

**REPUBLIC OF KENYA**



**COUNTY ASSEMBLY OF BUNGOMA  
SECOND ASSEMBLY-FIFTHSESSION**

**ROADS, INFRASTRUCTURE AND PUBLIC WORKS  
COMMITTEE REPORT**

**ON THE FACT FINDING EXERCISE ON THE BUNGOMA COUNTY DUAL  
CARRIAGE ROAD PROJECT**

**REF: STATEMENT BY HON FREDERICK MUSEBE-MCA**

 **ikuweikuwe.com**

**MARCH, 2021**

**The Office of the Clerk  
County Assembly Buildings  
BUNGOMA - KENYA**

---

## Table of Contents

1.0 PREAMBLE .....	1
2.0. Mandate of the Committee.....	2
2.1. Committee Membership .....	3
1.5 Acknowledgements .....	3
INTRODUCTION .....	4
3.0 METHODOLOGY.....	4
3.1. Meeting with the Contractors team at the Site Office -Musikoma .....	5
4.0. Findings on the visit of the Dual Carriage .....	5
Financial allocations since inception of the project .....	5
BUDGETARY AND PAYMENT REPORT ON DUAL CARRIAGE WAY ROAD PROJECT .....	5
1.0 General Committee Finding / Observations.....	9
Committee Recommendations .....	11
Conclusion .....	11
Adoption Schedule .....	12
Annexures.....	13

## **1.0 PREAMBLE**

Mr. Speaker Sir, it is my pleasant duty on behalf of Roads, Public Works and Infrastructure committee to present the fact finding report on the Kanduyi- Sang'alo Dual Carriage Way that was occasioned by unsatisfactory answer that was given by the department of roads to a statement raised by an Honorable member on the floor of this house.

## **2.0. Mandate of the Committee**

**Mr. Speaker Sir,** The sector Committee on Roads, Public Works and Infrastructure was constituted pursuant to the provisions of Standing Order No. 196 of the County Assembly of Bungoma and executes its mandate in accordance with Standing order 196(5) which provides as follows:

- a) Investigate, inquire and report all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments.
- b) Study the programme and policy objectives of departments and the effectiveness of the implementation;
- c) Study and review all county legislation referred to it;
- d) Study, access and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- e) Investigate and inquire in to all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- f) To vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing order 185(Committee on Appointments);and
- g) Make reports and recommendations to the County Assembly as often as possible, including recommendations of proposed legislation

## 2.1. Committee Membership

Mr. Speaker Sir, the Committee on Roads, Infrastructure and Public Works as currently constituted comprises of the following Members:

1. Hon. Jack	Kawa	Chairperson
2. Hon. Paul	Wamalwa	Vice Chairperson
3. Hon. Joseph	Nyongesa	Member
4. Hon. Henry	Majimbo	Member
5. Hon. Joseph	Maguda	Member
6. Hon. Francis	Chemion	Member
7. Hon. Elly	Tindi	Member
8. Hon. Martin	Wanyonyi	Member
9. Hon. Sudi	Busolo	Member
10. Hon. Ben	Kipkut	Member
11. Hon. Jack	Wambulwa	Member
12. Hon. Meshack	Simiyu	Member
13. Hon. Frankline	Simotwo	Member
14. Hon. Aggrey	Mulongo	Member
15. Hon. Winnie	Nyambok	Member

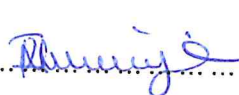
 ikuweikuwe.com

## 1.5 Acknowledgements

Mr. Speaker Sir, I take this opportunity to thank all the members of the committee for dedicating their time during fact finding of Kanduyi-Sang'alo Dual Carriage way and during report writing at Kika Hotel.

The committee would also like to appreciate the members of staff who worked with us to ensure this report is completed in time.

Lastly, the committee is grateful to the Honorable Speaker, and the Office of the Clerk of the County Assembly of Bungoma for the support received as it discharged its mandate. It is therefore my pleasant duty and privilege, on behalf of the Honorable Members of the Roads, Public Works and Infrastructure committee, to table this report and recommend it to the Assembly for consideration and adoption.

Signed .....  ..... Date 24<sup>th</sup> March, 2021 .....

(Hon. Jack Kawa, MCA)

Chairperson,

**Sectorial Committee on Roads Infrastructure and Public Works**



## **INTRODUCTION**

This report is based on the statement raised in the house by Hon Frederick Musebe in regard to the status of Dual Carriage Road project being undertaken by the County Government of Bungoma through the department of Roads, Public Works and Infrastructure.

The Honorable member wanted to know the social economic impact caused by the project on the residents of Bungoma town and the people of Bungoma County at large.

The Department availed the responses which were scanty and thus being directed to the committee for further fact-finding and avail the report which is being laid in this house.

