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Laid in the Table of the  
House by the Hon. Maina  
Kamanda, Chair-Dc on  
Transport, Public Works &

THE NATIONAL ASSEMBLY  
ELEVENTH PARLIAMENT- (THIRD SESSION) Housing on  
18/3/15; Afternoon sitting

~~J. Githongo~~  
J. Githongo

DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC

WORKS AND HOUSING

REPORT ON THE PETITION REGARDING THE 40 KM  
ROAD TRAVERSING MBIRI, MUGOIRI AND  
MURARANDIA WARDS

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Report of The Departmental Committee on Transport, Public Works & Housing on the Petition By Residents of Kiharu Constituency regarding the 40 Km road traversing Mbiri, Mugoiri and Murarandia Wards.

## 1.0. PREFACE

On Wednesday July 25<sup>th</sup>, 2013, a petition was tabled before the House pursuant to Standing Order No. 225 (2)(a) by the Hon. Irungu Kang'ata, M.P, Member for Kiharu Constituency on behalf of the residents of Kiharu, who numbered 50 being citizens in Muranga County of the Republic of Kenya; Pursuant to Standing Orders 227 (1), the petition was referred to the Departmental Committee on Transport, Public Works and Housing for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the provisions of Standing Order 227 (1) and (2).

## 1.2 MANDATE OF THE COMMITTEE

The Committee is established pursuant to the provisions of Standing Order 216, with the following terms of reference: -

- a. to investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
- b. to study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;
- c. to study and review all legislation referred to it;
- d. to study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;

- e. to investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House or a Minister; and
- f. to make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

The Committee is mandated to consider matters of Transport, Roads, Public works, Construction, Maintenance of roads, rails and buildings, air, seaports and housing and oversees the following Government Ministry and State Department, namely: -

- (a) Ministry of Transport and Infrastructure;
- (b) State Department for Housing
- (c) Directorate of Public Works and Urban Development

### 1.3 COMMITTEE MEMBERSHIP

The Committee was constituted on May 20<sup>th</sup> 2013 and its membership is as follows:-

- 1) The Hon. Maina Kamanda, M.P. – (Chairperson)
- 2) The Hon. Eng. Mahamud Maalim, M.P. – (Vice Chairperson)
- 3) The Hon. Eng. Stephen Ngare, M.P.
- 4) The Hon. Ali Wario, M.P.
- 5) The Hon. Arch. David Kiaraho, M.P.
- 6) The Hon. Cecily Mbarire, M.P.
- 7) The Hon. Capt. Clement Wambugu, M.P.
- 8) The Hon. Eng. John Kiragu, M.P.
- 9) The Hon. Gideon Konchella, M.P.
- 10) The Hon. Barchilei Kipruto, M.P.
- 11) The Hon. Mark Lomunokol, M.P.
- 12) The Hon. Grace Kipchoim, M.P.
- 13) The Hon. Mathias Robi, M.P.
- 14) The Hon. Joseph Lomwa, M.P.
- 15) The Hon. Peter Shehe, M.P.
- 16) The Hon. Stephen Manoti, M.P.
- 17) The Hon. Emmanuel Wangwe, M.P.
- 18) The Hon. K.K. Stephen Kinyanjui Mburu, M.P.
- 19) The Hon. Suleiman Dori, M.P.
- 20) The Hon. Edick Omondi Anyanga, M.P.
- 21) The Hon. Simon Nyaund Ogari, M.P.
- 22) The Hon. Johnson ManyNaicca, M.P.
- 23) The Hon. Mishi Juma, M.P.

- 24) The Hon. Aduma Owuor, M.P.
- 25) The Hon. ChachuGanya, M.P.
- 26) The Hon. Omar Mwinyi, M.P.
- 27) The Hon. Ahmed Abbas Ibrahim, M.P.
- 28) The Hon. Omulele Christopher, M.P.
- 29) The Hon. Mukwe James Lusweti, M.P.

#### **1.4 Consideration of the petition**

The Committee proceeded with the consideration of the petition by holding meetings to set up terms of reference and scheduling meetings.

The Committee in considering the petition invited and held meetings with the petitioner, Hon Irunugu Kang'ata and officials from the Ministry of Transport and Infrastructure. The purpose of the meetings was to respond to the issues raised in the petition. The meeting were held on 5<sup>th</sup> March 2015.

#### **1.5 Committee observations**

Having held meetings and considered the submissions made on the petition, the Committee observed that the road classified as (D440) is 39 Kilometers and traverses the mentioned markets within Kiharu Constituency. The contractor did not abandon the road project. The project was wound up with mutual consent between the contractor and the employer, due to insufficient budgetary provisions in the financial year 2013/2014.

#### **1.6 Response to the prayers in the petition**

The petitioners had prayed that the Natinal Assembly through the Committee ensures that Tarmacking of the road will be prioritized and that funds will be allocated in the National Budget of the Financial Year 2014/2015

In regards to the petitioners' prayer, the Committee recommends the Ministry of Transport and Infrastructure allocate funds for completion of the said road in the financial year 2015/2016 for the said road to be completed. The allocation should be captured in the itemized budget. The allocation should be captured in the itemized budget of the Ministry.

# THE NATIONAL ASSEMBLY

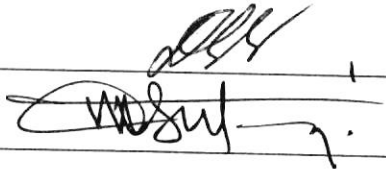
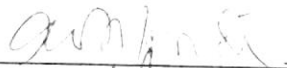

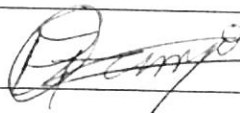
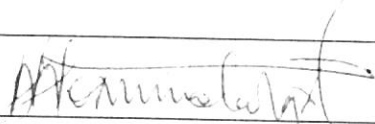


## ELEVENTH PARLIAMENT – 3<sup>RD</sup> SESSION

### DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS AND HOUSING

Adoption of the Report on the Petition by Hon. Irungu Kang'ata regarding 40km road traversing Mbiri, Mugoiri and Murarandia Wards

