MICHAEL WAIKENDA
TO POSITION OF COUNTY SECRETARY

Hon. Temporary Speaker: Thank you. Hon. Members, I have a message from the Governor.

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Hon. Members under Standing Order 45 (1) relating to the message from the Governor, it provides that the Speaker shall read to the County Assembly any message from the Governor or the Senator of the County delivered to the Speaker for communication to the County Assembly.

Further, Section 44 (2) of the County Government Act 2012, provides the County Secretary shall be nominated from persons completely sourced under Paragraph (a) by the Governor with the approval of the County Assembly appointed by the Governor.

In this regard, I wish to report that I received a letter reference NCC/GOV/ADM/082/2026 dated 27th July 2026 from the Governor regarding the nominations of the persons for the appointment as the County Secretary.

Hon. Members, I now wish to convey the following message.

Hon. Members, this is message of His Excellency the Governor conveyed pursuant to the Section 44(2)(a) of the County Government Act 2012.

An advertisement was made on 11th May 2026 by the selection panel of the position of the County Secretary and the Head of Public Service. Hon. Members, the said panel listed ten applicants who were interviewed on 4th of June 2026. Therefore, the successful applicants' names were forwarded to His Excellency the Governor for consideration and nomination.

Subsequently in the exercise of the powers conveyed to him by Section 44(2)(b) of the County Government Act 2012, His Excellency the Governor conveyed that he has nominated Dr. Michael Waikenda for the appointment to the position of the County Secretary and Head of Public Service.

Hon. Members, His Excellency the Governor now seeks the approvals of the County Assembly on the nominee for the appointment of the said position.

Hon. Members, Standing Order Number 48 requires that upon receipt of notification of the nomination of the appointment under Section 44 of the County Government Act, such nomination shall stand committed to the Select committee on Appointment.

I hereby refer the name of the nominee to the Select Committee on Appointment for vetting and reporting to the House within the statutory timeline and in accordance with the relevant laws and Standing Orders. Thank you Hon. Members. You stand guided.

(Applause)

MOTION

NEED FOR NAIROBI CITY COUNTY EXECUTIVE TO
SETTLE ACCRUED PENDING BILLS OWED TO SUPPLIERS AND CONTRACTORS

Hon. Temporary Speaker: Hon. Davidson Ngibuini

Hon. Davidson Ngibuini: Thank you Hon. Speaker. I rise to move the following Motion, which is a Motion on the need for the Nairobi City County Executive to settle accrued pending bills owed to suppliers and contractors.

AWARE THAT Article 201 (a) of the Constitution of Kenya, 2010 dictates on the principles that guides on all aspects of Public Finance in the republic, which includes inter-alias, openness, accountability, prudent and responsible use of public funds;

FURTHER AWARE THAT Section 104 of the Public Finance Management Act, 2012 and regulation 55(2)(b) of the County Public Finance Management Regulations made thereunder requires County Governments to prioritize the settlement of all eligible trade payables being the pending bills as first charge on the budget of a county government in its subsequent fiscal year which the liability is recognized;

DEEPLY CONCERNED THAT, according to the Report of the Office of the Controller of Budget for the for the First Nine Months of the FY 2025/2026; Nairobi City County led in trade payables ageing, also referred as pending bills, at Kshs.81.79 billion, accounting for 53% of ALL County Governments' payables, and notably, 61.61 billion out of the payables are debt that are over 3 years old, constituting 75% of the total trade payables ageing;

GREATLY DISTURBED THAT the unresolved pending bills owed to contractors, suppliers and service providers by the County Government of Nairobi City has continued to accumulate over successive fiscal years, consequently exposing the county to litigation, penalties, interest charges, auctions and undermining the confidence of private sector in doing business with the County;

FURTHER DISTURBED THAT the delayed payables have adversely affected contractors, suppliers and service providers, many of whom are Small and Medium Enterprises (SMEs) leading to cash-flow constrains, business closure, loss of employment and irreversible financial distress in some cases; COGNIZANT THAT the County Government ought to embrace and work towards the "zero pending bills" policy direction enforced by the National Treasury towards eliminating outstanding government arrears;

