

**TO: THE SENATE OF THE REPUBLIC OF KENYA,  
C/O, THE CLERK,  
THE SENATE,  
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PALIAMNT ROAD,  
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**Cc: THE ETHICS AND ANTI-CORRUPTION COMMISSION,  
INTEGRITY CENTRE,  
VALLEY ROAD JUNCTION,  
NAIROBI.**

*Ms. Odir  
Please review  
and facilitate  
appropriate  
D. Clumbe  
28/9/19.*

**RE: PETITION TO THE SENATE OF THE REPUBLIC OF KENYA UNDER  
ARTICLES 37 AND 119 OF THE CONSTITUTION OF KENYA  
2010, THE PETITION TO PARLIAMENT (PROCEDURE) ACT,  
STANDING ORDERS 225 AND 226 OF THE SENATE ON  
CORRUPTION AND EMBEZZLEMENT OF FUNDS OF THE COUNTY  
GOVERNMENT OF NAROK WITH REGARDS TO TENDERS NUMBERS  
NCG/RD/064/2014/2015 NCG/RD/064/2014/2015 AND  
NCG/RD/075/2014/2015.**

**We the undersigned,**

Citizens of the Republic of Kenya, Residents of Narok County wish to state that it is in public interest that we formally lodge this Petition before this Honorable House concerning flouting of procurement rules, award of tenders and allocation of resources to non-existing projects.

The humble petition also concerns the misappropriation of the county revenues particularly of the years 2014/2015 to 2018/2019 in which millions of shillings were allocated to projects that never saw the light of the day. There is no gainsaying that such moneys ended up in the pockets of a few individuals.

*② Mr. Chemut  
P5 process.  
D. Clumbe  
27/9/19*

*① DKPS  
Please deal.  
M. Odir  
27/9/19.*

**PETITION TO THE SENATE OF THE REPUBLIC OF KENYA UNDER ARTICLES 37 AND 119 OF THE CONSTITUTION OF KENYA 2010, THE PETITION TO PARLIAMENT (PROCEDURE) ACT, STANDING ORDERS 225 AND 226 OF THE SENATE ON CORRUPTION AND EMBEZZLEMENT OF FUNDS OF THE COUNTY GOVERNMENT OF NAROK WITH REGARDS TO TENDERS NUMBERS NCG/RD/064/2014/2015, NCG/RD/064/2014/2015 AND NCG/RD/075/2014/2015.**

**We HUMBLY draw the attention of the House to the following:**

**A. Particulars of Tenders awarded**

1. Via a letter dated the 16<sup>th</sup> day of March 2015 and referenced NCG/LETTER/AWARD/VOL III (52) LKS, the County Government of Narok wrote to Flywheel Engineering and Construction Ltd informing them of their successful bid and award of tender No. NCG/RD/064/2015/2015 for improvement and gravelling of Paka Nyeusi-Mashangwa Road section 1-8 km at the contract sum of Kshs. Nineteen million nine hundred and twenty four thousand shillings (19,924,000/=).
2. The project was to commence on 23<sup>rd</sup> March 2015 and was to run for 16 weeks with the agreed completion date of 23<sup>rd</sup> July 2015. This was not done. To the date of this letter, the road has not been improved or tarmacked in any way.
3. Surprisingly, on the same date of 16<sup>th</sup> March 2015, the County Government of Narok wrote to Agus Investment limited via a letter reference number NCG/LETTER/AWARD/VOL III (51) LKS informing them of their successful bids and award of tender no. NCG/RD/063/2015/2015 for improvement and gravelling of Paka Nyeusi-Mashangwa Road section 1-8 km at the contract sum of eighteen million nine hundred and eighty thousand (18,980,000/=).
4. The contract referred to in paragraph 3 above was also to commence on 23<sup>rd</sup> March 2015 and was to run for 16 weeks with the agreed completion date of 23<sup>rd</sup> July 2015. This was not fulfilled.
5. This means that the project of improvement and gravelling of Paka Nyeusi-Mashangwa Road section 1-8 km had two tenders in the same financial year. Payments were made to the companies yet no work was done at all. The people of Narok County lost.

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6. On 1<sup>st</sup> October 2015, the County Government of Narok awarded tender no. NCG/PAN/088/2015-2016 (reference NCG/LETTER/AWARD/VOL III (116)) for proposed construction of water pans to Flywheel Engineering & Construction ltd for a contract sum of two million six hundred and ninety-three thousand shillings (Kshs. 2,693,520/=). The project was never carried out yet payment was made.
7. On 12<sup>th</sup> April 2015, the County Government of Narok awarded tender no. NCG/WORKS/057/2014-2015 (reference NCG/LETTER/AWARD/VOL III (68)) for renovation and partitioning of boardroom to Flywheel Engineering & Construction ltd for a contract sum of three million four hundred and ninety-one nine hundred and ninety-four thousand shillings (Kshs. 3,491,994/=). The project was never carried out yet payment was made.
8. On 1<sup>st</sup> October 2015, the County Government of Narok awarded tender no. NCG/PAN/089/2015-2016 (reference NCG/LETTER/AWARD/VOL III (115)) for proposed construction of water pans to Flywheel Engineering & Construction ltd for a contract sum of two million six hundred and seventy-eight thousand shillings (Kshs. 2,678,000/=). The project was never carried out yet payment was made.
9. Via a letter dated the 16<sup>th</sup> day of March 2015 and referenced NCG/LETTER/AWARD/VOL III (63) LKS, the County Government of Narok awarded to Gorgeous Construction ltd tender No. NCG/RD/075/2014/2015 for improvement and gravelling of Sankale-Topot Road 20 km at the contract sum of Kshs. Nineteen million nine hundred and twenty five thousand shillings (19,925,000/=). This contract was never performed yet payment was made.

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**B. Issues arising**

10. From the above highlights, it is evident there is a big problem at the procurement department of the County Government of Narok. There are also fraudulent payments that were made with respect of the tenders described above.
11. What raises even more eyebrows is the fact that Flywheel Engineering & Construction ltd seem to be getting all the tenders. Their relationship with the county government needs to be looked into.
12. That with the history of our nation and government institutions, there is fear that the monies have been misappropriated and benefited a few corrupt individuals instead of the people of Narok County.

**Your petitioners state further THAT:**

13. To the best of our knowledge this matter was reported to the Director of Criminal Investigations on 1<sup>st</sup> August 2019 and no action has been taken since then.

**THAT**

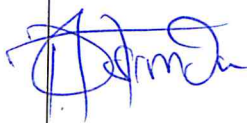
14. To the best of our knowledge there is no matter before the court concerning the issues raised herein.

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**The Petitioner Humbly Requests that:**

15. This petition is dealt with immediately in view of the seriousness of the issues raised.
16. The Relevant Committees to investigate the issues raised and more particularly on whether kickbacks were given to any county government officer by the winners of the specified tenders.
17. The Senate to recommend that the Narok County Government should never accept tender bids from the companies namely Flywheel Engineering and Construction ltd, Agus Investment limited and Gorgeous Construction ltd.
18. The Senate recommends the prosecution of persons who may have unlawfully awarded the specified tenders and fraudulently made payments when no work was done.

**AND Your Humble Petitioners will ever Pray.**

No.	PETITIONERS NAMES	ADDRESS AND PHONE	IDENTIFICATION NO.	SIGNATURE
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2.	OLANANA D. OLELTULET	P.O BOX 13-40700 KILGORIS 0729338748	22384776	