NO.	MEMBER	SIGNATURE
1.	Hon. Maina Kamanda, MP (Chairperson)	
2.	Hon. (Eng.) Mohamed Maalim, MP (Vice Chairperson)	
3.	Hon. KK Stephen Kinyanjui Mburu, MP	
4.	Hon. Christopher Omulele, MP	
5.	Hon. (Eng.) Stephen Ngare, MP	
6.	Hon. Johnson M. Naicca, MP	
7.	Hon. (Eng.) John Kiragu, MP	
8.	Hon. Stephen K. Manoti, MP	
9.	Hon. Joseph Lomwa, MP	
10.	Hon. (Capt.) Clement M. Wambugu, MP	
11.	Hon. Emmanuel Wangwe, MP	
12.	Hon. Grace J. Kipchoim, MP	
13.	Hon. Cecily M. Mbarire, MP	

14	Hon. Mishi Juma Khamis, MP	
15	Hon. Peter Shehe, MP	
16	Hon. Omar Mwinyi, MP	
17	Hon. Suleiman Dori, MP	
18	Hon. Edick O. Anyanga, MP	
19	Hon. Aduma Owuor, MP	
20	Hon. Gideon Konchella, MP	
21	Hon. Abass Ahmed Ibrahim, MP	
22	Hon. Ali Wario, MP	
23	Hon. David Kiaraho, MP	
24	Hon. Barchilei Kipruto, MP	
25	Hon. Simon Nyaundi Ogari, MP	
26	Hon. Chachu Ganya, MP	
27	Hon. Mathias N. Robi, MP	
28	Hon. Mukwe James Lusweti, MP	
29	Hon. Mark Lomunokol, MP	

Mr. Samuel Kalama – First Clerk Assistant

For: CLERK OF THE NATIONAL ASSEMBLY



## 1.7 ACKNOWLEDGMENT

The Committee wishes to sincerely thank the Offices of the Speaker and the Clerk of the National Assembly for the necessary support extended to it in the execution of its mandate.

I take this opportunity to thank all the Members of the Committee for their patience, sacrifice, endurance and hard work during the long sitting hours under tight schedules which enabled us to complete the tasks within the stipulated period.

The Committee wishes to record its appreciation for the services rendered by the staff of the National Assembly attached to the Committee. Their efforts made the work of the Committee and the production of this Report possible. Finally, it is now my pleasant duty, on behalf of the Departmental Committee on Transport, Public Works and Housing, to present this report to the House pursuant to the provisions of Standing Orders of the National Assembly.

SIGNED: .....  .....

THE HON. MAINA KAMANDA, M.P.

(CHAIRPERSON)

DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS AND  
HOUSING

DATE: ..... 14/3/015' .....

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Report of The Departmental Committee on Transport, Public Works & Housing on the Petition By Residents of Kiharu Constituency regarding the 40 Km road traversing Mbiri, Mugoiri and Murarandia Wards.

## 2.0 BACKGROUND INFORMATION

The Petition by Residents of Kiharu was presented to the House by the Hon. Irungu Kang'ata, M.P. on July 25, 2013 pursuant to Standing Order 225 (2)(a). The petition was signed by 504 residents of Kiharu.

Pursuant to Standing Order 227 (1), the petition was referred to the Departmental Committee on Transport, Public Works and Housing for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the provisions of Standing Order 227 (1) and (2)

In their petition, the petitioners wished to **draw the attention of the House to the dilapidated status of the road between Murarandia and Githambo shopping center, which is a key road that leads Githambo Tea Factory limited. As a result of the poor status of the road, economic activities like transportation of green leaves to the factory and processed tea from the factory remain hindered.**

## 3.0 SUBMISSION AND EVIDENCE

Having been seized of the Petition, the Committee commenced its investigations by inviting the petitioner Hon. Irungu Kan'ata, MP and the Ministry of Transport and Infrastructure. The purpose of the meeting was to respond to the issues raised by the petitioner. The meeting was held on **Thursday 5<sup>th</sup> March, 2015**

### 3.1 Meeting with the Petitioner

On Thursday 5<sup>th</sup> March, 2015 the Committee met with Hon. Irungu Kan'ata, MP. He registered frustration with Committee on **the dilapidated status of the road between Murarandia and Githambo shopping center, which is a key road that leads Githambo Tea Factory limited. As a result of the poor status of the road, economic activities like transportation of green leaves to the factory and processed tea from the factory remain hindered.**

### 3.2 Meeting with the officials of the Ministry Transport & Infrastructure

The Principal Secretary, State Department of Infrastructure, Eng. John Mosonik appeared before the Committee on 5<sup>th</sup> March, 2015. He informed the Committee that:-

- a) The road classified as (D440) is 39 Kilometers and traverses the mentioned markets within Kiharu Constituency as stated in the petition.
- b) The contractor on this road was M/s. Intex Construction Ltd, who was able to complete 30 Kilometers out of the total length of 39 Kilometers. A distance of 9 Kilometers between Murarandia – Githambo is pending awaiting budgetary provisions.
- c) The contractor did not abandon the road project. The project was wound up with mutual consent between the contractor and the employer, due to insufficient budgetary provisions in the financial year 2013/2014.
- d) There is indeed a Tea Factory (Githambo Tea Factory Limited) along the 9 Kilometers stretch that the contractor was unable to do. However, the Ministry has prepared bid documents for the outstanding scope of works.
- e) The Ministry will start constructing the remaining 9 Kilometers section using Low Volume Seal Technology at an approximate budget of Kshs. 200 Million in the coming financial year 2015/2016.

## 4.0 FINDINGS, OBSERVATIONS AND RECOMMENDATION

### 4.1. Findings

The Committee made the following findings, that:-

- (i) The Ministry will start constructing the remaining 9 Kilometers section using Low Volume Seal Technology at an approximate budget of Kshs. 200 Million in the coming financial year 2015/2016.

- (ii) The contractor did not abandon the road project. The project was wound up with mutual consent between the contractor and the employer, due to insufficient budgetary provisions in the financial year 2013/2014.