NOW THEREFORE, this Assembly RESOLVES that the County Government of Nairobi;

1. Undertakes immediate and comprehensive verification and validation of all pending bills owed to contractors, suppliers and other service providers, and where necessary, with independent auditors to ascertain authenticity, accuracy and amounts claimed;
2. Prioritizes and treats the verified pending bills as a first charge against the County budget for the current and subsequent fiscal years and in strict adherence to the Public Finance Management Act, 2012 and its regulations;
3. iii) Develops and publishes a clear payment plan and timelines within 90 days of adoption of this substantive motion and copy of the plan shared with County Assembly;
4. Submits quarterly reports on to the Assembly through the County Executive Committee Member for Finance and Economic Planning Sector on the status of the pending bills, amount settled, outstanding and reasons thereof; and

5. Administrative controls to be instituted including disciplinary measures against any officers found to have contributed to irregular accumulation of pending bills and non-adherence to the laid-down procurement process and procedures.

Hon. Speaker, firstly I would like Members to appreciate that the amount we are talking about, Kshs. 61.61 billion, has been accrued over the last three financial years. That is since the 2022 general elections. We all know that the Governor promised that there will be no pending bills in this regime. In fact, one of these issues or this issue of pending bills has become such a great concern that if you're not well aligned to the office of the Governor, Hon. Speaker, a contractor cannot be paid. I will give you my own example.

Hon. Speaker, the last time a ward development contractor was paid in Woodley-Kenyatta Ward was in the year 2023. Hon. Speaker, we are now in 2026, projects have continued to stall and I am not the only one who is suffering this fate. I believe every MCA here will contribute to this Motion and give testimony of what I am talking about.

Hon. Speaker, if you do not bend the knee at the Governor's Riverside office, your contractor is not paid. If you do not cough 10% commission or 20% commission...

Hon. Temporary Speaker: Order Hon. Member!

Hon. Davidson Ngibuini: Hon. Speaker, I am speaking facts because these are people we interact with. If my contractor has stopped doing his work because he has not been paid, then it is not an allegation but the truth. These contractors raise Interim Payment Certificates (IPC's) and then payments are processed through validation, evaluation, invoicing and the whole process only to find that they are not being paid.

Hon. Speaker, what it means and perhaps we should bring it home, is that service delivery in our wards cannot be done. If a ward development project cannot be paid in Kangemi Ward, then it means that things like drainage and road potholes that are supposed to be completed cannot be completed. Therefore, there is no service delivery. Right now, we are expecting El-nino as per the weather forecast. Are we prepared? Are we ready? I am pushing for this because of what you see happening to these suppliers and service providers is extremely unfair and must be stopped. We deserve the fairness and equity. These contractors need to be paid regardless of whether the MCA who is representing that particular ward is aligned to the Governor's office or not because this is public funds.

Hon. Speaker, if you look at the PFM Act, we talk about the accounting policy called FIFO, that is fast in fast out. Which means that the first invoice that is raised is the first that needs to be paid but when you come to payments in Nairobi County as of this regime then it is based on who you know and whether you are aligned politically. It hurts.

We must also consider that these are human beings we are talking about, these are fathers and mothers who have businesses, some of these suppliers have been auctioned and had their company assets charged, others have been blacklisted by the CRB, others have had to fire their employees, others can no longer feed their families, pay rent and service their utilities. You will also see that others have fallen into depression.

Hon. Speaker, there are cases that have been documented within Nairobi County of suppliers, contractors and service providers who have committed suicide because they have not been paid. I think it is prudent and a high time that this Assembly discusses this matter and ensures that we compel the County Executive to pay pending bills. Pending bills should not be politicized. We hold these seats in trust of *wananchi* and therefore we cannot assume that this is a public finance, or a private finance or our own money and so we may do as we see fit. No!

