

MIN. NG-CDFC 012/09/03/2022: PRELIMINARIES

The meeting started with a prayer by Patrick Walutilla at 10.15am.

The day's Agenda was read out by the chairman which was proposed by Moureen Mafunga and seconded by Nancy Wanyonyi.

The previous minutes were read out by Moureen Mafunga which were proposed by Fred samukoya and seconded by Patrick Walutilla.

MIN. NG-CDFC 013/09/03/2022: PREVIOUS MINUTES

SITE MEETING PROJECTS STATUS

1. **Nabuyole Secondary School** - Contractor had deserted the project site. During the meeting held on 10th November 2021, it was agreed that he resumes the construction and complete the pending works - electrical contuits, correct the black boards, finish plastering of some areas and cables, painting, fascia board, window panes and shuters, branding and fit sign post- within three weeks. The project was to be completed and handed over by 2nd December, 2021. However, the contractor has not resumed works at the project to date.
Reccommendation - the contractor be terminated from the project in consultation with current project manager and procurement officer as the contract has been breached so as to help get an alternate way of completing the remaining works.
2. **Lutacho Secondary School** - The contractor is about to complete the project but no communication was made to the Country Qs.
3. **Sambu Central Primary School** - The telephone contact and postal address for the contractor to be availed for further communication.
4. **Sambu PAG Primary School** - The site meeting over the issues raised to be held tomorrow between the contractor, School PMC, NG-CDFC team and the Project Manager.
5. **Ndivisi Boys High School** - The project to be made up of a 96 bed capacity dormitory, ablution block and septic tank at a cost of Kshs. 9,000,000. The amount first allocated is Kshs. 5.7 million leaving a balance of Kshs. 3.3 million. Misemwa Secondary school had been allocated Kshs. 2 million in the 2021/2022 financial year which is erroneous as they had already been given the same amount in the 2020/2021 financial year budget to complete the ablution block. Hence, the Kshs. 2 million be re allocated to Ndivisi Boys High School towards the completion of the dormitory. Another Kshs. 1.3 million be spent from the emergency Kit for this year as the project was in itself an emergency case of February, 2021.
6. **Masindu Secondary School** - The contractor is back on site and the correction of errors with completion of pending works is ongoing

LAND ISSUES

1. **Katumi CEB Primary School - Purchase of two acres of land** - The project was approved by the board. Payment have been made to the land owner and there already exists a land title deed.
2. **Khamoto FYM Secondary School** - the land issue is still pending. Area member to follow up.



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3. Bakisa Girls Secondary School - the land is ongoing a succession process but meanwhile the land owner has released it to the school and construction is ongoing. The land is atotal of 3.50 acres of which an acre has been valued at Kshs. 828,000 x 3.5 = 2,898,000. The amount allocated is Kshs. 3 million which was to purchase 3 acres plus documentation. So meanwhile, we shall have the whole parcel of land purchased as we work on the documentation costs addition from the resubmission amount.

4. St. John's Savana RC Secondary School - No clear answer on the land stalemate. The area member to still make a follow up on the same.

5. St. Paul's Nzoia RC Secondary School - No progress on the mutation works yet.

6. Nzoia Police Post - the land is still being searched for.

MIN. NG-CDFC 014/09/03/2022: MONITORING AND EVALUATION ACTIVITIES

The M&E Chairman gave a summary report of the M&E activities carried out in November and December, 2021:

- 1. Project Implementation progress reports** - the FAM spelt out the various monitoring activities to be undertaken by the members on the recent projects. All the 28 project activities had the sites handed over to the contractors between 21st and 25th February, 2022. The contractors have started works on the projects which requires that the respective members keep a continous and timely monitoring where they equally take project photos and report on the development or any issues that may seem out of line to the Head teacher and Fund Account Manager. A member is expected to visit at least twice during the substructure level, once at the walling level, roofing and finally at the finishes level making it an average of 5 times. At the completion stage, the whole team shall visit for the final inspection in preparation for hand over. Every member shall provide a draft report plus photographs before they are paid. There are some cases where the contractors are yet to start the construction. They shall only be given a grace period of up to 15th March, 2022 after which necessary actions shall have to be taken.
- 2. Mikuva FYM Secondary School** - A complaint was raised by a contract M/S. Skullab who said he had been sub-contracted by M/s. Washmac who was doing the Laboratory for plumbing works. He was paid part of the works but the contractor passed on in 2017 before the balance of Kshs. 183,240 was paid to him. A meeting was held in the school but a partner of the late contractor did not turn up though he did accept over the phone of being aware of the debt. There is no written contract to proof this. The total sum of works done by the contractor was Kshs. 3,137,840.80 of which Kshs. 2,714,337.50 was paid leaving a balance of Kshs. 423,503.30 with the school out of which Kshs. 313,784 is retention money. It was decided that Kshs. 130,544 be paid to the widow of the deceased who has been issued with a grant to administer the estate, Kshs. 183,240 be paid to M/s. Skullab on provision of a written commitment by the other partner and the balance of Kshs. 109,719.30 shall be paid subject to proof of taxes paid by the second partner who had been given personal cheques to a total of Kshs. 1,144,601 without deduction of VAT with holding Tax and 3% income tax.
- 3. Lutacho FYM Primary School** - The contractor Ms. Fellow had taken the school to the lawyer demanding for Kshs. 418,086 as his last moety after he was informed of there being no variation amount. However, the teacher in the company of the BOM held a meeting with both



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the Lawyer and the contractor and agreed to be paid the amount in two installments. He was paid the first Kshs. 300,000 and the last balance of Kshs. 118,086 to be paid in the month of May, 2022.

MIN. NG-CDFC 015/09/03/2022: PROJECT PRIORITIZATION FOR 3RD AND 4TH AIEs NO. B105959 FOR KSHS. 17 MILLION.

The following are the projects prioritised for funding from the 3rd and 4th AIEs:-

	Project Name	Activity	Amount
	ENVIRONMENT PROJECTS		
1	Sirende SA Primary School	Construction of a 4 door exhaustible pit latrine and one urinal	700,000
	TOTAL		700,000
	BURSARY SECONDARY		
2	Bursary Secondary	Payment of fees to secondary students	4,500,000
	TOTAL		4,500,000
	EMERGENCY PROJECTS		
3	Sinoko PCU Primary School	Complete payment of 2.25 acres of Land and documentation	400,000
	TOTAL		400,000
	PRIMARY SCHOOL PROJECTS		
4	Maraka PEFA Primary School	Construction of 2 classrooms to completion	2,600,000
5	Sirende SA Primary School	Construction of 2 classrooms to completion	2,800,000
	TOTAL		5,400,000
	EDUCATION SECONDARY		
6	Friends Secondary School Wabukhonyi	Construction of 2 classrooms to completion	2,600,000
7	Bakisa Girls Secondary School	Purchase of 3 acres of land and documentation	3,000,000
	TOTAL		5,600,000
	SECURITY PROJECTS		
8	Assistant Chief's Office Wabukhonyi	Construction of a 2 door exhaustible pit latrine and a urinal	400,000
	TOTAL		400,000
	GRAND TOTAL		17,000,000

MIN. NG-CDFC 016/09/03/2022: PROCUREMENT ACTIVITIES AND COMPLAINTS AND NG-CDFC ACTIVITIES

1. PMC Procurement Activities

- A) There are four institutions whose tenders are to be put up locally being:-
- i. Construction of 2 classrooms at Friends Secondary School Wabukhonyi
 - ii. Construction of 2 classrooms at Maraka PEFA Primary School.
 - iii. Construction of 2 classrooms & an exhaustible 4 door pit latrine with urinal at Sirende SA Primary School
 - iv. Construction of a 4 roomed office & exhaustible 2 door pit latrine and a urinal at Assistant Chief's Office Wabukhonyi.



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B) Five institutions with project cost estimates of 5 million and above to be advertised on the PPRA website:-

- i. Ndivisi Girls High School - Construction of a 112 bed capacity dormitory and 12 door ablution block at Kshs. 9,000,000
- ii. Ndivisi Boys High School - Construction of a twin dormitory of 148 bed capacity at Kshs. 9,000,000.
- iii. Sipala Boys Secondary School - Construction of a 96 bed capacity dormitory, a 10 door ablution block and a septic tank at Kshs. 9,000,000.
- iv. Namarambi Secondary School - Construction of a twin laboratory plus furnishings at Kshs. 12 million.
- v. Construction of 8 classrooms at Kshs. 11,200,000 and a 5 roomed administration block with a staff room at Kshs. 5,234,000 in Webuye ACK Primary School.