In this regard, the committee through the Office of the Clerk of the County Assembly wrote to the County Executive Committee Member (CECM) for Roads, Public Works and Infrastructure requesting for more information to guide in the fact finding mission. The information was received on 4<sup>th</sup> of March, 2021 vide letter REF.ADM/RPW/CA/VOL.3/04. (Annex i)

The information requested and availed by the Chief Officer includes the following parameters:

- I. Financial allocations on the project since inception
- II. Location of the signage of the project
- III. Certificate of registration of the contracted Company
- IV. Social Impact Assessment report
- V. Environmental Impact Assessment Report (EIA)
- VI. List of personnel contracted on the project

## **3.0 METHODOLOGY**

The Committee did analysis of the reports received from the Executive department and flagged out areas of concern for discussion in a meeting with the Contractors which informed the guideline for fact finding on dual carriage way project.

The fact finding exercise was undertaken on 9<sup>th</sup> and 10<sup>th</sup> of March, 2021 in Bungoma Town with interrogation of the Site Manager Mr. Huang; Site Engineer Mr. Michael Busienei and Resident Engineer Mr. Moses Wamalwa.

### **3.1. Meeting with the Contractors team at the Site Office -Musikoma**

The Committee converged in the site Manager's office at Musikoma and held discussions concerning the project as per the Terms of Reference

#### **Submission by Site Manager Mr. HUANG**

Mr. HUANG submitted as follows; that the project was going on well despite some challenges which included the delays in payment of Certificates, he further submitted that he had raised certificates amounting to Kshs. 400M in the month of March,2021 which are due for payment within 90 days failure to which the penalties shall be imposed.



The conflict with NZOWASCO on the relaying of the water pipes/lines by the County Government whenever they are damaged in line with work execution, the duty of reconnection is for the County Government responsible department not the Contractor; The Kenya Power and Lighting Company have erected the power lines on the road which they have delayed to relocate to pave way for smooth execution of their work; however sub section 54(11) of the BQs provides that the Contractor shall acquaint himself with the position of all existing services such water lines , electricity lines etc. before commencing any excavation or any other work which is likely to affect the existing services.

The Contractor stated that the traffic control on the Boda boda and Matatu operators. The diversions required enforcement which the County Government had failed to assist which the committee noted to be the work of the Contractor.

### **4.0. Findings on the visit of the Dual Carriage**

With reference to the analysis of the report availed by the Chief Officer, the committee found as follows:

#### **Financial allocations since inception of the project**

#### **BUDGETARY AND PAYMENT REPORT ON DUAL CARRIAGE WAY ROAD PROJECT**

The dual carriage way road from Sang'alo junction to Kanduyi was initiated in the financial year 2018/2019. The County Assembly has been allocating funds towards implementation of the said project in every financial year.

The tender for construction of the said road was advertised in the year 2018 vide tender no. BGM/CNTY/OT/RPW/184/2018-2019 and Tender name, Kanduyi-Sang'alo Junction Dual Carriage Way Road; it was awarded to ZHONGEI ENGINEERING GROUP LTD.

The contract commencement date being 12<sup>th</sup> July, 2019, the Contract period is 24 months and it is due for completion by 12<sup>th</sup> July, 2021

The CR12 indicates the directors as follows;

- 1) Pong Yankum- Director
- 2) Dong Lonpei- Director
- 3) Chieng Xiayu- Director
- 4) Patrick Wangalwa Oundo -Local representative

The total contract sum for the project is **Kshs. 1,382,442,975.76**. The County Assembly has appropriated a cumulative total of Kshs. 591,495,064 to-date, representing 42.8% of the contract sum.

The County Government still need to allocate a total of Kshs. 790,947,912 in the Financial Year 2021/2022 budget estimates, if the project is to be completed and be operational in time. This represents 57.2% of the total contract sum.

**The total amount of money appropriated to the project to-date is as tabulated below;**

#### **A) BUDGET ALLOCATION**

**Table 1**

		<b>FY 2018/19</b>	<b>FY 2019/20</b>	<b>FY 2020/21</b>	<b>TOTALS</b>
<b>1</b>	Printed Estimates	70,000,000	271,912,595	350,000,000	<b>691,912,595</b>
<b>2</b>	Supplementary Adjustments	68,244,297	(168,661,828)	0	<b>(100,417,531)</b>
<b>3</b>	Total Approved Budget Estimates	138,244,297	103,250,767	350,000,000	<b>591,495,064</b>

## B) ACTUAL PAYMENTS

**Table 2**

The department made payments towards some payment certificates as shown below;

	<b>Payment certificate No.</b>	<b>Date of Payment</b>	<b>Amount paid</b>
<b>1</b>	Certificate 1	04/10/2019	138,244,297.58 (Advance payment)
<b>2</b>	Certificate 2(certificate number)	10/02/2020	58,660,400.57
<b>3</b>	Certificate 2 (certificate number	10/02/2020	103,250,766.00
<b>4</b>	Certificate 3	22/09/2020	193,191,449.75
<b>5</b>	Certificate 4	22/12/2020	150,447,814.10
	<b>TOTAL</b>		<b>643,794,728.00</b>



The total amount paid in the current financial year is Kshs. 343,639,263.85 against a total allocation of Kshs. 350,000,000. There is a balance of Kshs. 6,360,736.15 in the approved budget allocated for payment of the project.