Hon. Speaker, I beg to end there and call upon Mheshimiwa Martin Mbugua from Mutuini ward to second this Motion. Thank you.

Hon. Martin Mbugua: Thank you Madam Speaker. I rise to second this Motion, cognizant of the fact that many of our contractors in our wards are living in squalor. These are people who have invested a lot of money ---

Hon. Samson Ooko: Point of order!

Hon. Temporary Speaker: He is seconding the motion. We will have time to deliberate and debate on, if it regards—

Hon. Samson Ooko: Point of Order!

Hon. Temporary Speaker: On which Standing Order?

Hon. Samson Ooko: Madam Speaker, the Member who is addressing us is not properly dressed. How can he address you while he is naked? Thank you.

Hon. Temporary Speaker: Thank you Hon. Member for the notification. Sergeant- at-Arms please confirm if the Member is well dressed.

(The Sergeant- at- Arms consulted the Hon. Temporary Speaker)

Hon. Members, I will kindly direct that we dress honorably in this honorable House. Kindly refer to the Speakers rules that been provided to you. Let us proceed.

Hon. Martin Mbugua: Thank you Madam Speaker. I apologize that I had not noticed that I did not have a tie.

Madam Speaker, I was saying that most of our contractors who work with a lot of dedication and invest a lot of money are living in squalor because of non-payment. As Hon. DNG has said, some them have had to start taking medications, some have committed suicide because of failure of the County to pay them.

I have had experiences with a contractor whose bank account has been surcharged; he cannot access money, he cannot transact and so the promise that this County Government came with of giving people hope and prosperity has instead come to haunt people. Right now we have put in the budget money for ward development projects but some of the contractors have already told us that they are no longer interested because they have so much money that is unpaid and have no desire to continue working or engaging with the County.

Madam Speaker, because of these, many of our residents are also suffering because of unfinished projects. We have roads whose certificates have not been paid and so this brings a lot

of suffering, hopelessness and unless the County begins to take contractors seriously and our mandate. It is in law that pending bills must be paid before anything else and new developments but you find, as Hon. DNG said, that payment is never guaranteed unless you are well connected in this County. So, I second this Motion and urge the County to do what it is supposed to do to ensure that the people of Nairobi get services by paying and ensuring that contractors are given their dues.

I second this Motion. Thank you.

(Questions proposed)

Hon. Temporary Speaker: Thank you. Hon. Members, you may now debate. I can see Hon. Lily Kidenda.

Hon. Samson Ooko: Hon. Speaker, kindly allow me to use Hon. Lily Kidenda's card.

Hon. Temporary Speaker: Go ahead, Hon. Member. Thank you, Hon. Speaker.

Hon. Samson Ooko: Hon. Speaker, I rise to support this brilliant Motion by the Hon. D.N.G. of Woodley.

Hon. Speaker, the delay of payment of the pending bills by the executive is a very painful thing that is happening. Hon. Speaker, pending bills are as important as salary payment to our Members and the staffs because these are people who serve this County diligently. They serve in our wards.

Hon. Speaker, when you walk around here, you realize so many people have been auctioned and the only mistake they did was to work with the County. Now that you're here, we should be able to ensure that whoever wants to work with the County does not suffer the consequences. We should ensure that if we cannot employ you as our staff, then we should put a reasonable way or situations on how you can serve the county as a service provider.

It's a shame that many people die and the reason for their death is just because they worked with the County. Some of them have been owed debts running up to over 10 years. It is not fair, Hon. Speaker. We must remember that the people who serve this country as service providers are our brothers, not our cousins. They are our brothers and sisters. It is our responsibility as Members of this House to ensure that their rights are defended. We must make Nairobi a County where payments to service providers, I mean, to people who do contracts in our wards are paid on time.

The good thing about payment of these people is that it also helps us make money run across the city and when the money is running across the city, we are building the economy of this County. Therefore, Madam Speaker, as a Kenyan who feels what they go through, I want to beg, as my colleague has said, that in 90 days, this County Government must look into how these people can be paid so that we reduce the pressure that our service providers are going through. For real, they are suffering, Madam Speaker.