#### 4.2. Observation

The Committee observed that the Ministry has prepared bid documents for the outstanding scope of works and new contractor will be tendered from July 2015 to finish the remaining nine kilometers road between Murarandia and Githambo shopping Centers.

#### 4.3. Recommendation

In response to the prayers sought by the petitioners, the Committee makes the following recommendation, that:-

The Ministry of Transport and Infrastructure should allocate funds in the Financial Year 2015/2016 for the said road to be completed. The allocation should be captured in the itemized budget of the Ministry.



## **MINISTRY OF TRANSPORT & INFRASTRUCTURE**

### **PARLIAMENTARY PETITION REGARDING THE STATUS OF MUKUYU – GITHAMBO ROAD D440**

The Member of Parliament for Kiharu Constituency, Hon. Irungu Kang'ata, MP, rose on the floor of the House and Petitioned the Speaker on behalf of residents of Kiharu Constituency through the Chairperson of Departmental Committee on Transport, Public Works and Housing regarding the Status of the Mukuyu – Gathambo (D440) Road as follows:-

#### **Question:-**

- a) Is the house aware that there is a 40 Kilometers road that is traversing Mbiri, Mugoiri and Murarandia wards passing through the Ndikwe, Kahuro, Kahatia, Murarandia and Githambo shopping centres within Kiharu Constituency?
- b) That this road was tarmacked up to 30 Km in spite of the Ministry of Roads promising to complete the remaining part (Murarandia – Githambo) in the 2013/2014 Financial Year?
- c) That the road was abandoned by the contractor after it was substantially completed up to 30Km without explanation and that the 10Km road that is yet to be tarmacked from Murarandia to Githambo shopping Centre, is impassable during rainy seasons hence crippling transport?

- d) That there is a Tea factory (Githambo Tea Factory Limited) along the 10 Km road that remains un- tarmacked and as a result economic activities like transportation of green leaves to the factory and processed tea from the factory remain hindered?
- e) That efforts to have this matter addressed by the relevant authorities have been unsuccessful?

**Answers:**

**Mr. Speaker Sir, I beg to reply as follows:-**

- a) The Ministry can confirm that this road classified as (D440) is 39 Kilometers and traverses the mentioned markets within Kiharu Constituency as stated above.
- b) The contractor on this road was Intex Construction Ltd, who was able to complete 30 Kilometers out of the total length of 39 Kilometers, with the 9 Kilometers between Murarandia – Githambo pending, awaiting budgetary provisions.
- c) The contractor did not abandon the road project. The project was wound up with mutual consent between the contractor and the employer, due to insufficient budgetary provisions in the financial year 2013/2014.
- d) There is indeed a Tea Factory (Githambo Tea Factory Limited) along the 9 Kilometers stretch that the contractor was unable to do. However, the Ministry has prepared bid documents for the outstanding scope of works.

- e) The Ministry will start constructing the remaining 9 Kilometers section using Low Volume Seal Technology at an approximate budget of Kshs. 200 Million in the coming financial year 2015/2016.

**Eng. John K. Mosonik, EBS**  
**PRINCIPAL SECRETARY**

4<sup>th</sup> March, 2015

**SUPPLEMENTARY INFORMATION REGARDING THE STATUS OF MUKUYU – GITHAMBO (D440) ROAD**

- a) The contract was awarded to Intex construction Ltd, at a contract sum of Kshs. 1,383,237,082.00 in May 2010 for a contractual period of 24 months.
- b) The contractor completed 30 Km out of 39Km by March 2013 before contract was wound up due to budgetary provisions.
- c) The authority did not have a budget at the start of the FY 2013/2014 and therefore could not undertake any new projects. However, bid documents had been prepared for the outstanding scope of works.
- d) The Authority has made a budget provision of Kshs. 30 Million for this road in this financial year 2014/2015 to settle outstanding payments.



PUBLIC PETITION

BY RESIDENTS OF KIHARU CONSTITUENCY ON THE STATUS OF  
MUKUYU-GITHAMBO ROAD (D440) KIHARU CONSTITUENCY

We, the undersigned residents of Kiharu Constituency.

DRAW the attention of the House to the following;

- 1) **THAT**, aware that there is a 40km- road that traversing Mbiri, Mugoiri and Murarandia Wards passing through the Ndikwe, Kahuro, Kahatia, Murarandia and Githambo shopping centers within Kiharu Constituency.
- 2) **THAT**, the said road was tarmacked upto 30km in spite of the Ministry of Roads promising to complete the remaining part (Murarandia-Githambo) in the 2013/2014 Financial Year;
- 3) **THAT**, the road was abandoned by the contractor after it was substantially completed up to 30km without explanation and that, the 10km road that is yet to be tarmacked from Murarandia to Githambo shopping centre, is impassable during rainy seasons hence crippling transport.
- 4) **THAT**, there is a Tea Factory (Githambo Tea factory Limited) along the 10km road that remains untarmacked and as a result economic activities like transportation of green leaves to the factory and processed tea from the factory remain hindered.
- 5) **THAT**, efforts to have this matter addressed by the relevant authorities have been unsuccessful.
- 6) **THAT**, we hereby confirm that the issues in respect of which the petitions is made are not pending before any court of law or constitutional or legal body.

Approved  
9/3/12



THEREFORE, your humble petitioner (s) prays that parliament through:-

The Departmental Committees on Finance, Planning and Trade and Transport, Housing and Public Works obtain without delay, undertaking from Cabinet Secretaries in charge of the National Treasury and Roads and Infrastructure that tarmacking of Road will be prioritized and that fund sill be allocated in the National Budget of the Financial Year 2014/2015

And your PETITIONERS will ever pray

Presented By

A handwritten signature in black ink, appearing to be 'IRUNGU KANG'ATA', written in a cursive style.

HON. IRUNGU KANG'ATA  
KIHARU CONSTITUENCY

MINUTES OF THE 10<sup>TH</sup> SITTING OF THE TRANSPORT, PUBLIC WORKS AND HOUSING COMMITTEE HELD ON THURSDAY 5<sup>TH</sup> MARCH, 2015 IN THE PSC BOARDROOM ON 1<sup>ST</sup> FLOOR COUNTY HALL, AT 10:20 AM.