It's noted from the above data, that the total payments is above the appropriated amount as per the approved budget. The source of the extra Kshs. 58,660,400 paid on 10/02/2020 in FY 2019/2020 vide certificate No. 2 is not known. From the information availed by the accounting officer, there was no explanation on which vote head the amount was paid from.

**N/B** The department made a payment out of funds that were not appropriated to the project, contrary to the provisions of section 149(1) and (2)(a)) the Public Finance Management Act, 2012

1. The Temporary Benchmark (TBM) is a horizontal platform that is used to provide a known reference point where all other levels around the site of the project are referred to.


The TBM for the Dual Carriage project had been established with reference to the one placed by KeNHA.

2. The Committee established 10 Cross Culvert installed at various points on the Dual Carriage Road from Sang'alo Junction to Kanduyi. The Culverts directs water to the lower side of the Road towards Khalaba River, the extensive drainage requires stone pitching and proper direction of storm water to prevent destruction of newly constructed feeder Roads and private properties.
3. The report from the Chief Officer indicated that 1, 290 m of access Culverts have been constructed without stating the diameter/size of the Culverts as provided for in the BQs.
4. The report indicated 3 Box Culverts installed and it was confirmed on the ground, however the one located at Tourist Hotel had blocked. This was occasioned by inconsistencies in levels.
5. The U-drains had been successfully installed on both sides of the Road from the NCPB to Jay Maharaj Hardware next to Total Petrol Station at Wings Hotel.
6. The Project management submitted that it had procured 4 Motor Vehicles which was confirmed by the committee; the vehicles are fully administered by the project management and assigned to the project managers however, Clause 38 of the BQs indicates 8 vehicles.
7. The BQs had indicated the equipping of the Resident Engineer's Office and the material Lab at Webuye, It was established that the offices were fully equipped and operational.

The Resident Engineer's office at Kanduyi had been renovated and equipped with Lap top; Computer accessories; Conference table ; executive desk; Chair; Steel shelve ; printer; Fridge and fan

8. The Road has 3 Roundabouts located at Sang'alo Junction, Keringet bus stage and Kiwanja Ndege, and the works were ongoing.
9. The variations on the Contract especially on the extra access Culverts and extensive stone pitching is not captured in the scope of works. At the time of fact finding the Engineer had issued instructions to commence the construction of Stone pitching on the feeder roads aligned to the Cross Culverts.



10. The Contractor submitted a list of 143 employees assigned in various sections of the project, most of them were locals from Bungoma County save for a few who hold technical positions. It was further informed that the term of Contract of the workers was going to be terminated because of the reduction in the Work load.
11. Contrary to the Environmental and Social Impact Assessment report (ESIA) submitted by the Chief Officer, the Committee found out that there has been massive environmental and Socio-economic disruption occasioned by the project. Such as:
  - I. Lack of access to business premises
  - II. Lack of control on storm Water
  - III. Sound pollution
  - IV. No diversions provided
  - V. Disruption of piped Water supply, street lighting and Sewer Line.
  - VI. Lack of traffic controls and  ikuweikuwe.com
  - VII. Dust pollution
12. It was noted by the Committee that at the initial stage the Contract had a Court Case REF;BGM HC Constitutional Petition NO.4 of 2019 seeking conservatory orders against the respondents from commencing the project. The Advocates had raised a fee note of Kshs, 35,078,000, a deposit of Kshs. 13M has been paid yet the accounting officer did not indicate in his reports to the Committee the status of the Case whether it was concluded or not.

## 1.0 General Committee Finding / Observations


1. The total contract sum for the project is Kshs. 1,382,442,975.76. The County Assembly has appropriated a cumulative total of Kshs. 591,495,064 to-date as out lined in Table 1 above. Representing 42.8% of the contract sum. The County Government still need to be allocated a total of Kshs. 790,947,912 in the Financial Year 2021/2022 budget estimates, if the project is to be completed and be operational by the closure of the FY 2020/2021 as indicated in the Contract period. This balance represents 57.2% of the total contract sum.
2. It's noted from the above data, that the total payments is above the appropriated amount as per the approved budgets. The source of the extra Kshs. 58,660,400 paid on 10/02/2020 in FY 2019/2020 vide certificate No. 2 is not known. From the information availed by the accounting officer, there was no explanation on which vote head the amount was paid from. The department made a payment out of funds that were not



appropriated to the project, contrary to the provisions of section 149 sub-sections (1) and (2 (a)) the Public Finance Management Act, 2012