To cut my statement short, is that I want to appreciate my brother, DNG, for thinking through and coming up with such a Motion, a Motion that is defending the common *mwana* out there; somebody who just provides services to this County. It would be a shame that we and

our staffs get paid but those who support us down there, build roads and provide services, are not paid.

Thank you, Madam Speaker, as I support the Motion by DNG. Thanks so much.

Hon. Temporary Speaker: Hon. Absalom!

Hon. Absalom Onyango: *Asante sana, Madam Speaker. Ningependa kuchangia mjadala ya ndugu yangu, Hon. DNG. Jambo hili lina maana sana. Najua tunapitia changamoto nyingi katika Capital City ya Nairobi.*

Kwa mfano, nina kiwanja ninachotengeneza na ikisimama unasikia kwamba mheshimiwa alikula pesa. Nashangaa, ni pesa gani zinakuliwa hapa? Kwa sababu mkandarasi anapopewa kazi, anaenda kufanya kazi kwa kutumia fedha zake mwenyewe, halafu baadaye ndipo anakuja kudai malipo yake.

Na mimi nataka niseme hivi, kuna sheria ambazo zililetwa hapa katika County, lakini watu wanaziruka. Itabidi tuzifuate. Kwa nini? Pesa zikitengewa mradi wa barabara zisibaki hewani. Zisiwe tu tarakimu kwenye makaratasi. Ziwe pesa halisi. Ndiyo Kenya iendelee, lazima tutafute njia ya kuhakikisha kwamba kama barabara imetengewa pesa, hizo fedha ziwe katika bajeti na ziwe fedha halisi, si tarakimu tu. Hilo ndilo litakaloipeleka County yetu mbele.

Pili, Madam Speaker, kuna watu wamefariki kwa sababu ya jambo hili. Mimi nataka niseme kuhusu wadi yangu. Nina miradi kama mitatu ambayo haijalipwa. Fikiria mtu amechukua fedha zake mwenyewe, ameweka lami, wananchi wanaitumia kila siku, lakini mpaka leo hajalipwa. Hiyo si sawa.

Kwa hivyo nataka kusema kwamba lazima tuyakomeshe hii mambo. Kama mtu amefanya kazi, alipwe kwa kazi aliyofanya. Na kama mtu hajafanya kazi, basi asilipwe.

Lakini kama kazi ni halisi na imefanyika, basi mhusika apewe malipo yake ili apate haki yake. Watu wengi wamekufa kwa sababu ya jambo hili, wengine wana kiharusi na msongo wa mawazo, wengine wamelazwa hospitalini, na hawajui wafanye nini.

Kwa hivyo nataka kusema hivi, Madam Speaker, isiwe kwamba mtu analipwa kwa sababu anafahamiana na Governor. Mtu akifanya kazi, bila kujali kama anamfahamu Governor au la, anapaswa kulipwa. Ili tusonge mbele, lazima tufuate utaratibu wa Serikali. Kama barabara imetengewa fedha, basi zitolewe fedha halisi, si tarakimu tu. Asante sana, Madam Speaker.

(Applause)

Hon. Temporary Speaker: Hon. Irungu Mukuru

Hon. Gerald Mukuru: Thank you Madam Speaker for the opportunity. I stand to support the Motion by our colleague by Hon. DNG because many a times, people are passing through too much, many business people have traded with this County and ended up not been paid.

I have a case of a Mr. Wanyee from Riruta who had worked with the defunct City Council in the year 2007. To date, he is pursuing over Kshs. 700 million which has accumulated over the years from Kshs. 7 million. There are so many people who have taken bank loans and are supposed to pay interests and yet they have not been paid.

My plea is that, because the Governor and the County Government has decided to be paying those pending bills, it should be started as soon as possible because if we do not do that as our colleague proposes here, many business people will not want to do business with us. I stand to support this good and well deliberated Motion, thank you Madam Speaker.