**PRESENT**

1. Hon. Maina Kamanda, M.P. – **Chairperson**
2. Hon. (Eng.) Mahamud Maalim, M.P. –**Vice Chairman- Chairing**
3. Hon. Aduma Owuor, M.P
4. Hon. Chachu Ganya, M.P.
5. Hon. Joseph Lomwa, M.P.
6. Hon. Mathias Robi, M.P,
7. Hon. Mukwe James Lusweti, M.P.
8. Hon. Ali Wario, M.P.
9. Hon. Omar Mwinyi, M.P.
10. Hon. Emmanuel Wangwe, M.P.
11. Hon. Omulele Christopher, M.P.
12. Hon. K.K. Stephen Kinyanjui Mburu, M.P.
13. Hon. (Eng.) Stephen Ngare, M.P.
14. Hon. Edick Omondi Anyanga, M.P.
15. Hon. Eng. John Kiragu, M.P.
16. Hon. Peter Shehe, M.P.
17. Hon. Stephen Manoti, M.P.
18. Hon. Ahmed Abbas Ibrahim, M.P.

**ABSENT WITH APOLOGY**

1. Hon. Simon Nyaundi Ogari, M.P.
2. Hon. (Arch.) David Kiaraho, M.P.
3. Hon. Mishi Juma, M.P.
4. Hon. Cecily Mbarire, M.P.
5. Hon. Suleiman Dori, M.P.
6. Hon. Barchilei Kipruto, M.P.
7. Hon. Grace Kipchoim, M.P.
8. Hon. (Capt.) Clement Wambugu, M.P.
9. Hon. Gideon Konchella, M.P.
10. Hon. Johnson Many Naicca, M.P.
11. Hon. Mark Lomunokol, M.P.

### IN ATTENDANCE

1. Hon. Sunjeev Kaur Birdi,
2. Hon. Humphrey Kimani N.
3. Hon. James Kaguya
4. Hon. Irungu Kangata
5. Hon. Isaac Mwaura
6. Hon. David Pkosing

### NATIONAL ASSEMBLY

MP  
MP  
MP  
MP  
MP  
MP

### IN ATTENDANCE

1. Mr. Samuel Kalama
2. Mr. Abdifatah M. Bule
3. Ms. Nuri K. Nataan
4. Ms. Christine Odhiambo

### NATIONAL ASSEMBLY

First Clerk Assistant  
Third Clerk Assistant  
Third Clerk Assistant  
Legal Counsel

### IN ATTENDANCE

1. Eng. John Mosonik
2. Mr. Nicholas Bodo
3. Eng. F.D Karanja
4. Eng. David Mwangi.
5. Mr. Denis Onyango
6. Eng. Benjamin K. Mwangi
7. Ms. Catharine Butaki
8. Mr. Danish Onyango
9. Mr. M.Y Terus
10. Mr. Johnson Nakitari
11. Eng. M.Y Teleieny

### Ministry of Transport & Infrastructure

Principal Secretary  
Ministry of Transport & Infrastructure  
Ag. KERRA  
Ministry of Transport & Infrastructure  
Ministry of Transport & Infrastructure  
Ministry of Transport & Infrastructure  
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Ministry of Transport & Infrastructure

### AGENDA

1. Prayer
2. Consideration of the following Petitions:-
  - I. Petition by the Hon. Humphrey Kimani Njuguna, MP, regarding the Tarmacking of the Gatiiguru-McVast-Matangini-Ithanga, Kiarathani, MiyuuyaNg'ang'a-Mukuyu Road
  - II. Petition by Hon. Isaac Mwaura, MP, on behalf of Persons with disabilities on the construction of a footbridge along Waiyaki Way to link ABC Place bus stage to the National Council for Persons with Disabilities Offices (NCPWD)

- III. Petition by the Hon. James Gakuya, MP, regarding the Re-carpeting of the Komarock Road, Nairobi County.
- IV. Petition by the Hon. Sunjeev Kaur Birdi, MP on behalf of business owners and residents operating and living along the Old Mombasa Road/Maasai Road A, B and C in Nairobi County for the upgrading of the Old Mombasa Road/Maasai Road A, B and C in Nairobi County
- V. Petition by the Hon. Onesmus Njuki, MP, regarding erection of bumps and road signs along Mate Road in Kathuana Town
- VI. Petition by the Hon. David Pkosing Losiakon, MP on behalf of residents of Pokot South Constituency, Chepareria Ward regarding the Northern Corridor Transport Improvement Project in particular Lesseru-Kitale-Marich Pass (A1).
- VII. Petition by the Hon. Irungu Kangata, MP on behalf of residents of Kiharu Constituency regarding the 40 Kms road traversing Mbiri, Mugoiri and Murarandia Wards.

### 3. Any Other Business

MIN/DC-L/2015/044

#### PRELIMINARIES

The Chair called the meeting to order at 10:20 am and opened it with a word of prayers. He asked all members in attendance to introduce themselves.

#### MIN/DC-L/2015/045 Consideration of the following Petitions:-

- I. Petition by the Hon. Humphrey Kimani Njuguna, MP, regarding the Tarmacking of the Gatiiguru-McVast-Matangini-Ithanga, Kiarathani, Miyuu ya Ng'ang'a-Mukuyu Road

The chair invited the Principal Secretary (PS) for the State Department of Infrastructure to make his presentation on the above petition. The PS responded as follows:-

**That:-**

- a) The government has always maintained roads in Lower Gatanga since independence. The periodic maintenance activities undertaken have been grading, culvert installation and spot gravelling on several roads. In addition, the Authority has carried out construction works in the constituency which includes the construction of Rubiru Bridge at a cost of Kshs. 35 Million, and the ongoing MwanaWikio Bridge at a cost of Kshs. 50 Million.
- b) The Gatiiguru-McVast (U19)-Matangini-Huanga (E532)-Kirathani-Miyuuya Ng'ang'a -Mukuyu(D424) road is not currently tarmacked. However, the Authority has been carrying out routine maintenance to ensure it is in a

