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KENYA NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT – THIRD SESSION

THE DEPARTMENTAL COMMITTEE
ON
HEALTH

REPORT ON THE PETITION ON DELAY OF PAYMENT FOR INTERLINK
INDUSTRIES FOR THE CONSTRUCTION OF AN OUT-PATIENT BLOCK AT
IGEGANIA SUB-DISTRICT HOSPITAL

DIRECTORATE OF COMMITTEE SERVICES
CLERK'S CHAMBER
PARLIAMENT BUILDINGS
NAIROBI

AUGUST, 2015

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1.0 PREFACE

It is my pleasant to table the Report of the Departmental Committee on Health on its consideration of the Petition on the Delayed Payments for the Construction of an Outpatient Block at Igegania Sub-District Hospital, Kiambu County, by Interlink Industries pursuant to Standing Order 227(2).

1.1 Committee Mandate

The Committee on Health is one of the Departmental Committees of the National Assembly established under Standing Order 216 and mandated to, inter alia:-

- i. investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
- ii. study the programme and policy objectives of Ministries and Departments and the effectiveness of the implementation;
- iii. study and review all legislation referred to it;
- iv. study, assess and analyze the relative success of the Ministries and Departments as measured by the results obtained as compared with their stated objectives;
- v. investigate and inquire into all matters relating to the assigned Ministries and Departments as they may deem necessary, and as may be referred to it by the House;
- vi. vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments) ; and
- vii. Make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

The Committee is also mandated under Standing Order 227 to consider petitions referred to it.

1.2 Committee Membership

The Committee Comprises the following Members:

1. The Hon. Dr. Racheal Nyamai, M.P. (Chairperson)
2. The Hon. Dr. Robert Pukose, M.P. (Vice Chairperson)
3. The Hon. David Karithi, M.P.
4. The Hon. Dr. James Murgor, M.P.
5. The Hon. Dr. James Nyikal, M.P.
6. The Hon. Dr. James O. Gesami, M.P.
7. The Hon. Dr. Naomi Shaban, M.P.
8. The Hon. Dr. Stephen Wachira, M.P.

9. The Hon. Dr. Susan Musyoka, M.P.
10. The Hon. Hassan Aden Osman, M.P.
11. The Hon. James Gakuya, M.P.
12. The Hon. John Nyaga Muchiri, M.P.
13. The Hon. Michael Onyura, M.P.
14. The Hon. Paul Koinange, M.P.
15. The Hon. Stephen M. Mule, M.P.
16. The Hon. Zipporah Jesang, M.P.
17. The Hon. Alfred Agoi, M.P.
18. The Hon. Christopher Nakuleu, M.P.
19. The Hon. Dr. Dahir D. Mohamed, M.P.
20. The Hon. Dr. Eseli Simiyu, M.P.
21. The Hon. Dr. Enoch Kibunguchy, M.P.
22. The Hon. Dr. Patrick Musimba, M.P.
23. The Hon. Alfred Outa, M.P.
24. The Hon. Joseph O. Magwanga, M.P.
25. The Hon. Kamande Mwangi, M.P.
26. The Hon. Leonard Sang, M.P.
27. The Hon. Mwahima Masoud, M.P.
28. The Hon. Mwinga Gunga, M.P.
29. The Hon. Raphael Milkau Otaalo, M.P.

1.3 Consideration of the Petition on the Delay of Payment for Interlink Industries for the Construction of an Out-patient Block at Igegania Sub-District Hospital.

The Petition by Interlink Industries on Delay of Payment for the Construction of an Out-patient Block at Igegania Sub-District Hospital was presented to Parliament by Hon. Samuel Moroto, MP on behalf of the petitioners on 11th November, 2014. The Petition was then committed to the Committee on Health. The petitioner prayed that Parliament intervenes so that they are paid the outstanding balance, the interest on delayed payments and retention monies as well as the extended preliminaries and VAT on the same.

The Committee during the consideration of the Petition held three meetings during which it met with the Petitioners and the Ministry of Health to deliberate on the issues raised in the petition.

1.4 Committee Observations and Recommendations

Arising from the discussions with the Petitioners and the Ministry of Health, the Committee noted the need for the relevant stakeholders in the devolution process to come up with an appropriate solution to the petition as similar issues were bound to come up in the near future.

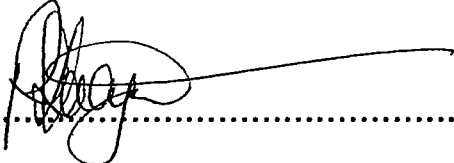
The Committee further noted that devolution process has not been handled properly especially where the Transition Authority was transferring assets and liabilities to Counties. It was also observed that the Counties readily took up the assets but have shied away from liabilities resulting into many pending bills.

Further, the Committee noted that based on the Petitioner's prayers that the Committee intervenes to have outstanding balance paid to the petitioner, the National Assembly does not have powers on matters of county finances and therefore, the Senate was best placed to address the issue with Kiambu County Government on payment to the petitioner.

1.5 Acknowledgement

The Committee is grateful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its Sittings. I appreciate the Committee Members for their major contribution in the preparation of this Report.

It is therefore my pleasure and privilege, on behalf of the Departmental Committee on Health, to table its Report in the House on the Consideration of the Petition on the Delay of Payment for Interlink Industries for the Construction of an Out-patient Block at Igegania Sub-District Hospital for consideration Pursuant to Standing Order 227 (2).

Signed..........Date..... 26/8/2015.....

(HON. DR. RACHEAL NYAMAI, M.P.)
CHAIRPERSON,
DEPARTMENTAL COMMITTEE ON HEALTH

2.0 BACKGROUND

Interlink Industries was awarded contract No. IGG/SDH/TN/021/2012/13 by the Ministry of Health to construct an out-patient block at the Igegania Sub-District Hospital. The company completed the construction of the block and handed over the project on 6th November, 2013.

On 26th April, 2014, the block was officially opened by the Deputy President. However, the petitioner has not been paid the outstanding works balance and contractual claims which stood at Kshs. 11,929,436.91 as at 19th July, 2014.

The Ministry of Health wrote to the Medical Superintendent of Igegania Sub-District Hospital informing him that since the county health services had been transferred to the county governments and that the funds to finance those functions had been equally devolved, the Ministry did not have funds to pay outstanding county debts for the Financial Year 2013/2014.

The Ministry therefore advised the hospital to seek additional funding from the Kiambu County Government to offset the outstanding debts. The petitioner has so far not received any response as to when they would be paid.

In their prayer, the Petitioner, Interlink Industries seeks the intervention of the National Assembly through the Departmental Committee on Health to intervene to have them paid the outstanding balance, the interest on delayed payments and retention monies as well as the extended preliminaries and VAT on the same.

