



**MURANG'A COUNTY ASSEMBLY**

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**Date:** 11<sup>th</sup> April, 2023

The Hon. Speaker  
**Murang'a County Assembly**

Thro'

The Clerk  
**Murang'a County Assembly**



- **PAPER LAYING - REPORT ON THE VETTING OF MR. ELIUD MAINA, NOMINEE FOR APPOINTMENT AS CHIEF OFFICER, DEPARTMENT OF INFRASTRUCTURE AND COMMUNITY PROJECTS**

**Hon. Speaker**, pursuant to Section 45 of the County Governments Act, 2012 (Rev. 2020), and section 9 of the Public Appointments (County Assemblies Approval) Act, 2017, I beg to lay the on the table of the Assembly;

- ✓ A Report of the sectoral committee on Public Works, Roads and Transport on the vetting of **Mr. Eliud Maina Wanja** nominee for appointment as Chief Officer, Department of Infrastructure and Community Projects.

Thank You,

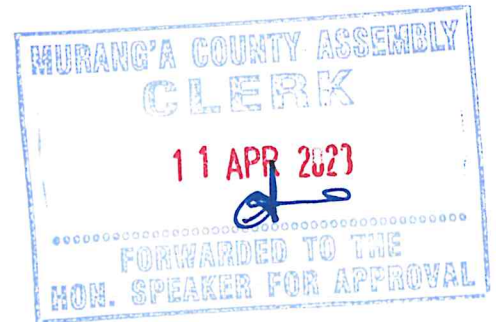
Sign:  .....

Date: 11/04/2023 .....

Hon. Samson Mukora Ngigi

**CHAIRPERSON, PUBLIC WORKS, ROADS AND TRANSPORT COMMITTEE**

**REPUBLIC OF KENYA**



**COUNTY ASSEMBLY OF MURANG'A**

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**THIRD ASSEMBLY - SECOND SESSION**

**THE SECTORAL COMMITTEE ON PUBLIC WORKS, ROADS  
AND TRANSPORT**

**REPORT ON**

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**THE VETTING OF MR. ELIUD MAINA WANJA, NOMINEE  
FOR APPOINTMENT AS CHIEF OFFICER DEPARTMENT OF  
INFRASTRUCTURE AND COMMUNITY BASED PROJECTS**  
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*Clerks Chambers*  
*Murang'a County Assembly*  
**MURANG'A**

*April 07, 2023*

## EXECUTIVE SUMMARY

Pursuant to Section 45 of the County Governments Act, 2012 (Rev. 2020) and Section 6 of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, His Excellency the Governor Dr. Irungu Kang'ata, nominated Mr. Eliud Maina Wanja for appointment as **Chief Officer, Department of Infrastructure and Community Based Projects.**

The Hon. Speaker informed the House that he had received communication from His Excellency the Governor on his nomination of Mr. Eliud Maina Wanja among other nominees for appointment as Chief Officers. He then referred the notification to the relevant Committee on Public Works, Roads and Transport for vetting and reporting to the House within 21 days pursuant to section 9 (1) of the Public Appointments (County Assemblies Approval) Act, 2017.

Upon committal of the notification, the sectoral committee on Public Works, Roads and Transport held a sitting on 28<sup>th</sup> March, 2023 at 11.00 a.m. in the County Assembly to adopt the workplan of the vetting and to scrutinize the nominee Cv and testimonials forwarded along with the letter from H.E. the Governor.

To ensure a competitive recruitment of a Chief Officer, the County Public Service Board advertised for the positions of Chief Officer in the Daily Nation Newspaper dated 19<sup>th</sup> December, 2022 pursuant to section 59 of the County Governments Act, (Rev. 2020). Seventeen (17) applicants were shortlisted for the position of Chief Officer Infrastructure and Community Projects. These included 14 male applicants and 3 female applicants. At the conclusion of interviews the Board settled on ten candidates with Mr. Eliud Maina having attained the highest score of 501. The committee scrutinized the report of the selection panel and was satisfied with the procedure used to arrive at the nominee.