Hon. Temporary Speaker: Hon. Msango Maithya

Hon. Musango Maithya: Thank you Madam Speaker for giving me this chance to contribute to this Motion which has been brought by Mheshimiwa DNG. The Motion is good and has been brought at the right time because the contractors who have not been paid are our brothers and sisters and they have suffered for a very long time.

For example, Madam Speaker, there is a road which has been circulating in the social media in Kware Ward. That road has been constructed to a certain level and the contractor raised a certificate but to date, four years later, he has not been paid and that is why the project stalled. If this Motion passes, the Executive will give road projects a priority and avoid paying legal costs which they are used to and if the contractors will be paid they will go back and finish the projects and Nairobi's will get development at the ward level.

Madam Speaker, I support the Motion, thank you.

Hon. Temporary Speaker: Hon. Members may show [interest] by raising their hands because my screen is clear. Hon. Deonysias

Hon. Deonysias Waithera: Thank you Hon. Speaker for this chance. I rise to support the Motion because I am a victim of what the Motion is all about. This County is about to go to a mess because if we are not paying the contractors, in future the contractors will not be willing to work for Nairobi's.

Hon. Speaker, I am saying this because for my WDF project of last year the contractor bid, submitted successfully but later the contractor came to me and told me he will not do the work because Nairobi County was not paying contractors. He asked me; 'You have constructed two roads in Githurai Ward, have they been paid? Hon. Speaker I had no option but to say no.

Hon. Speaker I have a clip of H.E the Governor Sakaja when he came to launch my WDF projects in 2023. He said and I quote; "I am not a Governor of pending bills, finish the work and I will pay". Hon. Speaker the work was completed in two months because the contractor had believed the Governor's promise. From 2023 to date, that contractor has not been paid. I did another road in 2024 and the contractor has not also been paid till now.

Last year, we had to re-advertise my WDF project because the contractors had refused to bid for the contract. This is an example of one ward yet this is what is happening in the entire County of Nairobi.

Hon. Speaker, if we continue with this trend, we may find ourselves unable to give services to Nairobi's. I have a voter who resides in my ward called John Maina who constructed a road in 2012, the County owes him Kshs.3.492 million. He has been sick for a long time and has been passing through hell and to date he has not been paid.

Hon. Speaker as I support this Motion and I want to add that, if the County of Nairobi may be hard for the Governor to control, then we don't need a Governor in Nairobi County. Thank you, Hon. Speaker.

(Applause)

Hon. Temporary Speaker: Do you support the Motion?

Hon. Deonysias Waithera: Hon. Speaker, I support the Motion a 101 per cent.

Hon. Temporary Speaker: Hon. Majiwa

Hon. Geophrey Majiwa: Madam Speaker, first I must thank Hon. DNG for coming up with this Motion. It is long overdue and should have come earlier in the day. Nevertheless, it has come now and we must be aware that currently the government has introduced a procurement system called EGP which does not allow existence of pending bills. Therefore, moving forward it means that if we do not have a legislation that will enforce payment of the people who worked before EGP, they will never be paid. Then we are going to have Kenyans who are going to die with their debts in the government unpaid.

What we need to do as legislators first after this Motion has been passed is to have an appeal to the Implementation Committee to ensure that the pending bills that exist as at now are fully paid. This should be pegged on the passing of the new budget so that we ensure that the pending bills that were existing before are paid. We have seen in the past a scenario where even the county had taken loans to pay debts. We are requesting that even when applying for a loan to pay the pending bills because the procurement system that we have now you cannot procure if you don't pay.

Therefore, these people who have pending bills will be forgotten and will never be paid. We need to have an arrangement where these monies are going to be paid so that the money is paid before we get into the new system of EGP which is automatically paying before it is even procured. Thank you, Madam Speaker, I support the Motion.