3.0 MEETING WITH THE STAKEHOLDERS

3.1 Submission by the Cabinet Secretary, Ministry of Health

The Cabinet Secretary, Ministry of Health appeared before the Committee on 17th March, 2015 and briefed the Committee as follows on the Petition:-

- a) The Government entered into a contractual agreement with M/s Interlink Industries for the construction and completion of the outpatient block at Igegania Sub-District Hospital. The works commenced in April, 2013. The scope of works included completion of MCH Block, parking lot, drainage system and perimeter fence.
- b) The budgeted amount for the project during the Financial Year 2012/13 to the hospital was KSH 13,000,951.00. However, after finalizing the procurement process, the contract was awarded to M/s Interlink Industries at a contract sum of KSH 18, 825, 000.00. The contract sum was later revised to KSH 21,

195,456.50 to accommodate extra works that were to make the building functional. The contract agreement was signed between the Medical Superintendent at Igeganja Hospital who was to be the implementer and Interlink Industries, the construction company.

- c) By the end of Financial Year 2012/13, M/s Interlink Industries had been paid KSH 13,000,951.02. The contractor completed the works in November, 2013 by which time the devolution of health services had already taken place hence the Ministry of Health was not in a position to allocate funds to pay the contractor the outstanding amount of KSH 8,194,695.48 which remained unpaid as at the date of the meeting. The Medical Superintendent, Igeganja Sub-District Hospital was advised to seek funding from the Kiambu County Government to settle the debt. Due to delay in payment, the contractor was claiming accrued interest of KSH 3,734,741.43 making a total claim of KSH 11, 929,436.91.
- d) At the closure of the Financial Year 2012/13, the Ministry of Health undertook an inventory of all pending bills under the former ministries of Medical Services and Public Health and Sanitation. The aim was to anticipate determination of how they should be handled during the Financial Year 2013/14.
- e) When Counties took over hospitals, they took over the assets in those institutions as well as their liabilities. In order to resolve the issue of pending bills for M/s Interlink Industries, and other contractors similarly affected, the National and County Governments need to agree on the way forward. Where bills are confirmed to be genuine, the possible options are that either the counties should take them over and settle or the National Treasury allocates specific funds to clear them.

3.2 Submission by Interlink industries

The Managing Director, Interlink Industries Limited, Mr. Nelson Karagu appeared before the Committee on 19th March, 2015 and informed the Committee as follows, that:-

1. Interlink Industries Limited was awarded a contract no. IGG/SDH/TN/021/2012/2013 by the Ministry of Health to construct an outpatient block at Igeganja Sub District Hospital.
2. The petitioners completed and handed over the project on 6th November, 2013.

3. The outpatient block was officially opened by the Deputy President on 26th April, 2014.
4. The outstanding works balance and contractual claims as at the date of the meeting were as follows:

ITEM	AMOUNT (KSHS)
Project Sum	18,825,000.00
Extra Work	2,370,286.50
Total Sum	21, 195,286.50
Less Payments	
1 st Payment Dated 7/06/2013	7,210,635.00
2 nd Payment Dated 18/06/2013	3,951,997.00
3 rd Payment Dated 26/06/2013	1, 837, 958.52
Total Payments	13, 000, 590.52
Unpaid Balance	8, 194, 695.98
Add Interest As At 31st December, 2014	4, 886, 777.14
Total Outstanding Payment	13, 081, 473.12

5. The Ministry of Health headquarters informed the Medical Superintendent of Igegania Sub District Hospital vide a letter dated 23rd May, 2014, Ref MOH/4/4/17A (20), that since county health services had been transferred to county governments and that funds to finance those functions were equally devolved, the Ministry headquarters was left without funds to pay outstanding county debts for the Financial Year 2013/2014.
6. The Ministry further advised the hospital to seek additional funding from the Kiambu County Government to offset outstanding debts.
7. Despite following up the matter with the Kiambu County Government, the petitioners had not received any response as to when they would be paid.
8. The matter in respect of which the petition was being made was not pending before any court of law.
9. The petitioner therefore prayed that the National Assembly through the Departmental Committee on Health intervenes to have the petitioners paid the outstanding balance, the interest on delayed payments and retention monies as well as the extended preliminaries and VAT on the same.

4.0 COMMITTEE OBSERVATIONS

The Committee made the following observations on the petition; THAT:-

- a) The Transition Authority mishandled the transfer of assets and liabilities to counties at the advent of devolution hence the current predicament over pending Bills.
- b) The Petitioners were aware of the options available to them including litigation but had thought it better to seek the intervention of the Committee on the matter.
- c) Many such petitions may come up hence the need to develop a common response after wide consultations with stakeholders in the devolution process.
- d) The Ministry of Health was clearing some similar pending bills for some projects albeit selectively.
- e) The County Governments were quick to take up county assets at the advent of devolution but they were hesitant to take up accompanying liabilities like pending bills.
- f) The amount pending as unpaid was still accruing interest as per the contract terms hence the need to speedily resolve the matter.
- g) Although the Petitioner has prayed the National Assembly to intervene to have the outstanding balance and the interest on delayed payment and retention monies paid to him, the National Assembly has no power to compel counties to make payments. The Senate oversees counties.

5.0 COMMITTEE RECOMMENDATIONS

Contrary to the provisions of Article 119 of the Constitution, Standing Order 219 and the Second Schedule of the National Assembly Standing Orders, the prayer does not fall under the ambit of matters which the National Assembly has authority to consider as contemplated in Articles 94, 95 and the Fourth Schedule of the Constitution.

In the circumstances, the Committee found that the Petition does not fall under the scope of the National Assembly as it has no power to compel the counties to make payments. However, the matter falls under the oversight of the Senate.

The Committee, therefore, recommends that the petition together with the Report from the Committee be forwarded to the Senate for Consideration.

ANNEXTURES

1. MINUTES
2. PETITION

MINUTES OF THE 7TH SITTING OF THE DEPARTMENTAL COMMITTEE ON HEALTH HELD IN 5TH FLOOR CONTINENTAL HOUSE, PARLIAMENT BUILDINGS ON TUESDAY 19TH FEBRUARY, 2015, AT 4.00 PM.

PRESENT

1. The Hon. Dr. Racheal Nyamai, M.P. (Chairperson)
2. The Hon. Dr. Robert Pukose, M.P. (Vice Chairperson)
3. The Hon. Dr. James Murgor, M.P.
4. The Hon. Christopher Nakuleu, M.P.
5. The Hon. David Karithi, M.P.
6. The Hon. Dr. Dahir D. Mohamed, M.P.
7. The Hon. Leonard Sang, M.P.
8. The Hon. Mwinga Gunga, M.P.
9. The Hon. Dr. James O. Gesami, M.P.
10. The Hon. Dr. Stephen Wachira, M.P.
11. The Hon. Hassan Aden Osman, M.P.
12. The Hon. James Gakuya, M.P.
13. The Hon. Raphael Milkau Otaalo, M.P.
14. The Hon. Kamande Mwangi, M.P.
15. The Hon. Michael Onyura, M.P.
16. The Hon. Zipporah Jesang, M.P.
17. The Hon. John Nyaga Muchiri, M.P.
18. The Hon. Stephen M. Mule, M.P.
19. The Hon. Alfred Agoi, M.P.
20. The Hon. Dr. James Nyikal, M.P.
21. The Hon. Joseph O. Magwanga, M.P.