3. Out of the 10 Cross Culvert installed at various points on the Dual Carriage Road from Sang'alo Junction to Kanduyi and with exception of the one at Elegant Hotel, The Culverts directs water to the lower side of the Road towards Khalaba River where the extensive drainage requires stone pitching and proper direction of storm water to prevent destruction of newly constructed feeder Roads and private properties.
4. From the submission of the project manager, there was no indication that the amount advanced on Certificate number one was being recovered. As per Clause 60 (12) of the contract document (BQs), the advance payment shall be recovered with percentage reductions from the monthly interim payment certificates certified by the Project Engineer. This should begin when the amount due to the contractor under the contract amounts to 20% of the original contract sum. Further, it should be completed by the time 80% of the contract sum is attained. Refer Clause 60(12) for the formula to be used.
5. It was observed that there is a likelihood of the contractor invoking the contract clauses on interest accumulation on delayed payment, as indicated in Clause 60(10)(iii) of the contract document "that the employer shall make payments on the contractor of simple interest at a rate equal to two percentage points above the average bank lending rates obtained from the Central Bank of Kenya."
6. The percentage of the amount Certified as per the information from the committee's fact finding inclusive of the pending certificates of Kshs. 400 million as captured on Hansard during the interview with the Contractor is at 75.5% Percentage of work done. This does not reflect the actual work on the ground in comparison with the scope of work and time elapsed vis-à-vis completion date.

## Committee Recommendations

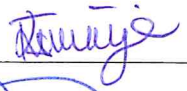
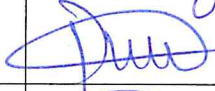



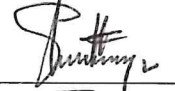
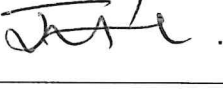
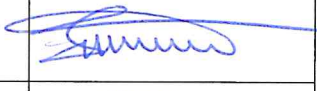
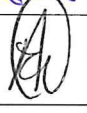

1. The department made a payment of Kshs. 58,660,400 in the FY2019/2020 out of funds that were not appropriated to the project, contrary to the provisions of section 149 (1) and (2) (a) of the Public Finance Management Act, 2012 which the Committee hereby directs the Accounting Officer to furnish this Committee with more information on the misappropriation within 14 days on adoption of the report.
2. The Project Manager is directed to submit copies of the pending Interim Payment Certificates amounting to Kshs. 400M to the committee within 14 days from the date of adoption of this report. 
3. The Committee directs the Project Manager to ensure the construction of stone pitching off the 10 Cross Culverts at various points on the Dual Carriage Road from Sang'alo Junction to Kanduyi for proper direction of storm water to prevent destruction of newly constructed feeder Roads and private properties.
4. The department should avoid delays in honoring the Interim Payment Certificates raised by the contractor in order to avoid incurring interest on overdue amount that can result to an increase in the cost of the project.
5. The department is directed to provide information on advance payment recoveries and a proof of the same within 14 days from the date of adoption of this report.
6. The Committee directs the project manager to submit a report on the status of a Court Case REF; BGM HC Constitutional Petition NO.4 of 2019 seeking conservatory orders against the respondents from commencing the project.

## Conclusion

Mr. Speaker Sir, I lay this report with its recommendations for deliberation and adoption by this house.

### Adoption Schedule

The members of Roads, Public Works and Infrastructure Committee hereby adopt and append the signatures to this report.

S/N	NAME	TITLE	SIGN
1	Hon. Jack Kawa	Chairperson	
2	Hon. Paul Wamalwa	V/Chairperson	
3	Hon. Joseph Juma	Member	
4	Hon. Francis Chemion	Member	
5	Hon. Elly Tindi	Member	
6	Hon Henry Majimbo	Member	
7	Hon. Jack Wambulwa	Member	
8	Hon. Meshack Simiyu	Member	
9	Hon. Joseph Maguda	Member	
10	Hon. Ben Kipkut	Member	
11	Hon. Martin Pepela	Member	
12	Hon. Isaiah Sudi	Member	
13	Hon. Frankaline Simotwo	Member	
14	Hon. Aggrey Mulongo	Member	
15	Hon. Winnie Nyambok	Member	