- motorable state. In the financial year 2013/2014 the Gatanga Constituency Roads Committee allocated Kshs. 3.5 Million for maintenance of this road.
- c) The Authority appreciates that this road is an important link within the constituency, and is doing all it can within its mandate to ensure that the livelihood of the residents is not interfered with in anyway.
  - d) The mandate of KeRRA is to construct, maintain, manage and rehabilitate all rural roads classified as D, E and others. Therefore, since this road falls in these classes, it is under the purview of this Authority.
  - e) KeRRA as an Authority constructs and maintains roads as guided by the provisions of the Finance Act 2009, which establishes Constituency Roads Committees (CRC) in each of the 290 constituencies' country wide. These CRC's generate priorities and work plans which are then funded through the Roads Maintenance Levy Fund.
  - f) The road will be considered in the Annuity Financing programme in phase II

#### **Committee observations on the above petition**

The Committee resolved to visit Gatanga Constituency during the short recess of April 2015 in order to assess the status of the Gatiiguru-McVast-Matangini-Ithanga, Kiarathani, MiyuuyaNg'ang'a-Mukuyu Road.

#### **II. Petition by Hon. Isaac Mwaura, MP, on behalf of Persons with disabilities on the construction of a footbridge along Waiyaki Way to link ABC Place bus stage to the National Council for Persons with Disabilities Offices (NCPWD)**

The chair invited the Principal Secretary (PS) for the State Department of Infrastructure to make his presentation on the above petition. The PS responded as follows:-

#### **That:-**

The Ministry through Kenya National Highways Authority (KeNHA) is implementing an ongoing projects co- financed between the Government and the World Bank, known as the National Urban Transport Improvement Project. Under this project, a footbridge with either gentle ramps or escalators will be provided in the vicinity of ABC place. This footbridge will be harmonized with several other features such as a proposed Bus Rapid Transit System, Non-Motorised Traffic Facilities and a flyover complex involving Waiyaki Way and James Gichuru road.

However, because the procedures and processes leading to installation of the proposed footbridge and associated works will not be completed before expiry of the 2015-2016 financial year, short term interventions to ensure safety will be conducted as follows:

- A zebra crossing will be clearly marked at a suitable location convenient for persons wishing to access the National Council for Persons with disabilities (NCPD) offices.
- The 50 kilometres per hour speed limit will be stringently enforced in this area in liaison with the National Transport and Safety Authority Agency.

Installation of speed control bumps along the subject highways is considered in advisable due to disproportionate negative impacts on the traffic flow.

#### **Submission from the Hon. Isaac Mwaura, MP**

The Chairperson invited the Hon. Isaac Mwaura, MP to make his submission to the Committee on behalf of the petitioners. There upon, he informed the Committee that people with disability are facing challenges in crossing this section of the road. He further, informed the Committee that people with disability cannot get services from the very offices that are meant to help them because of lack of footbridges to cross the road

#### **Committee observations on the above petition**

- (a) The Committee requested from the ministry to involve disabled persons when designing roads.
- (b) The Committee having heard from the petitioner and the officials from the Ministry of Transport and Infrastructure, it observed that this section of the road along Waiyaki Way is very dangerous not only to the physically challenged persons but also to the normal pedestrians wishing to cross the road.
- (c) The Committee also observed that erecting road bumps on this section of the road will lead to heavy traffic jam.
- (d) It also observed that there is need to enforce the 50 kilometers speed limit from Kabete Police Station
- (e) A zebra crossing be clearly marked at a suitable location convenient for person wishing to access the National Council for Persons with Disabilities Offices.

### **III. Petition by the Hon. James Gakuya, MP, regarding the Re-carpeting of the Komarock Road, Nairobi County.**

The chair invited the Principal Secretary (PS) for the State Department of Infrastructure to make his presentation on the above petition. The PS responded as follows, **that:-**

Komarock Road is approximately 4.7 KM long and starts at the junction of Juja Road and Outer Ring Road and terminates at Kangundo Road. It passes through Mowlem as shown in the attached map.

In particular a section of 1.2 Kilometer of the road from Juja/Outer Ring Road Roundabout to Mutarakwa Road is dilapidated requiring base reconstruction while the rest of the road is paved and in fair condition.

The Ministry is aware of the frequent traffic snarl-ups on the road arising from the slow flow of traffic on Outer Ring Road which is the main artery expected to evacuate traffic from the area. In the long term the Komarock road is ear marked for dualing under Lot 20 of the annuity program and the bids are scheduled to be opened on 20<sup>th</sup> March, 2015.

In the medium term the Ministry recently launched improvement of the Outer Ring Road as a medium-term measure to decongestion the East. The design of this road includes a grade separated junction at Komarock/Juja Road junction which once completed will greatly improve traffic flow on Komarock Road through elimination of traffic conflicts at the junction. The works under the contract include improvement of 0.7Kilometer of Komarock road from Juja/Outer Ring Junction. In addition during construction part of the Komarock Road will be improved to serve as a diversion.

As short term measures the Ministry through the Kenya Urban Roads Authority (KURA) in the last four years and including the current financial year has been undertaking maintenance of roads within Nairobi City County through the Fuel Levy fund.

For example in the 2013/2014 FY 2.0 Kilometer of the Komarock Road (Komarock - Kangundo Road - Bus Route) was placed under periodic maintenance at a cost of Kshs.50, 721,052.20. The road which was in poor condition has been improved and currently provides a safe connectivity between Kangundo road and Kayole Spine road.

In the current financial year (FY 2014/2015) the Ministry through Kenya Urban Roads Authority (KURA) has awarded a contract of sh. 24,539,568.00 to M/s NdumberiGeneral Merchants Limited for performance based maintenance of roads within Fedha/Komarock Area .

The works under this contract commenced on 7<sup>th</sup> January, 2015 and are expected to be completed on 6<sup>th</sup> October, 2015.

#### **Submission from the Petitioner**



The Chairperson invited the Hon. James Gakuya, MP, to make his submission to the Committee. There upon, he briefed the Committee on the state of Komarock road. He informed the Committee that the said road is part of the Nairobi Road Network within the Nairobi City County and links the Constituency to the rest of the County including Industrial Area and that the road is a living example of neglect by the concerned authorities.