2. PMC Procurement Complaints

The members were presented with the procurement complaint that had been presented to the NG-CDF Board by Ms. Hillbace Enterprises Ltd of P.O Box 329 - 50205, WEBUYE dated 24th February, 2022. Meanwhile, the Board has written a letter dated 3rd March and received on 7th March, 2022 seeking for clarity on the matter. The grounds of the complaint were alleged multipractices in procurement saying:-

- i. The Company was awarded two projects - Sinoko PCU and Mahanga Primary Schools.
- ii. The FAM and Public Works Officer single handedly picked contractors by sidelining the Procurement Officer and the Representatives from the schools without following the due process.
- iii. Up to now, we as tenderers have not received the regret letter informing us the reason why we lost.
- iv. The Contractor requested the NG-CDF Board to investigate how the tenders were awarded to clear the doubts.

Response

The Company - M/S. Hillbace Enterprises limited tendered for three projects being construction of two classrooms to completion at Lwile Sambu PAG, Sinoko PCU and Mahanga PEFA Primary Schools. The bids for the three institutions were not successful due to the following reasons:-

Lwile Sambu PAG Primary School

- i. At Technical evaluation the bid scored **34 points** which is below the cut off mark of 60 points as mandatory requirement.
- ii. The tender document was incomplete at grand summary page with no details of the contractor - name and address, witnesses and rubber stamp.
- iii. Erroneous entry of figures on summary page in the tender document - cancelled from Kshs. 2,475,940 to Kshs. 2,813,740 but not carried forward to grand summary page.



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Sinoko PCU Primary School

- i. At Technical evaluation the bid scored **34 points** which is below the cut mark of 60 points as mandatory requirement.
- ii. The tender document was incomplete at grand summary page with no details of the contractor - name and address, witnesses and rubber stamp.
- iii. Erroneous entry of figures on summary page in the tender document - cancelled from Kshs. 2,230,640 to Kshs. 2,565,040 but not carried forward to grand summary page.

Mahanga PEFA Primary School

- i. Technical evaluation the bid scored **34 points** which is below the cut mark of 60 points as mandatory requirement.
- ii. The tender document was incomplete at grand summary page with no details of the contractor - name and address, witnesses and rubber stamp.
- iii. Erroneous entry of figures on summary page in the tender document - cancelled from Kshs. 2,346,010 to Kshs. 2,541,210 but not carried forward to grand summary page.

The procurement followed the due process with the tender opening committee being appointed by the respective Head teachers - Two officers from the school and the Fund Account Manager appointing the Procurement officer and a member of the NG-CDFC staff. The Tender evaluation committee was made up of one teacher appointed by the Head teacher and the Fund Account Manager appointed the procurement officer, two technical officers, the project coordinator and a member of the NG-CDFC Staff. The regrets and notice of tender awards were written to the respective bidders.

On close scrutiny, there were two certificates of practical completion attached of which one looked questionable.

The members discussed and saw no reason in the first place that the company passed the preliminary evaluation to technical as it had not filled out the tender documents appropriately. They agreed with the tender results that the contractor was not qualified. Meanwhile, the FAM and Chairman are to go to Vihiga county for a due deligency mission on the genuines of the completion certificate.

3. NG-CDFC Procurement Activities

The request for quotations have been put up for the supply of ICT Equipment and provision of net working services as well as for the provision of motor vehicle services for the NG-CDFC GK vehicle.



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PROCUREMENT BUDGET

TENDER OPENING					
	CATEGORY	DAYS	NO. OF PERSONS	RATE	TOTAL
1	NG-CDFC Staff	2	2	2,500	10,000
2	Technical Officers	2	1	5,000	10,000
	TOTAL				20,000
TENDER EVALUATION					
1	NG-CDFC Staff	2	2	2,500	10,000
2	Technical Officers	2	3	5,000	30,000
	TOTAL				40,000
REPORT WRITING					
1	NG-CDFC Staff	1	2	2,500	5,000
2	Technical Officers	2	2	5,000	20,000
	TOTAL				25,000
	Hospitality				15,000
	GRAND TOTAL				100,000

The schools construction of classrooms and security projects shall avail Kshs. 5,500 each which is 4 x 5,500 = 22,000. This shall go towards part payment of the procurement, public works officer and the clerk of works. The deficit of their costs to be paid by the NG-CDFC. The project coordinator and the other members of the NG-CDFC staff to be paid by the committee.