ABSENT WITH APOLOGY

1. The Hon. Paul Koinange, M.P.
2. The Hon. Dr. Patrick Musimba, M.P.
3. The Hon. Alfred Outa, M.P.
4. The Hon. Dr. Naomi Shaban, M.P.
5. The Hon. Mwahima Masoud, M.P.
6. The Hon. Dr. Eseli Simiyu, M.P.
7. The Hon. Dr. Enoch Kibunguchy, M.P.
8. The Hon. Dr. Susan Musyoka, M.P.

IN ATTENDANCE

National Assembly Secretariat

- | | | |
|--------------------|---|------------------------|
| 1. Esther Nginyo | - | Third Clerk Assistant |
| 2. Dennis Mogare | - | Third Clerk Assistant. |
| 3. Hassan A. Arale | - | Third Clerk Assistant. |
| 4. Peter Mwaura | - | Legal Counsel. |

- | | | |
|--------------------|---|-------------------|
| 5. Reyhan Mohammed | - | Research Officer. |
| 6. Moses Kariuki | - | Sergeant at Arms. |
| 7. Joash Kosiba | - | Fiscal analyst. |
| 8. Aden A. Abdi | - | Fiscal analyst. |

MIN. NO. DCH 32/2015: PRELIMINARIES:

The Chairperson called the meeting to order at 4.20 pm and a prayer was said by Hon James Nyikal, M.P. The chairperson then welcomed the members to the meeting and the agenda for the meeting was adopted as proposed and seconded by Hon. Dr. James Murgor, MP and Hon. John Nyaga Muchiri, MP respectively.

MIN.NO. DCH 33/2015: CONFIRMATION OF MINUTES

Minutes of the 6th Sitting that was held on 19th February, 2015 at 10.00am was deferred to next meeting.

MIN.NO. DCH 34/2015: BRIEF BY THE LEGAL COUNSEL ON THE PETITION BY INTERLINK INDUSTRIES ON DELAYED PAYEMENT FOR THE CONSTRUCTION OF AN OUT-PATIENT BLOCK AT IGEGANIA SUB-DISTRICT HOSPITAL BY HON. SAMUEL MOROTO,M.P.

The legal counsel advised the Committee that Interlink Industries built an out-patient block for Igegania Sub-District Hospital, however, they had not been paid for the service that was rendered. The Ministry of Health being the client appeared to be having double standards as it emerged that they were honouring some payments for hospitals under the counties where they had entered into a contract before devolution.

There was therefore need to invite both the Ministry of Health and petitioner to give more information on the petition.

MIN.NO.DCH 35/2015: CONSIDERATION OF THE BUDGET POLICY STATEMENT 2015.

The fiscal analyst took the Committee through the Budget Policy Statement 2015 and informed the Members that;

- i. The Budget Policy Statement (BPS) consists of four main areas namely;
 1. Current status of the economy.
 2. Government revenue base and how much it is projecting to raise and spend.
 3. Expenditure limits
 4. Government fiscal responsibilities.

ii. The BPS 2015 being the second one under the Jubilee Government covered 5 pillar transformation programme covering;

1. Creating a conducive business environment;
2. Investing in agricultural transformation and food security;
3. Investing in first-class transport and logistics;
4. Investing in quality and accessible healthcare services and quality education as well as strengthening the social safety net to reduce the burden on the households;
5. Supporting devolution for better service delivery and enhanced economic development.

iii. The 2015 BPS was prepared at a time when Kenya has just rebased its Gross Domestic Product (GDP) of USD. 4,755.7 billion placing the country into the lower middle income level.

iv. The government had also negotiated a precautionary a non-concesional Stand by arrangement and a concessional stand by credit facility with IMF to cushion it from exogenous shocks as a result of credit incurred from international instruments such as the Euro Bond.

v. The total Medium Term Expenditure Framework allocation for 2015/2016, 2016/2017, 2017/2018 is Kshs. 1,657,559 million, 1,801,603 million and 1,958,339 million respectively.

vi. In the expenditure for 2015/2016, the Ministry's allocation is Kshs. 51.407 billion of which Kshs. 28.009 billion is current expenditure and Kshs. 23.398 billion is capital expenditure. The following are the programmes that will be financed in the Ministry and their budget ceilings;

- | | | |
|--|---|--------------------|
| 1. Preventive and Promotive health care services | - | Kshs. 10.3 billion |
| 2. Family health programme | - | Kshs. 8.4 billion |
| 3. Curative Health care services | - | Kshs. 21.6 billion |
| 4. Research Development and Training | - | Kshs. 5.6 billion |
| 5. General administration, planning and support services | - | Kshs. 5.2 billion |

COMMITTEE OBSERVATION:

The Committee made the following observations that;

1. There is need for a Health Investment Plan for Infrastructure to alleviate the current challenge of dilapidated health facilities.

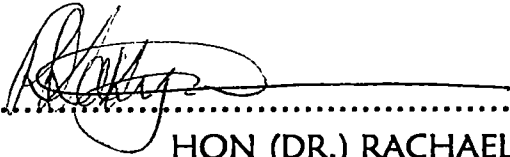
2. The Ministry should work towards improving the regional disparities in the distribution of the health workers and work towards attaining the WHO recommended minimum staffing levels.
3. The government should work towards improving spending in the health sector by reducing the over-dependence on the donor funding whose unpredictability affects the health sub-sector negatively.
4. There is need to have adequate funding the actual research activities for the ministry to help improve in disease prevention.

MIN.NO. DCH 36/2015

ADJOURNMENT

There being no other business the meeting was adjourned at 5.50 pm.

SIGNED.....



HON (DR.) RACHAEL NYAMAI, M.P

CHAIRPERSON

DATE:.....

24/03/2015

MINUTES OF THE 19TH SITTING OF THE DEPARTMENTAL COMMITTEE ON HEALTH HELD IN 4TH FLOOR COMMITTEE ROOM, CONTINENTAL HOUSE, ON TUESDAY 17TH MARCH, 2015, AT 10.00AM.

PRESENT

1. The Hon. Dr. Racheal Nyamai, M.P. (Chairperson)
2. The Hon. Dr. Robert Pukose, M.P. (Vice Chairperson)
3. The Hon. Dr. James Murgor, M.P.
4. The Hon. Dr. Dahir D. Mohamed, M.P.
5. The Hon. Mwinga Gunga, M.P.
6. The Hon. Dr. Stephen Wachira, M.P.
7. The Hon. Hassan Aden Osman, M.P.
8. The Hon. James Gakuya, M.P.
9. The Hon. Raphael Milkau Otaalo, M.P.
10. The Hon. Kamande Mwangi, M.P.
11. The Hon. Michael Onyura, M.P.
12. The Hon. Zipporah Jesang, M.P.
13. The Hon. Dr. James Nyikal, M.P.
14. The Hon. Joseph O. Magwanga, M.P.
15. The Hon. David Karithi, M.P.
16. The Hon. Leonard Sang, M.P.
17. The Hon. Dr. James O. Gesami, M.P.
18. The Hon. Alfred Outa, M.P.
19. The Hon. John Nyaga Muchiri, M.P.
20. The Hon. Stephen M. Mule, M.P.
21. The Hon. Dr. Enoch Kibunguchy, M.P.
22. The Hon. Dr. Eseli Simiyu, M.P.