### **Committee observations**

The Committee observed that the Ministry is aware of the frequent traffic congestion on the road arising from the slow flow of traffic on Outer Ring Road which is the main artery expected to evacuate traffic from the area. In the long term the Komarock road is earmarked for dualing under Lot 20 of the annuity program and the bids are scheduled to be opened on 20<sup>th</sup> March, 2015

The Committee also observed that in the current financial year (FY 2014/2015) the Ministry through Kenya Urban Roads Authority (KURA) has awarded a contract of Kshs. 24,539,568.00 to M/s Ndumberi General Merchants Limited for performance based maintenance of roads within Fedha/Komarock Area.

IV.

**Petition by the Hon. Sunjeev Kaur Birdi, MP on behalf of business owners and residents operating and living along the Old Mombasa Road/Maasai Road A, B and C in Nairobi County for the upgrading of the Old Mombasa Road/Maasai Road A, B and C in Nairobi County**

The chair invited the Principal Secretary (PS) for the State Department of Infrastructure to make his presentation on the above petition. The PS responded as follows:-

**That:-**

The Ministry is aware that the Old Mombasa Road/ Maasai Road is an important link for the commercial, industrial and residential areas around the Old Mombasa Road. We are also aware that the current condition of the roads is not good.

### **Interventions**

The Ministry recently improved some of the roads around the area under the City Cabanas Interchange. However, the contract did not include all the adjacent roads. For example the Access to Excel Industries joining the interchange is currently in deplorable condition. This link was not developed under the interchange project due to land acquisition issues.

The Ministry through Kenya Urban Roads Authority (KURA) has engaged a contractor, MS Saxon Investments Ltd, to improve to bitumen standards the link road between the interchange at the Airport North Road and the access to Excell Industries at a cost of Kshs. 35,866,388. Work is expected to commence on the section of the road by 3<sup>rd</sup> March, 2015.

There are no immediate plans to upgrade all the roads to bitumen standards. However, the Ministry through Kenya Urban Roads Authority (KURA) in the FY 2015/2016 will carry out routine maintenance of the roads to restore them to motorable conditions for ease of access.

#### **Allocation of sh. 100 million**

Kenya Urban Roads Authority (KURA) was not in operation in 2008 when Kshs.100 Million was allocated by Kenya Roads Board (KRB) for upgrading of some roads within Nairobi. Kenya Urban Roads Authority (KURA) is therefore not aware of the said allocation.

#### **SITE VISIT BY THE COMMITTEE**

The Committee visited the site on Wednesday 4<sup>th</sup> March, 2015 and met with the petitioners where they observed that Road A was already constructed to bitumen standard by KURA. However the link of Road A and city Cabanas interchange was not accessible and required urgent construction to enable the industrialists to access their plots.

It was noted that the Ministry through Kenya Urban Roads Authority (KURA) has engaged a contractor, MS Saxon Investments Ltd, to construct the link road to bitumen standards at a cost of Kshs. 35,866,388. The works are on-going.

The residents/petitioners thanked the committee for visiting the said roads and hoped that the committee would address their concerns.

#### **V. Petition by the Hon. Onesmus Njuki, MP, regarding erection of bumps and road signs along Mate Road in Kathuana Town**

The chair invited the Principal Secretary (PS) for the State Department of Infrastructure to make his presentation on the above petition. The PS responded as follows:-

**That:-**

The upgrading of Ena – Ishiara – Chiakariga (C92) Road to bitumen standard was completed in the year 2012. Field inspections along Ishiara – Thuchi – Kathwana – Chiakariga road has shown that a number of road signs earlier installed have been vandalized. The Ministry undertook the replacement of the road signs and installation of new ones, through KeNHA's maintenance programs, with a view to address the issues raised by the Honorable Member.

The ministry will consider erecting bumps on the said road.

This road serves as the main link between Embu, TharakaNithi and Meru counties. The road has the additional function of providing greater mobility besides access. It is expected that the occurrence of traffic accidents will be averted with enhanced provision of road signs as well as observance of traffic regulations by drivers and pedestrians.

VI.

**Petition by the Hon. Irungu Kangata, MP on behalf of residents of Kiharu Constituency regarding the 40 Kms road traversing Mbiri, Mugoiri and Murarandia Wards.**

The chair invited the Principal Secretary (PS) for the State Department of Infrastructure to make his presentation on the above petition. The PS responded as follows:-

**That:-**

- a) The Ministry can confirm that this road classified as (D440) is 39 Kilometers and traverses the mentioned markets within Kiharu Constituency as stated above.
- b) The contractor on this road was Intex Construction Ltd, who was able to complete 30 Kilometers out of the total length of 39 Kilometers, with the 9 Kilometers between Murarandia – Githambo pending, awaiting budgetary provisions.
- c) The contractor did not abandon the road project. The project was wound up with mutual consent between the contractor and the employer, due to insufficient budgetary provisions in the financial year 2013/2014.

- d) There is indeed a Tea Factory (Githambo Tea Factory Limited) along the 9 Kilometers stretch that the contractor was unable to do. However, the Ministry has prepared bid documents for the outstanding scope of works.
- e) The Ministry will start constructing the remaining 9 Kilometers section using Low Volume Seal Technology at an approximate budget of Kshs. 200 Million in the coming financial year 2015/2016.

#### **Submission from the Petitioner**

The Chairperson invited the Hon. Irungu Kang'ata, M.P. to make his submission to the Committee. He registered frustrations with the Committee on the dilapidated status of the road between Murarandia and Githambo shopping centers, which is a key road that leads Githambo Tea Factory Limited. He informed the Committee that as a result of the poor status of the road, economic activities like transportation of green leaves to the factory and processed tea from the factory remain hindered.

#### **Committee Observations**

The Committee observed that the Ministry has prepared bid documents for the outstanding scope of works and new contractor will be tendered from July 2015 to finish the remaining nine kilometers road between Murarandia and Githambo shopping Centers.