Pursuant to section 7 (4) and (5) of the Public Appointments (County Assemblies Approval) Act, 2017, the Clerk of the County Assembly placed an advertisement in the print media on **Wednesday March 29, 2023** (page 25 of The Standard newspaper) and (page 6 of the Daily Nation). Members of the public were invited to attend the hearing and/or submit memoranda by way of written statements on oath (sworn affidavits) on the suitability or otherwise of the nominee. The Committee confirmed that by Tuesday 4<sup>th</sup> April, 2023 at 10.00 a.m. the Office of the Clerk had **not received ANY** memoranda.



The nominee appeared before the committee on Wednesday at 12.00 noon for approval hearing on his suitability or otherwise for appointment as Chief Officer, in accordance with section (7) and (8) of the Public Appointments (County Assemblies Approval) Act, 2017. The committee observed that the nominee exhibited outstanding credentials, experience and competencies in relation to the position he has been nominated to.

Having conducted the vetting of the nominee pursuant to Section 45 of the County Governments Act, (Rev.2020) and section (7) and (8) of the Public Appointments (County Assemblies Approval) Act, 2017, **the Committee hereby recommends;**

**THAT, this House APPROVES the nomination of Mr. Eliud Maina Wanja by His Excellency the Governor, for appointment as Chief Officer, Department of Infrastructure and Community Projects.**

#### **Acknowledgement**

May I take this opportunity to thank the Hon. Members of this committee for their dedication, patience and valuable input during deliberations of the entire vetting process. The committee also extends its gratitude to the offices of the Hon. Speaker and the Clerk of the County Assembly for the professional, technical and logistical support accorded to it during the vetting exercise, which enabled the completion of this report.

On behalf of the Public Works, Roads and Transport committee and pursuant to Section 45 of the County Governments Act, 2012 and Section 9 of the Public Appointments (County Assemblies Approval) Act 2017, it is my pleasure and duty to present to the House, the Committee's report on the vetting of Mr. Eliud Maina Wanja nominated by His Excellency the Governor for appointment as Chief Officer, Department of Infrastructure and Community Projects.

Thank You.

Signed:  .....

Dated this; <sup>27</sup>11 .....Day of April, 2023.

HON. SAMSON MUKORA NGIGI  
**CHAIRPERSON, PUBLIC WORKS, ROADS AND TRANSPORT COMMITTEE**

## **LIST OF ABBREVIATIONS/ACCRONYMS**

BQs	Bill of Quantities
CGA	County Governments Act, 2012
CDF	Constituency Development Fund
CPSB	County Public Service Board
CRB	Credit Reference Bureau
DCI	Directorate of Criminal Investigations
HELB	Higher Education Loans Board
KRA	Kenya Revenue Authority
KESSHA	Kenya Secondary School Heads Association
NYC	National Youth Council

## 1.2 COMMITTEE SECRETARIAT

The secretariat supporting the committee comprises of the following officers of the County Assembly;

1. Jane Nduta Njeri – **Senior Clerk Assistant and Head of the Secretariat**
2. Naomi Wanjiku Maina – **Hansard Reporter**
3. Caroline Karugo – **Research Officer**
4. Zachary Waithaka – **Serjeant-At-Arms**

## 1.3 ESTABLISHMENT AND MANDATE OF THE COMMITTEE

The Departmental Committee on Public Works, Roads and Transport is established pursuant to provisions of Standing Order 204.

As a sectoral Committee under these provisions, the Committee is mandated to:-

- (a) investigate, inquire into, and report on 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, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- (e) investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the Assembly;
- (f) **to vet and report on all appointments where the Constitution or any law requires the Assembly to approve, except those under Standing Order 198 (Committee on Appointments)** ; and
- (g) make reports and recommendations to the Assembly as often as possible, including recommendation of proposed legislation.

Pursuant to the fourth schedule of the Constitution of Kenya 2010 and the second schedule of the County Assembly standing order (204), the Committee is also mandated to look into all matters related to;

- a. County transport,
- b. Including county roads,
- c. Street lighting,

- d. Traffic and parking,
- e. Public road transport
- f. Storm water management systems in built-up areas

#### **1.4 Terms of Reference**

The committee set out the following objectives for the vetting process and report writing;

1. To conduct approval hearing of Mr. Eliud Maina Wanja nominee for appointment to the position of Chief Officer.
2. To report on observations of the vetting of the nominee and his suitability for appointment as Chief Officer Department of Infrastructure.
3. To recommend the approval or rejection of the nomination.