## Annexures

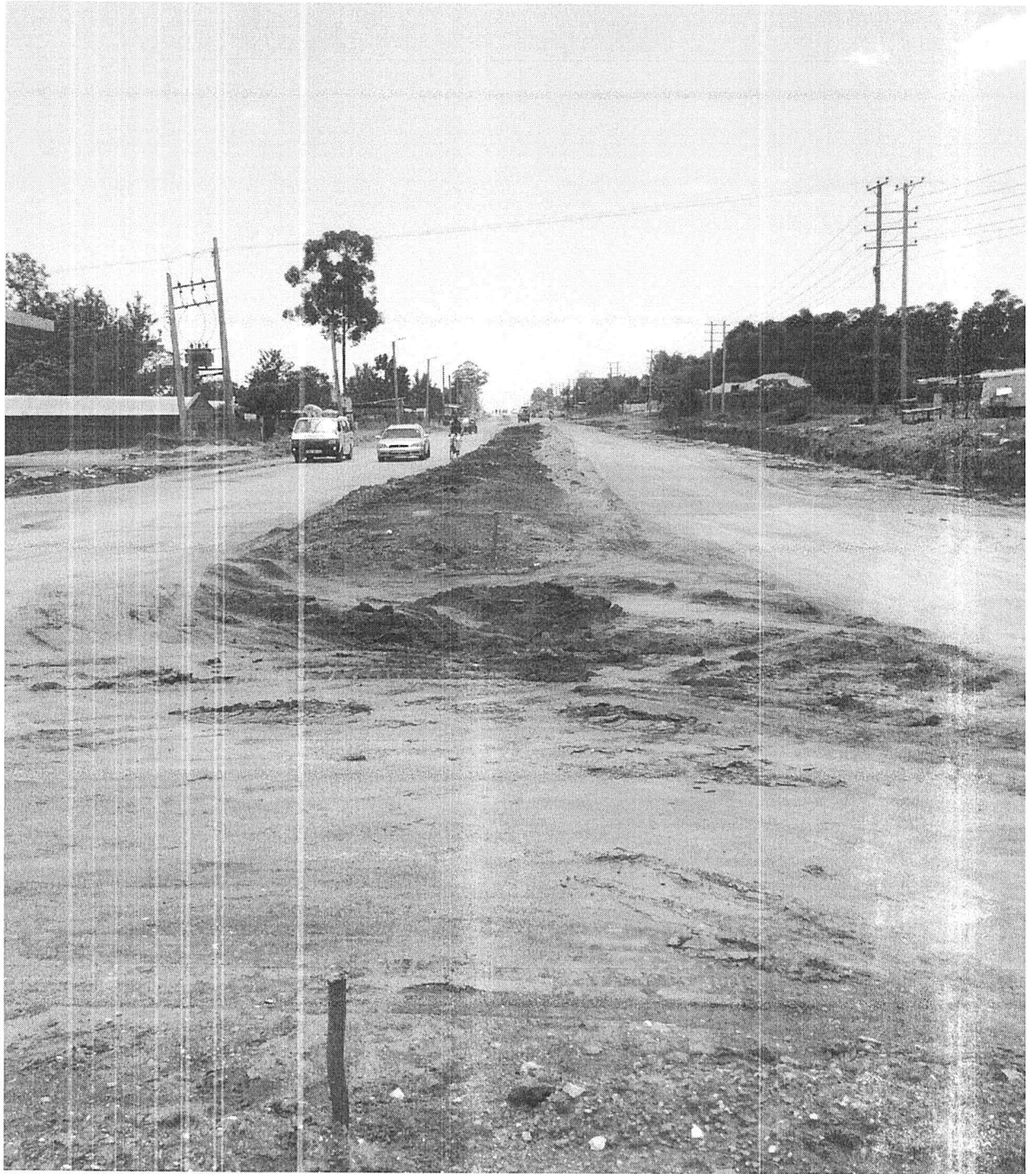


Some of the Committee members and Secretariat pose for a photo with Site Manager Mr. Huang