There is need for the Ministry of Transport and Infrastructure to ensure that money for the said road in the Financial Year 2015/2016. The allocation should be captured in the itemized budget of the Ministry.

VII.

**Petition by the Hon. David Pkosing Losiakon, MP on behalf of residents of Pokot South Constituency, Chepareria Ward regarding the Northern Corridor Transport Improvement Project in particular Lesseru-Kitale-Marich Pass (A1).**

The chair invited the Principal Secretary (PS) for the State Department of Infrastructure to make his presentation on the above petition. The PS responded as follows:-

That:-

- 1) The Ministry through Kenya National Highways Authority (KeNHA) procured the services of a consultant to conduct Feasibility Studies, Details and Tender Documentation of Leseru – Kltale – Marich Pass section of Sudan Link Road. The Consultant has completed the services and has submitted the Final Design Report to the Client. The procurement of works is expected to proceed subject to confirmation of funding arrangements.
- 2) The existing longitudinal slope of Kamatira Hills is about 10-11% including sharp bends. The S-type curve at the lower section of Kamatira Hill is recognized as prone to accidents and therefore attracted special attention in the design.

To improve the situation especially in view of the anticipated high future truck volumes the following improvements are incorporated in the design.

- i. The sharp hairpin curve on the top of Kaamatira Hills has been realigned and the radius of the curve has been widened from 100m to 200m. Further this realignment ensures that surrounding settlement needs not to be relocated.
- ii. The s-curve on the bottom of Kamatira Hills has been realigned and the radiuses have been widened from 135m to 215m and 140m to 220m respectively.
- iii. The longitudinal slope has been reduced to a maximum of 7.8% for a length of approx. 4.3 km.

To achieve the longitudinal grades, it became necessary to design deep cuts and high fills. The average cut in this section is about 15m with a maximum of 30m in short sections and the average fill is 20m with a maximum of 28m in short sections.

However, the ministry undertook to hold consultative meetings with all the local leadership and locals with a view to redesign the road and come up with a consensus solution.

To ensure slope protection of the embankment, the following measures have been incorporated in the design; top soiling, Hydro seeding, Planting Rock or gravel protection and Berms.

**Submission by Hon. David Pkosing Losiakon,MP on the petition.**

The member appreciated the efforts taken by the ministry to address the concerns of the public. However, he drew the attention of the Committee on the concerns raised by the petitioners. The petitioners hold consultative meetings and resolved to have the corridor of the said road changed. To this end, the community has agreed to donate land for the change of the corridor. He further informed the Committee that members of the public will not co-operate with the ministry when the corridor is not changed during the implementation of the project.

**Committee observations**

The Committee agreed with the ministry that they should rethink the design in consultation with the residents so as to accommodate the views of the elected leaders and members of the public.

**MIN/DC-L/2015/046 ANY OTHER BUSINESS**

The Committee resolved to proceed with report writing retreat from 12<sup>th</sup> to 15<sup>th</sup> March 2015. In the retreat the Committee will adopt the reports on petitions.

**MIN/DC-L/2015/047 ADJOURNMENT**

And there being no other business, the Chair adjourned the meeting at 12.10 pm.

SIGNED.....

HON MAINA KAMANDA, M.P

(Chairperson)

DATE.....14/3/2015

MINUTES OF THE 9<sup>TH</sup> SITTING OF THE TRANSPORT, PUBLIC WORKS AND HOUSING COMMITTEE HELD ON TUESDAY 3<sup>RD</sup> MARCH, 2015 IN THE COMMITTEE ROOM, CONTINENTAL HOUSE, AT 10:30AM

PRESENT:

1. Hon. Maina Kamanda, M.P - Chairperson
2. Hon. (Eng.) Mahamud M. Mohamed, M.P - Vice-Chairperson
3. Hon. Omulele Christopher, M.P
4. Hon. Emmanuel Wangwe, M.P
5. Hon. Ahmed Abbas Ibrahim, M.P
6. Hon. Johnson Manya Naicca, M.P
7. Hon. ChachuGanya, M.P
8. Hon. Omar Mwinyi, M.P
9. Hon. Peter Shehe, M.P.
10. Hon. (Eng.) Stephen Ngare, M.P
11. Hon. Ali Wario, M.P
12. Hon. EdickOmondiAnyanga, M.P
13. Hon. Mukwe James Lusweti, M.P
14. Hon. AdumaOwuor, M.P
15. Hon. (Capt.) Clement Wambugu, M.P
16. Hon. Mathias Robi, M.P

APOLOGY

1. Hon. Eng. John Kiragu, M.P
2. Hon. (Arch.) David Kiaraho, M.P
3. Hon. Cecily Mbarire, M.P
4. Hon. K.K. Stephen Kinyanjui Mburu, M.P
5. Hon. Mishi Juma, M.P
6. Hon. Joseph Lomwa, M.P
7. Hon. Suleiman Dori, M.P
8. Hon. Mark Lomunokol, M.P
9. Hon. Grace Kipchoim, M.P
10. Hon. Simon Nyaundi Ogari, M.P
11. Hon. Barchilei Kipruto, M.P
12. Hon. Stephen Manoti, M.P
13. Hon. Gideon Konchella, M.P

IN ATTENDANCE

- NATIONAL ASSEMBLY

- |                       |                 |
|-----------------------|-----------------|
| 1. Mr. Samuel Kalama  | Clerk Assistant |
| 2. Mr. Abdifatah Bule | Clerk Assistant |
| 3. Ms. Nuri Nataan    | Clerk Assistant |

MIN/DC-L/2015/039 Preliminaries

The Chair called the meeting to order at 10.30am and opened it with a word of prayer.