## **2.0 BACKGROUND**

### **2.1 Communication from His Excellency the Governor**

Pursuant to Section 45 of the County Governments Act, 2012 (Rev. 2020), and Section 6 of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, His Excellency the Governor Dr. Irungu Kang'ata, vide a letter **Ref; MCG/CS/GOV/2 (76)** dated 15<sup>th</sup> March, 2023 forwarded to the Clerk of the County Assembly the names of fourteen nominees for appointment as Chief Officers in various Departments. The nomination was forwarded for purposes of vetting by the relevant sectoral committees for vetting and approval by the County Assembly.

### **2.2 Committal of Notification of Nomination**

During a special sitting held on **Tuesday 28<sup>th</sup> March, 2023 at 9.30 a.m.** the Hon. Speaker informed the House that he had received communication from H.E. the Governor on his nomination of **Mr. Eliud Maina Wanja** for appointment as the Chief Officer Department of Infrastructure and Community Based Projects, among a list of other Chief Officers nominees for various sectors. In accordance with Section 9 (1) of the Public Appointments (County Assemblies Approval) Act, 2017, the Hon. Speaker referred the notification to the relevant Committee on Public Works, Roads and Transport for vetting and reporting to the House within 21 days from the date on which the Committee first sits to consider the nomination. The nominee Curriculum Vitae, testimonials and other credentials were also committed to committee pursuant to Section 6 (4) of the Public Appointments (County Assemblies Approval) Act, 2017.

### **2.3 Pre-Vetting Committee Sitings**

The Committee held a sitting on Tuesday 28<sup>th</sup> March, at 11.00 a.m. in the County Assembly and adopted the work plan of the vetting process. The committee also scrutinized the submitted Cv, testimonials and clearance requirements of the nominee, as a preliminary observation of his suitability for appointment.



## **4.0 ANALYSIS OF THE ISSUES FOR CONSIDERATION IN VETTING**

### **4.1 Issues for Consideration**

The Committee observed that the issues for consideration in relation to the nomination and approval exercise are provided for in Section 8 of the Public Appointments (County Assemblies Approval) Act as follows –

- (a) the procedure used to arrive at the nominee;*
- (b) the constitutional and statutory requirements relating to the office in question; and*
- (c) the suitability of the nominee for the appointment proposed, having regard to whether the nominee's credentials, abilities, experience and qualities, meet the needs of the body to which the nomination is being made.*

#### **(a) Suitability of Nominee**

In conducting the vetting process, the Committee observed that the suitability of the nominee shall be evaluated holistically taking into account the following criteria amongst others as set out in section 7(8), (10) and (11), Section 8 and Section 9 of the Public Appointments (County Assemblies Approval) Act and the Constitution of Kenya, 2010.

- i. Academic credentials
- ii. Professional training, experience and employment record
- iii. Potential conflict of Interest
- iv. Statutory Obligations
- v. Vision, Leadership and knowledge of the sector
- vi. Integrity
- vii. Expectations and Key Priorities
- viii. Performance and presentation during the interview
- ix. Overall suitability

#### **(b) Leadership and Integrity**

The Committee, in determining the suitability of the nominee, took into consideration the provisions on leadership and integrity as outlined under Chapter Six of the Constitution. In particular, the Committee took cognizance of following provision -

Article 73(2) of the Constitution which provides that the guiding principles of leadership and integrity include:-

## **1.1 VETTING OF MR. ELIUD MAINA WANJA, NOMINEE FOR APPOINTMENT AS CHIEF OFFICER DEPARTMENT OF INFRASTRUCTURE AND COMMUNITY PROJECTS**

Mr. Eliud Maina Wanja of National Identification Number 27828322, the nominee for appointment as Chief Officer Department of Infrastructure and Community Projects appeared before the Committee on Wednesday 5<sup>th</sup> April, 2023 at 12. 30 p.m. and was cross examined under oath pursuant to Article 195 of the Constitution of Kenya, 2010. The approval hearing commenced as per the Public Appointments (County Assemblies Approval) Act, 2017.