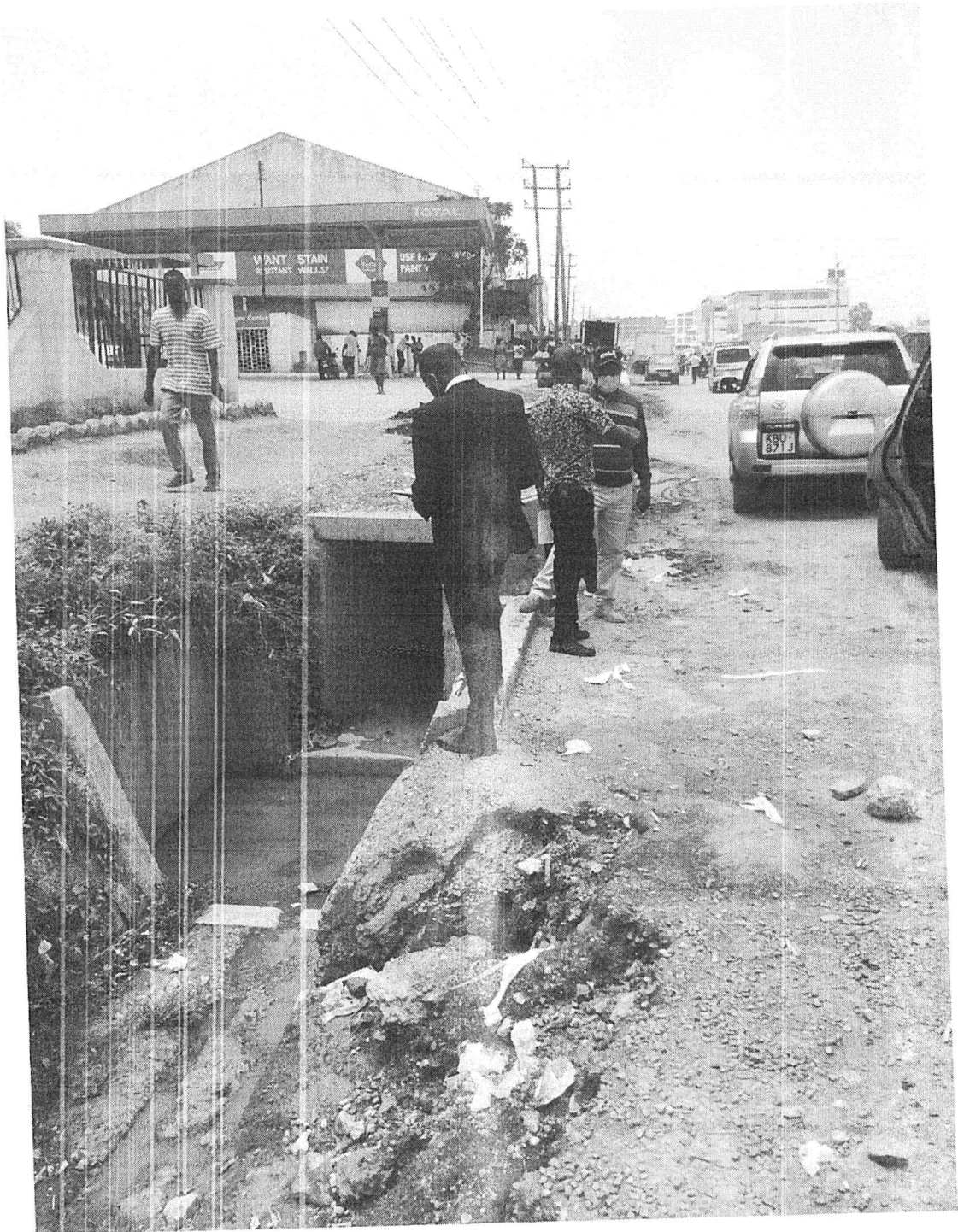


Construction machinery at contractors parking yard at Musikoma



Area designated for roundabout at Sang'alo junction





End of U drainage culvert near Wings Hotel



A blocked cross culvert near Tourist Hotel that needs its gradient improved to allow free movement of water

**COUNTY GOVERNMENT OF BUNGOMA**



**OFFICE OF THE COUNTY CHIEF OFFICER FOR ROADS, INFRASTRUCTURE AND PUBLIC WORKS**

Telephone: 055-30343  
E-mail: roadsbgmcounty@gmail.com

Former KeRRA Offices, Kanduyi  
P.O Box 437, Bungoma

YOUR:  
OUR REF: ADM/RPW/CA/VOL.3/04

DATE: 4<sup>TH</sup> March, 2021

CLERK TO ASSEMBLY  
COUNTY ASSEMBLY OF BUNGOMA  
P.O BOX 1886-50200  
BUNGOMA.

THRO`

COUNTY SECRETARY  
COUNTY GOVERNMENT OF BUNGOMA  
P.O BOX 437-50200  
BUNGOMA.



**REF. INFORMATION ON DUAL CARRIAGE ROAD PROJECT IN BUNGOMA**

Reference is made to your letter Ref. No. BCA/CC/SECT/9VOL.11 (8) dated 12<sup>th</sup> February, 2021 over the above subject.

Attached herewith, Please find the information on Dual Carriage Road from the Ministry of Roads, Infrastructure and Public Works for your perusal.

Regards.

A handwritten signature in black ink, appearing to be "M. Marango".

Eng. Maurice Marango  
CHIEF OFFICER -ROADS, INFRASTRUCTURE AND PUBLIC WORKS  
COUNTY GOVERNMENT OF BUNGOMA.

C.C

➤ CECM- ROADS, INFRASTRUCTURE AND PUBLIC WORKS

---

VISION: A Hub of Diversity and Socio-Economic Development

Q1.

**COUNTY GOVERNMENT OF BUNGOMA**



**MINISTRY OF ROADS, INFRASTRUCTURE & PUBLIC WORKS**

Telephone 055-30343  
E-mail: [roadsbgmcounty@gmail.com](mailto:roadsbgmcounty@gmail.com)

Former KeRRA offices Kanduyi,  
P.O BOX 437,  
BUNGOMA.