ABSENT WITH APOLOGY

1. The Hon. Dr. Patrick Musimba, M.P.
2. The Hon. Mwahima Masoud, M.P.
3. The Hon. Alfred Agoi, M.P.
4. The Hon. Christopher Nakuleu, M.P.
5. The Hon. Dr. Susan Musyoka, M.P.
6. The Hon. Dr. Naomi Shaban, M.P.
7. The Hon. Dr. James Murgor, M.P.

IN ATTENDANCE

Ministry of Health

1. Mr. James Macharia - Cabinet Secretary
2. Dr. Nicholas Muraguri - Director Medical Services

- | | | |
|--------------------------|---|------------------|
| 3. Mr. Khadiagala B | - | SCFO |
| 4. Mr. Mosiria M.M | - | PFO |
| 5. Mr. Peter N. Gachenge | - | CHAO |
| 6. Mr. Ibrahim M. Abdi | - | Under Secretary. |

National Assembly

- | | | |
|------------------------|---|------------------------|
| 1. Mr. Dennis Mogare | - | Third Clerk Assistant. |
| 2. Mr. Hassan A. Arale | - | Third Clerk Assistant. |
| 3. Ms. Reyhan Mohamed | - | Research officer III |
| 4. Ms. Faith Makena | - | Serjeant at Arms. |

MIN.NO. DCH 83/2015: PRELIMINARIES.

The Chairperson called the meeting to order at 10.30 am and prayer was said by Hon. Dr. Stephen Wachira, M.P. The Chairperson then welcomed the Members to the meeting. Thereafter, the agenda of the meeting was proposed and seconded by Hon Kamande Mwangi, M.P and Hon. (Dr.) James Gesami, MP respectively. The Chairperson then invited all present to do self-introduction.

MIN.NO. DCH 84/2015: MEETING WITH THE CABINET SECRETARY, MINISTRY OF HEALTH.

The Chairperson informed the meeting that the Cabinet Secretary, Ministry of Health was appearing before the Committee to respond to the following issues:

- I. Justification for the Ministry's raised allocation for the Managed Equipment Service Project from KSH 3.4 Billion as passed in the FY 2014/2015 budget to KSH 4.5 Billion in the 2015 Budget Policy Statement and why the program expected to run for 10 years had been reduced to 7 years.
- II. Utilization of the allocated funds for the managed equipment service (MES) in the 2014/2015 Financial Year.
- III. The status of the Health Bill and Legislative Framework.
- IV. Utilization of KSH 300 Million allocated for the Financial Year 2014 /2015 under the General Administration , planning and support services program to develop the Health Policy and Legislative Framework for which the Ministry was seeking a further KSH 500 Million in Financial Year 2015/2016.
- V. The petition by Interlink Industries on delay of payment for the construction of an Out-patient Block at Igegania Sub-District Hospital.
- VI. A petition by the Kenya Union of Clinical Officers on the non-payment of allowances for the clinical officers interns and specifically the outcome of the consultations on the payment of the clinical officers' interns (The Ministry had

requested for time to consult on this matter during a meeting that was held on 19th February, 2015).

The Chairperson then invited the Cabinet Secretary to respond to the aforementioned issues. The Cabinet Secretary responded informing the Committee as follows:

1. On the justification for KSH 4.5 Billion for the Managed Equipment Service, he stated that the allocation for the Ministry in the 2014/15 financial year was KSH 3 Billion against the proposed estimate of KSH 4.5 Billion. The actual requirement for the program is KSHS 6 billion over a period of 7 years making a total contract sum of KSHS 42 billion. However the National Treasury has managed to allocate KSHS 4.5 billion which is 1.5 billion short of the requirement for 2015/16 financial year. The value of the equipment covered under the MES is as summarized below:

LOT NUMBER	ITEM	ACTUAL CONTRACT VALUE (KSHS BILLION)	REMARKS
1	Theatre equipment	4.14	Contracted
2	Surgical equipment and sterilization equipment	7.92	Contracted
3 and 4	Medical lab equipment	3.07	Tendering on going
5	Renal dialysis equipment	2.13	Contracted
6	ICU facilities	3.29	Contracted
7	Radiology and imaging equipment	21.45	Contracted
TOTAL		42.0	

2. On utilization of the allocated funds for the Managed Equipment Service, the Cabinet Secretary stated that the Ministry was allocated KSH 3 billion in the Financial Year 2014/2015 towards the MES and not KSH 3.4 billion as stated. The expenditure on the item as at the date of the meeting was KSH 11, 940, 927. The amount was utilized towards tender processing and due diligence activities. The balance was programmed to be utilized before the end of the Financial Year 2014/2015.
3. On the status of the Health Bill, he stated that after extensive consultations with stakeholders, the Health Bill, 2015 was approved by the Cabinet on 10th March,

2015. The Ministry of Health was to present it to the Attorney General who would eventually submit it to Parliament for deliberation and possible approval.
4. On the status of the health policy, he stated that the final draft was with the Ministry of Health pending updating of data as directed by the Cabinet. The data will be obtained from the recently concluded Kenya Health Demographic Survey (KDHS) 2014. The data obtained will be used to finalize the policy document for approval by Cabinet.
 5. On the utilization of the allocation of KSH 300 million for development of the Health Policy and Legislative Framework, he stated that the allocation to the Ministry Headquarters for General Administration, Planning and Support Services for FY 2014/2015 under the recurrent vote was **KSH 391,679, 867** and not **KSH 300 million**. The amount was for operational and maintenance costs and not specifically for developing the Health Policy and Legislative Framework.---
 6. On the petition by Interlink Industries on delay of payment for the construction of an Out-patient Block at Igegania Sub-District Hospital he stated that:
 - a) The government entered into a contractual agreement with M/s Interlink Industries for the construction and completion of the outpatient block at Igegania Sub-District Hospital. The works commenced in April, 2013. The scope of works included completion of MCH Block, parking lot, drainage system and perimeter fence.
 - b) The budgeted amount for the project during the Financial Year 2012/13 to the hospital was **KSH 13,000,951.00**. However, after finalizing the procurement process, the contract was awarded to M/s Interlink Industries at a contract sum of **KSH 18, 825, 000.00**. The contract sum was later revised to **KSH 21, 195,456.50** to accommodate extra works that were to make the building functional. The contract agreement was signed between the Medical Superintendent at Igegania Hospital who was to be the implementor and Interlink Industries, the construction company.
 - c) By the end of Financial Year 2012/13, M/s Interlink Industries had been paid **KSH 13,000,951.02**. The contractor completed the works in November, 2013 by which time the devolution of health services had already taken place hence the Ministry of Health was not in a position to allocate funds to pay the contractor the outstanding amount of **KSH 8,194,695.48** which remained unpaid as at the date of the meeting. The Medical Superintendent, Igegania Sub-District Hospital was advised to seek funding from the Kiambu County Government to settle the debt. Due to delay in payment, the contractor was claiming accrued interest of **KSH 3,734,741.43** making a total claim of **KSH 11, 929,436.91**.