The nominee presented as follows, both orally and in writing:-

### **Date and Place of Birth**

1. He is a Kenyan Citizen born on **15<sup>th</sup> September, 1989** in Murang'a County and resides in Murang'a.

### **Marital Status**

2. He is married with one child.

### **Academic and Professional Qualifications**

3. He attended Co-operative University of Kenya from 2015 to 2018, and was awarded a Bachelor of Commerce BCOM (Finance) Degree where he attained a 2<sup>nd</sup> Class Honors, Upper Division.
4. He also attended Kenya Polytechnic University, Nairobi from 2010 to 2012 where he attained a Diploma in Applied Statistics
5. He studied at Njumbi High School from 2005 to 2008 and attained a B- (minus)
6. He attended Githambo Primary School from 1995 – 2004 and attained 342 marks out of 500.

### **Employment Record**

7. The nominee indicated his work experience as follows;
  - a) He has worked as a Chief Administrative Officer/Personal Assistant to the Majority party Chief Whip, Senate from 2017 to 2022.

## Sources of Income

13. He indicated his sources of income as follows;

- i. Salary Financial Year 2021- 2022 Kshs. 2, 500,000
- ii. Allowances (September to December 2022) Kshs, I Million
- iii. SACCO dividends, approximately ksh. 180,000.00.

## Tax Status

14. He has fully complied with tax obligations to the state as confirmed by the Kenya Revenue Authority through the compliance certificate submitted.

## Net Worth

The nominee estimated his financial net worth at Kshs, 21 Million.

## Outside Commitment during Service in office with or without compensation

- |    |  |                   |
|----|--|-------------------|
| 1. | Member of Staff Audit Taskforce, Murang'a County Government  | Sep – Dec, 2022   |
| 2. | Board Member, Dr. Gitau Matharite Secondary School, Nairobi  | 2018 – to present |
| 3. | Board Member, Githambo Primary School  | 2018 – to present |
| 4. | County Ambassador, Kenya ni Mimi (Ministry of Youth, ICT and Sports)                                   | 2020 – to present |
| 5. | Chairman, National Youth Council (NYC)- District Level (Ministry of ICT, Innovation and Youth Affairs. | 2012 - 2016       |
| 6. | Treasurer, Murang'a County Youth Bunge Sacco (Yes Youth Can) under, USAID                              | 2011 - 2014       |
| 7. | Chairman, Kenya Anglican Youth Association – ACK Githambo Parish                                       | 2009 - 2015       |

## Potential Conflict of Interest and how he would resolve it, if it emerged

He does not have any potential conflict of interest

## Pro-Bono, Charity Work and Donations

He is not engaged in any pro-bono, charity work and donations.

He further stated that having worked as a Constituency office manager he intends to bring on board the managerial and administrative experience and skills gained over time to impact the Department of Infrastructure. He added that he will also use that advantage to guide the officers in the department to perceive issues beyond the technicalities of engineering. He asserted that he will endeavour to provide strategic management and leadership.

**e. Knowledge of National Values and Principals of Governance as set out in Article 10 of the**

The nominee mentioned the following National Values and Principals of Governance

- i. Good Governance
- ii. Inclusivity
- iii. Rule of Law
- iv. Integrity
- v. Transparency
- vi. Patriotism
- vii. Non-Discrimination

**f. Community Based Projects**

The nominee was asked to state some of the projects under the Community Based Projects Program and mentioned the following.

- i. Community Roads
- ii. ECDE classrooms
- iii. Foot bridges and bridges
- iv. Street loght snad flood lights
- v. Market sheds in major towns and in various Wards.

**g. On how he will ensure successful implementation of the Governments Vision on Community Projects;**

- i. The nominee assured the committee that as a matter of priority he will consider engaging members of the County Assembly in identification, implementation and evaluation of projects.