Hon. Temporary Speaker: Thank you Hon. Member. Hon. David Magoba

Hon. David Magoba: *Asante Madam Spika kwa kunipatia nafasi hii. Nataka kujiunga na wenzangu kwa kuunga Mswada huu mkono. Wale wanafanya hizi kandarasi ni mandugu zetu na marafiki zetu, na ni Wanakenya. Wengi wamechukua mikopo kwa benki tofauti ndio waendeshe hizi kazi na kuleta maendeleo kwa wadi zetu.*

Jambo la pili, kabla hawajatangaza hizi kazi, huwa wametenga pesa za hizo kazi. Saa zingine mimi hushangaa hizo pesa huenda wapi wakati mkandarasi amemaliza kazi yake kwa maana mimi ni mmoja wa wale members kazi zao zimefanywa, zimeisha na wanakandaraishi hawajalipwa.

Nataka kuchukua nafasi hii kusema ya kwamba ndugu yangu Mheshimiwa DNG amewasaidia wengi sana kwa kuuleta huu mswada ndiposa tuweze kuongea kwa bunge letu na watu waweze kujua ya kwamba kuna watu wengi huko nje wamefanya kazi na wanahitaji kulipwa lakini bado hawajalipwa. Kisha na maana ni at kule Executive wako na upendelea sana. kwa

maana huwezi ukaniambia ya kwamba nimefanya kazi mwaka wakwanza, wa pili, wa tatu na wa nne na sijalipwa. Na ilhali hiyo pesa ilikuwa imetengwa. Basi, hawange tangaza hiyo kazi kwa hivyo mimi naomba kuunga mkono hii mswada. Asante sana Madam Speaker.

Hon. Temporary Speaker: Thank you so much. My screen is still clear, maybe a show of hands. The mover to reply.

Hon. Davidson Ngibuini: Honorable Speaker, thank you so much for the opportunity, and I want to start by thanking my colleagues, the MCAs, who have contributed to this Motion, and also the seconder of the Motion, *Asanteni Sana*.

Hon. Speaker, you know, the thing that perplexes me the most, is that when you go to push for your Ward Development Fund payment, you are told that there is no budget, there is no money to pay.

But every single time, every week, let me put it that way, every week in this County, payments are being released to different people. Hon. Speaker, it hurts. I know two contractors who I will not name in person, by name, but I know two of them.

One did a project of a stadium and who was paid Kshs. 21.9 million, and another one who did an ICU and was paid Kshs. 10 million, in a space of less than two weeks. But you will hear Honorable Members say that when their contractors raise their certificates, their payments are never honored. It hurts. You know, the Governor may feel and think that he is sabotaging MCAs, but what he is doing, and let this be on record, is that he is sabotaging himself. Because if he has an interest to vie in the next election, like us, he will come and face those same voters in those same wards and we will not carry the cross anymore.

As MCAs have said here, Hon. Speaker, they have said that sometimes *Wanainchi* think that they are the ones stealing this money. Yet we are so far removed from payment. For me, I had a video trending in Kibra, where they said I stole money for Woodley stadium, and that that money “*sio pesa ya mama yangu*”. It hurt me to the core, because I am not a thief, I have never stolen, and I don't even decide who is paid.

But the people on the ground do not know what is happening, and that is why I brought this Motion, so that it can be on record, public record on HANSARD, that the problem is in the County Executive headed by Governor Johnson Sakaja. Let it be on record.

Hon. Speaker, we passed a budget of Kshs. 49.2 billion the other day, and our revenue collection was at Kshs. 15.4 billion. I am also chasing the utility report to understand this Kshs. 15.4 billion that was collected in the last financial year, 2025-2026 on how it has been used? Who was paid? There should be no excuse to not pay contractors, because it is clear that we are collecting the money, we have our own source revenue, and the equitable revenue share from Treasury. Honorable Speaker, I beg to end there, as I reply. Thank you.

Hon. Temporary Speaker: Thank you, Honorable Members.

(Question put and agreed to)

ADJOURNMENT

Hon. Temporary Speaker: There being no other business the House is adjourned until tomorrow 6th August 2026, 2.30 p.m. Thank you so much, honorable Members, for your patience.

The House rose at 4.20 p.m.