- d) At the closure of the Financial Year 2012/13, the Ministry of Health undertook an inventory of all pending bills under the former ministries of Medical Services and Public Health and Sanitation. The aim was to anticipate determination of how they should be handled during the Financial Year 2013/14.
 - e) When counties took over hospitals, they took over the assets in those institutions as well as their liabilities. In order to resolve the issue of pending bills for M/s Interlink Industries, and other contractors similarly affected, the National and County Governments need to agree on the way forward. Where bills are confirmed to be genuine, the possible options are that either the counties should take them over and settle or the National Treasury allocates specific funds to clear them.
7. On the petition by the Kenya Union of Clinical Officers on the non-payment of allowances for the clinical officers' interns, he stated that consultations with the relevant government organs (National Treasury, Public Service Commission and Ministry of Devolution and Planning) were ongoing within the framework of a proposed internship policy. The policy will cover all workers including Clinical Officers.

COMMITTEE OBSERVATIONS

1. Managed Equipment Service

On the Managed Equipment Service the Committee observed that:

- a) There was the need to distribute the equipment to the hospitals fairly and by choosing the right hospitals where there was not only need but also capacity to utilize the equipment.
- b) The retreat on Managed Equipment Services needed to be held the soonest to accord Members an opportunity to appreciate the whole concept and design of the Managed Equipment Service.
- c) There seemed to be a general lack of preparedness in terms of capacity of selected health facilities to utilize the equipment and the human resource to handle the equipment when they are finally installed.
- d) There was need for transparency in selection of staff to undergo training to manage the equipment.

2. The Status of the Health Bill and Legislative Framework

On the Status of the Health Bill and Legislative Framework, the Committee observed that the preparation of the Health Bill had taken an unnecessarily long time and there

was need to bring the same to a conclusion in order streamline and guide operations in the health sector.

3. The Petition By Interlink Industries on Delay of Payment for the Construction of an Out-Patient Block at Igegania Sub-District Hospital.

On the petition by Interlink Industries on delay of payment for the construction of an Out-patient Block at Igegania Sub-District Hospital, the Committee observed that:

- a) Government officials must have been party to contract sum variation (from the initial KSHS 18, 825,000 to KSHS 21,195,286.50) and there was need to hold such officers to account.
- b) The Transition Authority mishandled the transfer of assets and liabilities to counties at the advent of devolution hence the current predicament over pending Bills.
- c) County governments, including the Kiambu County Government involved in this matter, were taking up assets but shying away from taking up commensurate liabilities in the counties.
- d) There was need for the Committee to liaise with relevant stakeholders in the devolution process in order to come up with an appropriate and generic solution to the petition as more such issues were bound to come up in the near future.

4. Petition By The Kenya Union Of Clinical Officers On The Non-Payment Of Allowances For The Clinical Officers Interns

On the Petition by the Kenya Union of Clinical Officers on the Non-Payment of Allowances for the Clinical Officers Interns, the Committee observed that the response given by the cabinet secretary was not detailed enough a response to a petition and the Cabinet Secretary needed to prepare a more substantive response. The Cabinet Secretary undertook to do so.

MIN.NO. DCH 85/2015: ANY OTHER BUSINESS

1. The Committee requested the Cabinet Secretary to clarify on the utilization of KSHS 300 Million allocated to the Slum Upgrading Project in the 2014/15 Financial Year. The Cabinet Secretary informed the committee that:
 - a) The project took long to start because it needed the cooperation of the County Government, as the workers are from the county government, which took long in coming and eventually a decision was made to put containers instead of building conventional structures.

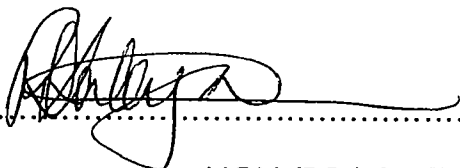
- b) As at the date of the meeting, 9 containers had been completed in Kibera and 20 more were to be installed soon after.
 - c) The Ministry had a plan in the 2015/16 financial year to roll out the same in rural areas to compliment the beyond zero campaign.
 - d) The Ministry stocks the clinics with medicine for one year and eventually hands over to the relevant County government.
2. The Committee resolved to conduct a visit to Kibera, Nairobi to appreciate the slum upgrading project and the director of medical services was tasked to facilitate the same.
 3. The Chairperson informed members about an invitation to Tel Aviv, Israel from 23rd to 27th March, 2015. The following Members were nominated to represent the Committee:
 - a) Hon. Dr. Robert Pukose,
 - b) Hon. David Karithi,
 - c) Hon. John Nyaga Muchiri and
 - d) Hon. Dr. Enock Kibunguchy.
 5. On the benchmarking visit for the Traditional Health Practitioners Bill, 2014 to India, China and South Africa it was agreed that the respective delegations would be selected in the next meeting.

MIN.NO. DCH 86/2015

ADJOURNMENT

There being no other business the meeting was adjourned at 12.10 pm.

SIGNED.....



HON (DR.) RACHAEL NYAMAI, M.P

CHAIRPERSON

DATE:.....

31 / 7 / 2015

MINUTES OF THE 20TH SITTING OF THE DEPARTMENTAL COMMITTEE ON HEALTH HELD IN COMMITTEE ROOM ON 4TH FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS ON THURSDAY 19TH MARCH, 2015, AT 9.00 AM.

PRESENT

1. The Hon. Dr. Racheal Nyamai, M.P. (Chairperson)
2. The Hon. Dr. Robert Pukose, M.P. (Vice Chairperson)
3. The Hon. Dr. James Nyikal, M.P.
4. The Hon. Joseph O. Magwanga, M.P.
5. The Hon. Mwinga Gunga, M.P.
6. The Hon. Dr. Stephen Wachira, M.P.
7. The Hon. Kamande Mwangi, M.P.
8. The Hon. Zipporah Jesang, M.P.
9. The Hon. Dr. Dahir D. Mohamed, M.P.
10. The Hon. David Karithi, M.P.
11. The Hon. Leonard Sang, M.P.
12. The Hon. John Nyaga Muchiri, M.P.
13. The Hon. Stephen M. Mule, M.P.
14. The Hon. Dr. Eseli Simiyu, M.P.
15. The Hon. Dr. Enoch Kibunguchy, M.P.
16. The Hon. Alfred Outa, M.P.
17. The Hon. James Gakuya, M.P.
18. The Hon. Hassan Aden Osman, M.P.
19. The Hon. Michael Onyura, M.P.
20. The Hon. Raphael Milkau Otaalo, M.P.
21. The Hon. Paul Koinange, M.P.
22. The Hon. Dr. James O. Gesami, M.P.

ABSENT WITH APOLOGY

1. The Hon. Dr. Susan Musyoka, M.P.
2. The Hon. Mwashima Masoud, M.P.

ABSENT

1. The Hon. Dr. Patrick Musimba, M.P.
2. The Hon. Alfred Agoi, M.P.
3. The Hon. Christopher Nakuleu, M.P.
4. The Hon. Dr. James Murgor, M.P.
5. The Hon. Dr. Naomi Shaban, M.P.