**j. How to deal with rogue Contractors undertaking shoddy jobs after tender awards**

If appointed the nominee strongly asserted that he will ensure that contractors deliver quality work by;

- i. Undertaking valuation of works;
- ii. blacklisting rogue contractors;
- iii. sanctioning
- iv. Linking contractors and works officers with MCAs to ensure that they set timelines for delivering the works.
- v. Verification of BQs to ensure they align with the works on the ground.
- vi. Holding the technical officers in the Department to account and ensuring that delivery of quality works by contractors forms part of performance appraisals.
- vii. Undertaking thorough inspection of works before payments are made to any contractor.
- viii. Engaging MCAs in training on how to analyze and interpret BQs.

**k. How he will link Contractors, Works Officers and MCAs**

He stated that if appointed, he will have a meeting with all MCAs and works officers in order to have a collective understanding of the projects and laydown modalities for projects implementation. He also assured the committee that MCAs will be fully involved in identification, implementation and evaluation of the projects.

**l. How he will handle Contractors being awarded too many works through proxy companies**

If appointed the nominee explained that he will propose that advertisement for tenders should clearly indicate that a single company can only be given a maximum of two projects in order to enhance equity.

**m. Affiliation with the County Assembly**

The nominee cited the functions of the County Assembly as Legislation, Oversight of the County Executive and Budget Making.

**6.0 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF MR. ELIUD MAINA WANJA, NOMINEE FOR APPOINTMENT AS CHIEF OFFICER DEPARTMENT OF INFRASTRUCTURE AND COMMUNITY PROJECTS.**

Having considered the nominee's filled questionnaire pursuant to Section 7 (9) of Public Appointments (County Assemblies Approval) Act, 2017, his Curriculum Vitae and having heard his oral submissions during the vetting exercise, the Committee made the following observations on his suitability for appointment as Chief Officer:-

**(A) Leadership and Integrity**

1. **THAT** in compliance with the requirements of Chapter 6 of the Constitution of Kenya on leadership and integrity, the nominee was given clearance by the following statutory bodies;
  - i. The Directorate of Criminal Investigations (DCI)
  - ii. The Kenya Revenue Authority (KRA)
  - iii. The Higher Education Loans Board (HELB)
  - iv. Ethics and Anti-Corruption Commission (EACC)
  - v. Credit Reference Bureau
2. **THAT** he has never been adversely associated with practices that depict bias, favoritism or nepotism in the discharge of his public duties.
3. **THAT** he has not been charged in a Court of Law in the last three (3) years and has not been adversely mentioned in an investigatory report of parliament or any other commission of inquiry in the last three years.
4. **THAT**, the nominee does not have any potential conflict of interest.

**(B) Academic Qualifications and experience**

5. The nominee has the requisite academic credentials relevant to the position.
6. His experience in administration, management and community leadership are aligned to the needs of the docket he has been nominated to.

## **8.0 ANNEXES**

**Appendix 1:** Cv Summary

**Appendix 2:** Notification of Nomination

**Appendix 3:** Newspaper Advertisements



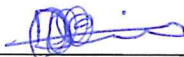











**Appendix 4:** Oath of Witness Form

**Appendix 5:** Nominee Rating

**Appendix 6:** Minutes of meeting

## REPORT ADOPTION

This report was adopted by the following members of the Committee;

S/N	NAME	SIGN
1.	Hon. Samson Mukora Ngigi	
2.	Hon. Laban Chomba Njaramba	
3.	Hon. Moses Gachui Mungai	
4.	Hon. Alex Ndunda Makau	
5.	Hon. Grace Nduta Wairimu	
6.	Hon. Gerald Wambugu	
7.	Hon. John Kamwaga Mwangi	
8.	Hon. Isaac Chefman Njoroge	
9.	Hon. Dinah Muthoni Kagiri	
10.	Hon. Liz Muthoni Mbugua	
11.	Hon. Simon Mwaura Wamwea	
12.	Hon. James Karanja Kabera	
13.	Hon. Bernard Ruiru Njeri	
14.	Hon. Priscilla Njeri Mwangi	
15.	Hon. Peter Munga Njuguna	