**RE: KANDUYI-SANGALO JUNCTION ROAD DUAL CARRIAGE BUDGETARY ALLOCATION**

FINANCIAL YEAR	PRINTED ESTIMATES	VARIATIONS	APPROVED ESTIMATE
2018/2019	70,000,000	68,244,297	138,244,297
2019/2020	271,912,595	(168,661,828)	103,350,766
2020/2021	350,000,000	0	350,000,000
<b>TOTAL ALLOCATION</b>			<b>591,495,063</b>

Eng. MAURICE MARANGO  
CHIEF OFFICER- MINISTRY OF ROADS, TRANSPORT, INFRASTRUCURE & PUBLIC WORKS  
COUNTY GOVERNMENT OF BUNGOMA

### Question 3

Location of the signage is at km 3+800 (around muteremuko junction)



REPUBLIC OF KENYA  
OFFICE OF THE ATTORNEY-GENERAL  
&  
DEPARTMENT OF JUSTICE

BUSINESS REGISTRATION SERVICE

Our Ref: CF/2009/13377

16<sup>th</sup> July 2019

Your Ref: GEN/PW/2019

Wangaiwa Oundo & Company  
Advocates,  
P.O. Box 976-50400,  
BUSIA

THE COMPANIES ACT, 2015

Dear Sir/Madam,

**RE: ZHONGMEI ENGINEERING GROUP LIMITED.**

We refer to the above matter and to your letter dated 16<sup>th</sup> July 2019.

According to the Company's records held by this registry as at 16<sup>th</sup> July 2019, the names of the directors and their particulars are as follows:-

<u>Names</u>	<u>Address</u>	<u>Description</u>	<u>Nationality</u>
Pang Yankun	P. O. Box 104507-00101, Nairobi	Director	Foreigner
Dai Longpei	P. O. Box 104507-00101, Nairobi	Director	Foreigner
Cheng Xiayu	P. O. Box 104507-00101, Nairobi	Director	Foreigner
Patrick Wangaiwa Oundo	P. O. Box 3099-00200, Nairobi	Local Representative	Kenyan

The Company was incorporated in China and a certificate of Compliance issued on 3<sup>RD</sup> NOV. 2009. The registered office of the Company is situated at PLOT NO 7 G FL, DEVSONS COURT, ARGWINGS KODHEK ROAD, HURLINGHAM, P. O. BOX 47622-00100 NAIROBI.

Yours Faithfully

SARAH NDUNG'U  
FOR: REGISTRAR OF COMPANIES

SHERA HOUSE, HARAMBEE AVENUE  
P.O. BOX 40113-00100, NAIROBI, KENYA. TEL: +254 20 2227461-2251355/07119445555-0732529095  
E-MAIL: [info@statelawoffice/kenya.go.ke](mailto:info@statelawoffice/kenya.go.ke) WEBSITE: [www.attorney-general.go.ke](http://www.attorney-general.go.ke)

DEPARTMENT OF JUSTICE  
CO-OPERATIVE BANK HOUSE, HAMILTIE SELASSIE AVENUE P.O. Box 56057-00200, Nairobi-Kenya TEL: Nairobi 2224029/ 2240337  
E-MAIL: [legal@justice.go.ke](mailto:legal@justice.go.ke) WEBSITE: [www.justice.go.ke](http://www.justice.go.ke)

ISO 9001:2008 Certified





## **How the Kandui\_Sangalo Dual Carriage Project has Socially Mitigated the Social effects Previously highlighted in the social impact assessment Report.**

At the Onset of the project SIA was conducted and the project team continuous to evaluate its mitigation impacts. This summary briefly depicts how the project has so far impacted the community and specifically the traders;