IN ATTENDANCE

Interlink Industries Limited

1. Nelson Karagu Managing Director
2. Francis Muya Operations Manager
3. Joseph Kamau Karugo Office Assistant

National Assembly Secretariat

1. Mr. Dennis Mogare - Third Clerk Assistant.
2. Mr. Hassan A. Arale - Third Clerk Assistant.
3. Mr. Moses Kariuki - Sergent-at-Arms

MIN. NO. DCH 87/2015: PRELIMINARIES

The meeting was called to order at 9:30 am and a prayer was said by the Hon. Dr. Racheal Nyamai, M.P. (Chairperson) after which she welcomed all those present to the meeting.

MIN. NO. DCH 88/2015 COMMUNICATION FROM THE CHAIR

The Chairperson briefed the Committee on the contents of the communication from the Speaker of the National Assembly made on the floor of the House on 17th March, 2015. The thrust of the communication was on management and operations of Committees (attached). The Chairperson emphasized the following aspects of the Communication, THAT;

1. Committee members should avoid technical appearances in meetings where they sign and leave the meeting leading to Committees coming up with reports that some members cannot identify with despite having been recorded as being present during deliberations.
2. Standing Order 187 on removal of a Member from a Committee for non-attendance of four consecutive Committee sittings shall hence forth be applied to the letter in conjunction with the Office of the Clerk of the National Assembly.

MIN. NO. DCH 89/2015 MEETING WITH INTERLINK INDUSTRIES LIMITED OVER THEIR PETITION ON DELAY OF PAYMENT FOR THE CONSTRUCTION OF AN OUTPATIENT BLOCK AT IGEGANIA SUB DISTRICT HOSPITAL.

The Chairperson pointed out that the petitioners (Interlink Industries Limited) were invited following their petition to the Committee dated 4th November, 2014 which was presented to the Committee through Hon. Samuel Moroto, MP, Member for Kapenguria Constituency. She then invited the petitioners to state their case.

The Managing Director, Interlink Industries Limited, Mr. Nelson Karagu informed the Committee as follows, THAT:

1. Interlink Industries Limited was awarded a contract no. IGG/SDH/TN/021/2012/2013 by the Ministry of Health to construct an outpatient block at Igegania Sub District Hospital.
2. The petitioners completed and handed over the project on 6th November, 2013.
3. The outpatient block was officially opened by the Deputy President on 26th April, 2014.

4. The outstanding works balance and contractual claims as at the date of the meeting were as follows:

ITEM	AMOUNT (KSHS)
Project Sum	18,825,000.00
Extra Work	2,370,286.50
Total Sum	21, 195,286.50
Less Payments	
1 st Payment Dated 7/06/2013	7,210,635.00
2 nd Payment Dated 18/06/2013	3,951,997.00
3 rd Payment Dated 26/06/2013	1, 837, 958.52
Total Payments	13, 000, 590.52
Unpaid Balance	8, 194, 695.98
Add Interest As At 3st December, 2014	4, 886, 777.14
Total Outstanding Payment	13, 081, 473.12

5. The Ministry of Health headquarters informed the Medical Superintendent of Igegania Sub District Hospital vide a letter dated 23rd May, 2014, Ref MOH/4/4/17A (20), that since county health services had been transferred to county governments and that funds to finance those functions were equally devolved, the Ministry headquarters was left without funds to pay outstanding county debts for the Financial Year 2013/2014.
6. The Ministry further advised the hospital to seek additional funding from the Kiambu County Government to offset outstanding debts.
7. Despite following up the matter with the Kiambu County Government, the petitioners had not received any response as to when they would be paid.
8. The matter in respect of which the petition was being made was not pending before any court of law.
9. They pray that the National Assembly through the Departmental Committee on Health intervenes to have the petitioners paid the outstanding balance, the interest on delayed payments and retention monies as well as the extended preliminaries and VAT on the same.

Committee Observations

After lengthy deliberations, the Committee observed that:

1. The petitioners had engaged the Kiambu County Government in vain. The government had claimed not to have allocated funds to clear pending bills like that of Interlink Industries Ltd.
2. The petitioners were aware of the options available to them including litigation but had thought it better to seek the intervention of the Committee on the matter.
3. The project in question had been completed, handed over to the hospital and officially opened by the Deputy President.
4. Many such petitions may come up hence the need to develop a common response after wide consultations with stakeholders in the devolution process.
5. The Igegania Sub District Hospital had prepared a voucher of KSH 8.194 million to the Ministry of Health headquarters hence there was no contention over the amount involved.
6. The Ministry of Health was clearing some similar pending bills for some projects albeit selectively.
7. The County Governments were quick to take up county assets at the advent of devolution but they were hesitant to take up accompanying liabilities like pending bills.
8. The amount pending as unpaid was still accruing interest as per the contract terms hence the need to speedily resolve the matter.

Committee Recommendations

The Committee recommended as follows:

1. The matter ought to be handled holistically such that it caters for any such cases that may come up in the near future.
2. The National Assembly should consider establishing a pending bills fund to address the matter of pending bills conclusively.
3. There was need to engage the National and county Government Coordinating Summit, the Council of Governors and the National Treasury to come up with a lasting solution on how to deal with debts incurred before devolution in respect of devolved functions.

MIN. NO. DCH 90/2015

ANY OTHER BUSINESS

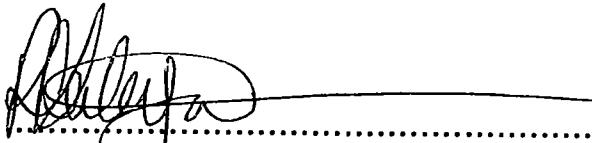
1. The Hon. (Dr.) Eseli Simiyu, MP expressed his dissenting opinion on a report on the matter of irregular registration of a private eye clinic – Eye and U, Kenya. He disagreed with the recommendations of the report on the following basis, THAT:
 - a) Critical witnesses who were mentioned were not called to testify before the Committee. These included the Dean, School of Medicine, University of Nairobi and the referees who hesitated in endorsing Dr. Samira Soni.
 - b) The letter written to the Dean, School of Medicine, University of Nairobi asked only for academic qualifications of Dr. Samira Soni not her professional standing as per the concerns raised by the petition.
 - c) There was need to further investigate the operations of the Medical Practitioners And Dentists Board's operations which was seemingly licensing

and granting specialist recognition to people who may not be competent/deserving.

Resolution: The Committee resolved to reopen the concluded report on the matter of irregular registration of a private eye clinic – Eye and U, Kenya with a view to include any new information that may be available to address the above concerns.

MIN. NO. DCH 91/2015 ADJOURNMENT

There being no other business the meeting was adjourned at 11.45 am.

SIGNED.....

HON (DR.) RACHAEL NYAMAI, M.P
CHAIRPERSON

DATE:..... 31/7/2015

MINUTES OF THE 60TH SITTING OF THE DEPARTMENTAL COMMITTEE ON HEALTH HELD IN 2ND FLOOR COMMITTEE ROOM, CONTINENTAL HOUSE, ON THURSDAY 20TH AUGUST, 2015, AT 10.00 AM.