Min/DC-L/2015/040 Adoption of the Agenda

The Chair presented the agenda as follows;

1. Prayer
2. Adoption of the Agenda
3. Consideration of the following Petitions:-
  - i. Petition by the Hon. Humphrey Kimani Njuguna, MP, regarding the Tarmacking of the Gatiiguru-McVast-Matangini-Ithanga, Kiarathani, MiyuuyaNg'ang'a-Mukuyu Road
  - ii. Petition by Hon. Isaac Mwaura, MP, on behalf of Persons with disabilities on the construction of a footbridge along Waiyaki Way to link ABC Place bus stage to the National Council for Persons with Disabilities Offices (NCPWD)
  - iii. Petition by the Hon. James Gakuya, MP, regarding the Re-carpeting of the Komarock Road, Nairobi County.
  - iv. Petition by the Hon. David Kangogo Bowen, MP, regarding the Stoppage of KQ's operations on Nairobi-Eldoret route and the inconveniences caused by Jambo Jet
  - v. Petition by the Hon. Sunjeev Kaur Birdi, MP on behalf of business owners and residents operating and living along the Old Mombasa Road/Maasai Road A, B and C in Nairobi County for the upgrading of the Old Mombasa Road/Maasai Road A, B and C in Nairobi County
  - vi. Petition by the Hon. Onesmus Njuki, MP, regarding erection of bumps and road signs along Mate Road in Kathuana Town
4. Any Other Business
5. Adjournment

The agenda was adopted as proposed by Hon. Eng. Stephen Ngare, MP and seconded by Hon. Emmanuel Wangwe, MP.



- a) Petition by the Hon. David Kangogo Bowen, MP, regarding the Stoppage of KQ's operations on Nairobi-Eldoret route and the inconveniences caused by Jambo Jet

The Principal Secretary responded as follows, that:-

- i) Initially, and in agreement with the Kenya Airways, Jambojets's network strategy was to serve the four main airports in Kenya i.e. Nairobi, Mombasa, Kisumu and Eldoret.

The initial months of network implementation has also provided the management of both Kenya Airways and Jambojet with an opportunity to receive and evaluate feedback from regular travelers on all the routes, including on the Nairobi-Eldoret route. Based, on the market data currently available and on the size of aircraft currently operated by both carriers, only one of the two carriers can serve this route on a commercially viable bases with double daily frequency. Responding to travelers' feedback, the scheduling team of both airlines recently reviewed the pattern of flights and from July 2014, to meet the requirement of regular travelers, Jambojet is offering both morning and evening flights on the Nairobi-Eldoret route.

- ii) Both airlines will continues to monitor demand for scheduled airline services on the route to decide if a further scheduling adjustment is required

#### Committee Recommendations

The Principal Secretary for the State Department of Transport was requested to facilitate a meeting between the Hon. David Kangogo and Kenya Airways Flight scheduling team to see if a compromise can be struck since the Member was not satisfied with the answer. The meeting was scheduled for Monday 9<sup>th</sup> March, 2015.

- b) Petition by the Hon. Sunjeev Kaur Birdi, MP on behalf of business owners and residents operating and living along the Old Mombasa Road/Maasai Road A, B and C in Nairobi County for the upgrading of the Old Mombasa Road/Maasai Road A, B and C in Nairobi County

The Principal Secretary responded as follows, that:-

- i) Interventions

The Ministry recently improved some of the roads around the area under the City Cabanas Interchange. However, the contract did not include all the adjacent

roads. For example the Access to Excel Industries joining the interchange is currently in deplorable condition. This link was not developed under the interchange project due to land acquisition issues.

The Ministry through Kenya Urban Roads Authority (KURA) has engaged a contractor, MS Saxon Investments Ltd, to improve to bitumen standards the link road between the interchange at the Airport North Road and the access to Excell Industries at a cost of sh. 35,866,388. Work is expected to commence on the section of the road by 3<sup>rd</sup> March, 2015.

There are no immediate plans to upgrade all the roads to bitumen standards. However, the Ministry through Kenya Urban Roads Authority (KURA) in the FY 2015/2016 will carry out routine maintenance of the roads to restore them to motorable conditions for ease of access.

ii) Allocation of sh. 100 million

Kenya Urban Roads Authority (KURA) was not in operation in 2008 when Kshs.100 Million was allocated by Kenya Roads Board (KRB) for upgrading of some roads within Nairobi. Kenya Urban Roads Authority (KURA) is therefore not aware of the said allocation.

**Committee Recommendations**

The Principal Secretary for the State Department of Infrastructure was requested to facilitate a site visit of the said road. The Hon. Sunjeev Birdi and Hon. Mathias Robi to accompany the Ministry Officials visit the road since the Member felt that the road she is talking about is different from what the Ministry has provided answer for. The visit was scheduled for Wednesday 4<sup>th</sup> March, 2015.

c) Petition by the Hon. Humphrey Kimani Njuguna, MP, regarding the Tarmacking of the Gatiiguru-McVast-Matangini-Ithanga, Kiarathani, MiyuuyaNg'ang'a-Mukuyu Road

The Principal Secretary informed the Committee that the response for the petition was not ready and the Committee deferred the petition to Thursday 5<sup>th</sup> March, 2015.

d) Petition by Hon. Isaac Mwaura, MP, on behalf of Persons with disabilities on the construction of a footbridge along Waiyaki Way to link ABC Place bus stage to the National Council for Persons with Disabilities Offices (NCPWD)

The Principal Secretary informed the Committee that the response for the petition was not ready and the Committee deferred the petition to Thursday 5<sup>th</sup> March, 2015.

- e) Petition by the Hon. James Gakuya, MP, regarding the Re-carpeting of the Komarock Road, Nairobi County.

The Principal Secretary informed the Committee that the response for the petition was not ready and the Committee deferred the petition to Thursday 5<sup>th</sup> March, 2015.

- f) Petition by the Hon. Onesmus Njuki, MP, regarding erection of bumps and road signs along Mate Road in Kathuana Town

The Principal Secretary informed the Committee that the response for the petition was not ready and the Committee deferred the petition to Thursday 5<sup>th</sup> March, 2015.

MIN/DC-L/2015/042      Any Other Business

The following issues were raised in the meeting:-

The Chair urged the Ministry to speed up processing of responses to petitions in order to avoid accumulation of petitions committed to the Committee.

MIN/DC-L/2015/043      Adjournment

And the time being 11.30am, the Chairperson adjourned the Meeting to Thursday, 5<sup>th</sup> March, 2015 at 10:00am.

Signed:

Date:.....



10/3/15

Hon. Maina Kamanda, M.P., Chairperson