This budget was proposed by Esau Wamalwa and seconded by Isaac Namusasi.

MIN. NG-CDFC 017/09/03/2022: INTERNSHIP AND CONTRACTUAL EMPLOYEES

1. CASUAL LABOURER

The members discussed and approved the engagement of Busisa Yusuf Recha of national ID no. 22175613 on a three months casual contract at a gross pay of Kshs. 15,000 per month with effect from 1st April, 2022 to 30th June, 2022 as a general cleaner.

2. EXTENSION OF CONTRACT ON INTERNSHIP

The members extended the internship contract for Ms. Patricia Nafula Wanyonyi up to 30th June, 2022. She will work in the same capacity as an intern clerk at a monthly fee of Kshs. 20,000.

The above request was proposed by Nancy Wanyonyi and seconded by Mourine Mafunga.

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MIN. NG-CDFC 018/09/03/2022: RESUBMISSION OF PROJECT ACTIVITIES AS PER CONDITIONAL APPROVALS

Re-Submission of Project Proposals for 2019-2020 and 2020-2021 Financial Years

The members discussed and settled on resubmission of funds for Lutacho FYM Primary School of Kshs. 340,000 in the 2019-2020 and Kshs. 666,390 for 2020-2021 financial years. The funds totalling Kshs. 1,006,390 be resubmitted to Bakisa Girls Secondary School for the construction of a five door exhaustible pit latrine with one being for special category students with a Urinal.

MIN. NG-CDFC: 019/09/03/2022 – ASSETS DISPOSAL

The committee decided to request the involvement of procurement officer in guidance for the disposal of the NG-CDFC Vehicle No. GKA 678R manufactured and purchased in 2008. Also to be considered for disposal are ICT equipment and furniture that are absolute and irreparable. The FAM to contact the Mechanical department for inspection and valuation of the GK vehicle as procurement organises for a board of survey for the ICT equipment and furniture. Currently, there is a working vehicle GKB263M which is in good condition.

MIN. NG-CDFC: 020/09/03/2022 – OUTSTANDING PAYMENTS

The members approved the following payments.

1. IMPREST

The members discussed and came up with the following budget for a number of activities carried out in February and March, 2022.

	Activity	Amount
1	Tender activities	100,000
2	Stationery -	50,000
3	Full NG-CDFC meeting allowance	60,000
4	NG-CDF Board Road show costs	128,320
5	Site handover and general M&E	300,000
	TOTAL	638,320

2. CMC Motors Group Ltd - Kshs. 48,764.00 being payment for general service(replacement of 2 No. worn out shocks) of NG-CDF vehicle in the month of March, 2022.

3. Postal Corporation of Kenya - Kshs. 48,760 being the post office rental box fee from 2017 to June 2022.

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4. Bursary Payments for the 2021/2022 Financial year

- i. Bursary Secondary to Form one students and other review cases - Kshs. 13,825,260.53 with the payment of Kshs. 8,035,000 this round leaving a balance of Kshs. 5,790,260.53 to be used for the ongoing review cases and the upcoming 2022 form one intake in the month of April, 2022.
- ii. Bursary Tertiary to College and university students - Kshs. 14,611,760 out of which the current available funds on account is Kshs. 811,760 which shall be paid to the current new applicants and Bursary postage costs. The balance of Kshs. 13,800,000 to be awarded based on availability of funds and a call for new applications.
- iii. Bursary Special to special category students - Kshs. 879,296 of which the current available funds is Kshs. 324,710 to be paid out to the special needs students as they apply on an ongoing basis.

MIN. NG-CDFC: 021/09/03/2022 – ADJOURNMENT

There being no other business, the meeting was adjourned at 16.00 hrs with a prayer by Mr. Patrick Walutila.

Signed:
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Date: 15th March, 2022

Mr. Timothy Mulongo – Chairman

Signed:
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Date: 15th March, 2022

Mrs. Roseline Wanyonyi – Secretary

Signed:
[Signature]

Date: 15th March, 2022

M/s. Mary G.M. Wanjala – Fund Account Manager