PRESENT

1. The Hon. Dr. Racheal Nyamai, M.P. (Chairperson)
2. The Hon. Dr. Robert Pukose, M.P. (Vice Chairperson.)
3. The Hon. Michael Onyura, M.P.
4. The Hon. David Karithi, M.P.
5. The Hon. Leonard Sang, M.P.
6. The Hon. John Nyaga Muchiri, M.P.
7. The Hon. Dr. Naomi Shaban, M.P.
8. The Hon. James Gakuya, M.P.
9. The Hon. Raphael Milkau Otaalo, M.P
10. The Hon. Kamande Mwangi, M.P.
11. The Hon. Fred Outa, M.P.
12. The Hon. Dr. James Murgor, M.P.
13. The Hon. Dr. Stephen Wachira, M.P.
14. The Hon. Paul Koinange, M.P
15. The Hon. Dr. Enoch Kibunguchy, M.P.
16. The Hon. Stephen M. Mule, M.P.
17. The Hon. Hassan Aden Osman, M.P.
18. The Hon. Dr. Eseli Simiyu, M.P.

ABSENT WITH APOLOGY

1. The Hon. Dr. James Nyikal, M.P.
2. The Hon. Dr. James O. Gesami, M.P.
3. The Hon. Dr. Susan Musyoka, M.P.
4. The Hon. Joseph O. Magwanga, M.P.
5. The Hon. Mwinga Gunga, M.P.
6. The Hon. Christopher Nakuleu, M.P.
7. The Hon. Dr. Dahir D. Mohamed, M.P
8. The Hon. Alfred Agoi, M.P
9. The Hon. Dr. Patrick Musimba, M.P.
10. The Hon. Mwahima Masoud, M.P.
11. The Hon. Zipporah Jesang, M.P.

IN ATTENDANCE

National Assembly Secretariat

1. Mr. Dennis Mogare - Clerk Assistant III

MIN.NO. DCH 250/2015: PRELIMINARIES.

The Chairperson called the meeting to order at 10.35 am. Thereafter, a prayer was said by Hon. Dr. Stephen Wachira, M.P. The Chairperson then welcomed all Members present to the meeting.

MIN.NO. DCH 251/2015: ADOPTION OF THE AGENDA

The Agenda was adopted as drafted after being proposed and seconded by Hon. Dr. Robert Pukose, M.P. and Hon. Dr. James Murgor, M.P. respectively.

**MIN.NO. DCH 252/2015: CONSIDERATION AND ADOPTION OF A REPORT ON
A PETITION BY INTERLINK INDUSTRIES ON DELAY OF
PAYMENT FOR THE CONSTRUCTION OF AN
OUTPATIENT BLOCK AT IGEGANIA SUB- DISTRICT
HOSPITAL.**

The Report was adopted (with amendments) after being proposed and seconded by Hon. Raphael Milkau Otaalo, M.P and Hon. Dr. Stephen Wachira, M.P. respectively.

The amendment effected was that the following be part of the recommendations that: "The Committee recommends that the petition together with the Report from the Committee be forwarded to the Senate for Consideration."

**MIN.NO. DCH 253/2015: CONSIDERATION AND ADOPTION OF A REPORT ON
A PETITION BY THE KENYA ASSOCIATION OF
PRIVATE HOSPITALS ON RECOGNITION BY THE
NATIONAL HEALTH INSURANCE FUND**

The Report was adopted (with amendments) after being proposed and seconded by Hon. Dr. Eseli Simiyu, M.P. and Hon. Kamande Mwangi, M.P. respectively.

The amendments effected included that:

- a) The following be included in the section on committee observations that:

- i. "The NHIF had employed one actuarial scientist and had no insurance experts. Over time, the same had been outsourced at exorbitant rates and this needed to stop."
 - ii. "Alexander Forbes actuarial study produced a wanting report and the relationship between NHIF and Alexander Forbes ought to be investigated by the Committee and the subsequent recommendations be forwarded to relevant state organs for action."
- b) Recommendation (ii) should be amended to read as follows: "On the issue of intervention to compel the NHIF to involve all other bona fide healthcare providers in consultations on service contracts, the committee compels the fund to involve all other bona fide healthcare providers in consultations on service contracts. Equally, both the KAPH and the NHIF should continue engaging during their regular meetings in order to formulate a mutually beneficial scheme which will facilitate the achievement of universal health coverage for the Kenyan citizens in line with Article 43 of the constitution."
- c) Recommendation (iii) should be amended to read as follows: "NHIF should employ adequate actuarial scientists and insurance experts and conduct a rigorous actuarial study after identifying a consultant through competitive bidding."
- d) The following should be included as part of the Committee Recommendations that: "The National Assembly Health Committee should set up a sub-committee to make recommendations on amendments to the NHIF act to provide for universal healthcare."

**MIN.NO. DCH 254/2015: CONSIDERATION AND ADOPTION OF A
REPORT ON A PETITION ON NON- PAYMENT
OF ALLOWANCES FOR CLINICAL OFFICERS
INTERNS.**

The Report was adopted (with amendments) after being proposed and seconded by Hon. Dr. Naomi Shaban, M.P. and Hon. Kamande Mwangi, M.P. respectively.

The amendments effected included that:

- a) Observation (i) should be amended to read that: "since the clinical officers' course is a practical course which does not require a separate internship

period, after qualifying, the trainees need to be registered and posted as was the practice previously.

- b) Recommendation (ii) should be amended to read as follows: “ The Ministry of Health should report to the Committee on the outcome of the discussions with the National Treasury and the Public Service Commission on the payment of interns **within 90 days** from the date of tabling of this Report.
- c) Introduce a recommendation that reads as follows: “The requirement for internship for clinical officer trainees should be abolished as the clinical officers’ course is a practical course which does not require a separate internship period, after qualifying; the trainees need to be registered and posted as was the practice previously.—

**MIN.NO. DCH 255/2015: CONSIDERATION AND ADOPTION OF A
REPORT ON THE CONSIDERATION OF A
PETITION BY MR. BERNARD KIPROTICH
CHERUIYOT REGARDING REVIEW OF HEALTH
CARE SYSTEM**

The Report was adopted (with amendments) after being proposed and seconded by Hon. James Gakuya, M.P. and Hon. Hassan Aden Osman, M.P. respectively.

The amendments effected included that:

- a) Include an observation that reads as follows: “The Committee commends the courage and forthrightness of the petitioner, who is a health worker, for taking upon himself the responsibility to bring to the fore matters affecting the health sector in Kenya.”
- b) Include the following as part of the Committee Recommendations: “There is an urgent need for the national government to expand training opportunities for all cadres of healthcare professionals.”

DCH 256/2015 ANY OTHER BUSINESS

1. The Committee needed to adopt a calendar of activities to undertake during the long recess that was scheduled from 27th August, 2015.