### **Negative Social Impact highlighted on the SIA towards the residents**

1. **Displacement** \_ It was anticipated that some locals will be displaced by the project during the construction phase. However, up to this level of the project no local resident has been displaced from their premises.
2. **Loss of Employment** \_ It was estimated that on the onset of the construction phase the business vendors may loose market and thus employment due to lack of accessibility to their premises and dust. However, as it can be witnessed the premises still remains accessible to customers with very minimal interferences of traffic at the very most critical works like cross culverts. The contractor was even advised to carry out the works of the cross culverts in two phases to allow traffic flow is minimally affected.
3. **Damage to nearby houses** – No houses has been damaged as a result of the construction
4. **Private Property Encroachment** - Encroachment into private property by the contractor. The contractor has never encroached into private property thus bringing any social conflict to this far.
5. **Disturbance of the environment** -- It is not possible not to disturb the environment. We have had to cut to spoil some vegetation along the road reserve and some tress to achieve the required road width. However, we tried as much as possible to minimize the vegetation effects.
6. **Construction health and safety management plan** – The project team has developed a health and safety management plan to ensure that the health and safety of the project team, pedestrians, traders and motorists is well catered for.
7. **Solid waste generated by the contractor** \_ The contractor continues to adhere to the solid waste management plan. The solid waste of the project has been majorly cut to spoil
8. **Noise pollution** – working hours has been limited to 7am-7pm. This has reduced the Noise pollution which would be more pronounced at night as compared to day time.
9. **Social political disputes** – We have not had any social political disputes. The members of the county assembly has been of great help to ensure that the social political aspect of the project is adhered to and remains within the confines and expectation of the Bungoma residents during the implementation phase of the project. There was a house which was destroyed by the storm water. The house owner was well compensated to his full satisfaction.
10. **The borrow bit** - The contractor has leased and opened one borrow bit and will rehabilitate it back to NEMA specifications upon project completion.
11. **Culture** \_To this extent the project has not led to any significant or noticeable cultural change to the community.
12. **STDS, HIV and AIDS** - There is a subcontractor who has been incorporated to carry out sensitization and training.
13. **Disruptions and loss of businesses along the road reserve** - It is true there were a few businesses which had encroached the road reserve prior to commencement of the project. However, the owners of those businesses simply relocated from the working area of the road to the area still within the road reserve thus their business are still running. However there is need those for traders to be relocated or removed from the road reserve in future to avoid unforeseen events on the road that will be busy by then. Chepkube market traders were not relocated or affected negatively by the project Only one boundary fence was demolished at Km 5 U-turn which was entirely beyond saving since there is a U-Turn section at that location.
14. **Delayed in transportation and possible accidents** – There has been afew traffic jams caused by the critical works especially in town area. However, such works are almost complete and the completion will open up the region to speedy movement of goods for all traders. At some instances we have had to divert the traffic. The traffic control plan has helped the contractor minimize disruption of traffic flow and ensure that the traders reach to there place/premises we have been diverting traffic just next to the working area and using county police amd administration police to control traffic.
15. **Impacts related to Occupational and public health and safety assessment**

The project team has ensured that the drainage was always well drainage since the onset of the project thus no communicable diseases to the traders and the community in general. For the workers in the project, the workers has been issued with the right PPEs moreso the reflectors being the fact that they are working on a motorable highway. The workers also reside outside their working area and thus there is no possibilities of diseases that may arise asa result of congestion. The foreign staff who reside in the camp are just a few and they have well constructed sanitary facilities to accommodate them effectively. The project have had no any disposal of solid waste that is detrimental to the employees, traders or the community.

It is therefore clear that the project team has really tried to mitigated those negative impacts highlighted above.

### **Positive Social Impact highlighted on the SIA towards the residents**

1. **Employment (Both direct and Indirect)** – The project has brought in employment of our population. Out of 220 employees (at the peak) the employees from Bungoma County were 161 (about 73%).
2. **Increased business opportunities** – The employees employed in the project has been buying food from the local venders, Kiosks, supermarkets and mama mbogas. On the completion of the project we expect that the widened up road will ensure that goods reach to the market timely and safe.
3. **Reduced Traffic accidents and Jams** – With the widening and dualling of the road project, there has been significant reduction of accident which were very prone especially between Khetias Highway and Wings section. This accidents will be reduced even further once the center kerbstone will be installed, the three roundabouts and three U-Turns will be completed. As at this stage it is clear that traffic congestion, accident (especially for bodabodas) and jams has reduced. It is however to be noted that the traders need to be trained/sensitized on the usage of the new road to prevent accidents that may arise as result of over excitement by the new road by then.
4. **Increased Security** – The security will be well experienced after the installation of street lights which will help boost security at night. This will lead to prolonged business hours especially within Chepkube market.
5. **Increased Revenue** – The contractor and her staff has been buying goods from our Bungoma traders. This has to this far helped to boost the revenue collection of the local government and that of the national government.
6. **Additional Access Culveris** – The project has helped to add more culverts to business premises thus increasing accessibility and delivery of stock to the traders.
7. **Widening of the road** – With the widened road, the traders will be able to transport their goods smoothly and faster as compared to before. It is very clear that since the completion of the Chepkube section earthworks the traffic flow has already improved. This will have more better benefits in future once the works are complete.
8. **Drainage system** – The project has constructed a well draining and at some sections a closed U-Drain. As a result of this good drainage system the problem of water stagnation, muddy town (especially at Chepkube) this has significantly improved the draining of the storm and run off in town section which was initially a menace. Also, the good drainage system will prevent the occurrence of water borne diseases like cholera and malaria which are caused by stagnating water.
9. **Value addition of the Land in Bungoma (From Kandui to Sangalo)** – The value of land will significantly increase on completion of the project. For those with experience they can enquire the price of land as at now and compare it with the price last two years.
10. **Closed Drainage system (U-Drain)** – This has significantly reduced dumping of solid waste on the drainage and leading to clogging and bad odor to the traders.

### **Conclusion**

The project should continue adhering to the mitigations identified and ensure that the overall goal of the project is achieved. The community should continue being listened to and their views taken into account since the project is meant to help the traders and the community at large. The services of the locally-based community liaison officer (CLO) will continue being utilized. To this far, human rights have been respected during the construction phase and we expect continued evaluation of the social impact of the project to the community so as to allow maximum benefit of the project by the community when the project comes to completion and more so after the commissioning of the project.