2. The Committee needed to adopt a calendar of activities to undertake during the long recess that was scheduled from 27th August, 2015.
3. The delegation to represent the Committee during the United Nations General Assembly 2015 meeting was selected and had the following members:
 - i. The Hon. Dr. Racheal Nyamai, M.P.
 - ii. The Hon. Mwachima Masoud, M.P.
 - iii. The Hon. Hassan Aden Osman, M.P.
 - iv. The Hon. Dr. James O. Gesami, M.P.
 - v. The Hon. Paul Koinange, M.P
 - vi. The Hon. Joseph O. Magwanga, M.P.
 - vii. The Hon. Alfred Agoi, M.P

MIN.NO. DCH 257/2015 ADJOURNMENT

There being no other business the meeting was adjourned at 12.32 pm.

SIGNED.....

**HON (DR.) RACHAEL NYAMAI, M.P
CHAIRPERSON**

DATE:.....

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FD 13/11

REPUBLIC OF KENYA



Approved
Abor
7/11/14

NATIONAL ASSEMBLY
RECEIVED
06 NOV 2014
DEPUTY SPEAKER'S OFFICE
P. O. Box 41842, NAIROBI.

THE NATIONAL ASSEMBLY
ELEVENTH PARLIAMENT
(SECOND SESSION)

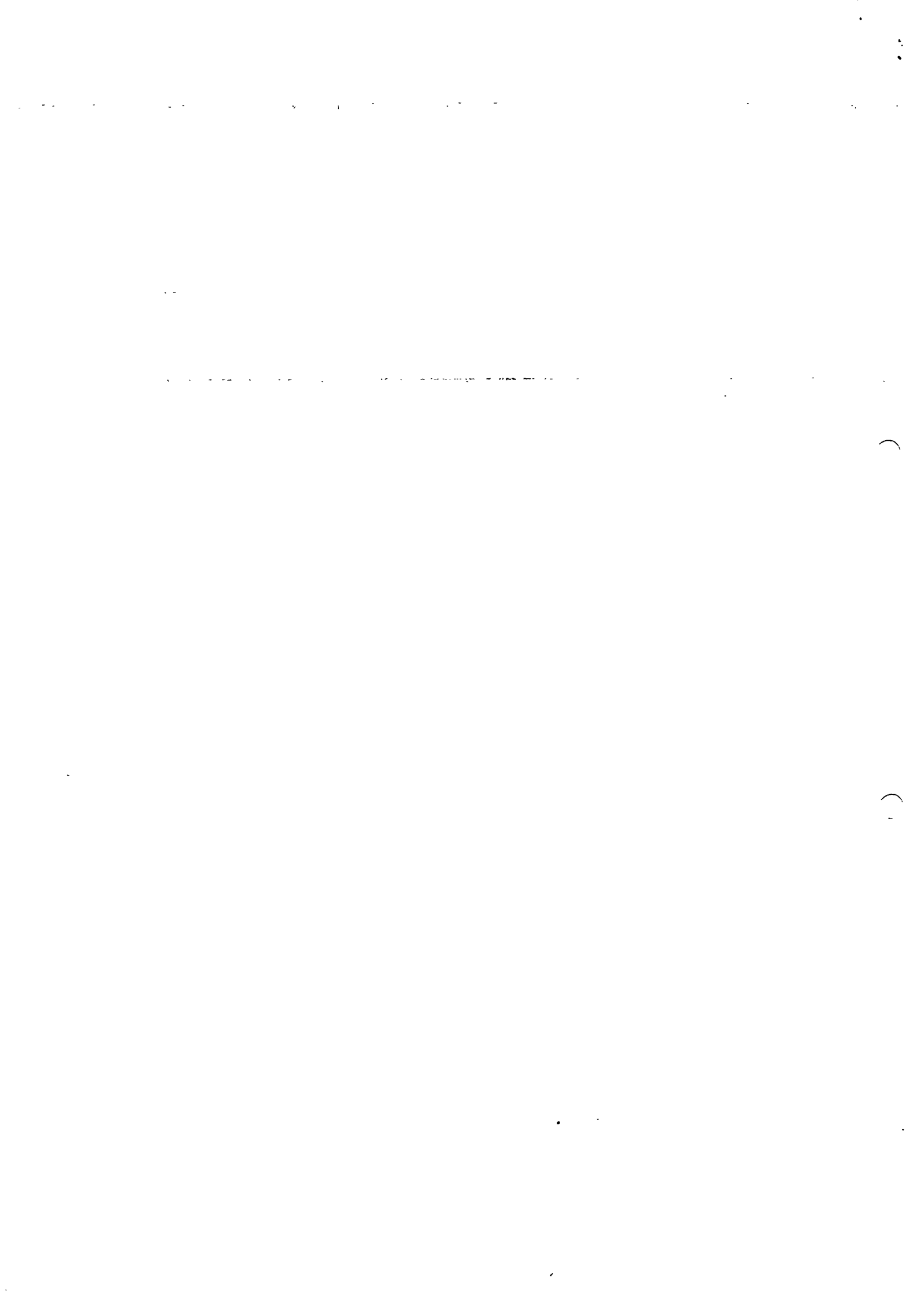
PUBLIC PETITION

BY INTERLINK INDUSTRIES ON DELAY OF PAYMENT FOR THE
CONSTRUCTION OF AN OUTPATIENT BLOCK AT IGEGANIA SUB-
DISTRICT HOSPITAL

I, the UNDERSIGNED, on behalf of Interlink Industries,

DRAW the attention of the House to the following;

- i) THAT, Interlink Industries was awarded Contract No. IGG/SDH/TN/021/2012/2013 by the Ministry of Health to construct an outpatient block at Igegania Sub-District Hospital;
- ii) THAT, the Petitioners completed and handed over the project on 6th November, 2013;
- iii) THAT, the outpatient department block was officially opened by the Deputy President on 26th April, 2014;
- iv) THAT, it is almost a year now since the Petitioners last received payment from the Ministry;
- v) THAT, the outstanding works balance and contractual claims as at 19th July, 2014 amounted to KES. 11,929,436.91;
- vi) THAT, the Ministry of Health Headquarters informed the Medical Superintendent of Igegania Sub-District Hospital vide a letter dated 23rd May, 2014, Ref. MOH/4/4/17A(20) that since County Health Services had been transferred to County



PUBLIC PETITION

BY INTERLINK INDUSTRIES ON DELAY OF PAYMENT FOR THE
CONSTRUCTION OF AN OUTPATIENT BLOCK AT IGEGANIA SUB-
DISTRICT HOSPITAL

Governments and that funds to finance those functions were equally devolved, the Ministry Headquarters was left without funds to pay outstanding County debts for the Financial Year 2013/2014;

- vii) THAT, the Ministry further advised the Hospital to seek additional funding from the Kiambu County Government to offset outstanding debts;
- viii) THAT, despite following up the matter with the relevant authorities in Kiambu County Government, the Petitioners have not received any response as to when they would be paid;
- ix) THAT, the matter in respect of which this Petition is made is not pending before any court of law;

THEREFORE, your humble Petitioners PRAY that the National Assembly, through the Departmental Committee on Health:

- (i) Intervenes to have the Petitioners paid the outstanding balance, the interest on delayed payments and retention monies as well as the extended preliminaries and VAT on the same.

And your PETITIONERS will ever pray.

PRESENTED BY,



HON. SAMUEL MOROTO, MP

MEMBER FOR KAPENGURIA CONSTITUENCY

DATE: 4/11/2014