

REPUBLIC OF KENYA



**THE COUNTY GOVERNMENT OF MIGORI
PERFORMANCE CONTRACT
BETWEEN**

**COUNTY EXECUTIVE COMMITTEE MEMBER FOR LANDS,
HOUSING, PHYSICAL PLANNING AND URBAN DEVELOPMENT**

AND

**CHAIRPERSON OF THE BOARD
RONGO MUNICIPALITY**

**FOR THE PERIOD
1ST JULY 2023 TO 30TH JUNE 2024**

PERFORMANCE CONTRACT

DEPARTMENT OF PHYSICAL PLANNING & URBAN DEVELOPMENT

This Performance Contract (hereinafter referred to as "Contract") is entered into between the County Executive Committee Member Department of Lands, Housing, Physical Planning & Urban Development (hereinafter referred to as "CECM") represented by **Hon. Eng. John Kobado** of P.O. Box 195-40400, Suna Migori (together with its assignees and successors) of the one part, and the Chairperson of the board Rongo Municipality **Mr. Brighton Angienda** (hereinafter referred to as the "Chairperson"), (together with its assignees and successors) of P.O. Box 450-40404, Rongo on the other part
WHEREAS;

The County Government is committed to ensuring that public offices are well managed and they are cost effective in delivering quality service to the public in line with provisions of the Constitution of Kenya;

The County Government recognizes that Municipality's hold a vital key in the implementation of Municipality priority programs and projects, other national priorities including "The Plan" Initiatives in order to improve the quality of lives of the people of Rongo Municipality and make the Municipality competitive;

The purpose of this performance contract is to establish the basis for ensuring that efficient and effective services are delivered to the people of Rongo Municipality in line with the provisions of the Constitution and by requiring Departments to adapt systems that enable innovativeness and adaptability of public services to the needs of users.

This Performance Contract therefore represents a basis for continuous performance improvement that meets the needs and expectations of the Rongo Municipality residents.

Therefore, the parties hereto agree as follows:

Part I: Statement of Responsibility by Chairperson Rongo Municipality

The mandate of the board is to efficiently manage, administer and plan for sustainable use of land resources within Rongo Municipality.

It is my responsibility to provide the required leadership in designing suitable plans and strategies that will contribute to high and sustainable socio- economic development. It is my undertaking to ensure that the board has a credible strategic plan and performance contract that will deliver the desired goals.

It is also my undertaking that I will perform my responsibilities diligently and to the best of my abilities to support the achievement of the agreed performance targets.

Part II: Vision Statement, Mission Statement and Strategic Objectives

VISION

To be a secure, competitive and well-Governed Municipality with efficient service delivery and attractive opportunities for the benefit of its residents and investors.

MISSION

To offer effective and efficient governance that works for, and with the people of Rongo and beyond.

Strategic Objectives

The strategic objectives of this Municipality are to:

- (i) To ensure effective and efficient urban development and management
- (ii) To provide adequate public land through Land banking
- (iii) To provide Environmental Management, conservation and disaster management
- (iv) To provide infrastructural and Utility service
- (v) To enhance capacity development
- (vi) To promote trade, tourism and socio-economic development
- (vii) To promote public health and medical health services
- (viii) To improve informal settlement
- (ix) To eliminate social imbalance
- (x) To enhance security
- (xi) To mobilize resources

PART III: Statement of Strategic Intent by the CECM.

In carrying out my duties, I/we intend to put all my efforts towards contributing effectively and efficiently to the achievement of the county development agenda as espoused in the SDGs, Kenya Vision 2030, Bottom Up Economic Model and CIDP, keeping in mind the specific priorities of the department.

Bearing in mind the imperative of inclusivity, I/we will implement the following Strategic Intention during the Financial Year 2023/2024.

I/we will manage land resources of the County with a view of providing sustainable development in a well-planned environment. I will ensure the conclusion of the preparation of the ongoing planning processes and initiate the planning of urban areas.

I will, in coordination with other departments ensure that sectoral plans are prepared, Integrated Development Plans and Annual Urban investment Plans for urban areas are in place

PART IV Commitments and Obligations of the County Government of Migori

Acknowledgement of receipt of correspondences and approval of requests are made within the timelines stipulated in the Citizens' Service Delivery Charter.

Release of budgetary allocation within 14 days after ex-chequer release. This is aimed at ensuring that the County Governments disburse funds in a timely manner to Municipality and downstream institutions.

PART V Reporting Requirements

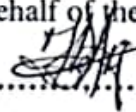
Executive Committee Member for Lands, Housing and Physical Planning shall submit quarterly performance reports to the Performance Management Secretariat for monitoring progress and annual reports for evaluation of performance.

PART VI Duration of the Performance Contract

The Performance Contract will run for one financial year, from 1st July 2023 to 30th June 2024.

PART VII Signatories to the Performance Contract For and on behalf of the Rongo Municipality

For and on behalf of the Rongo Municipality.

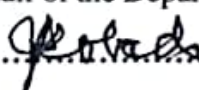
Signature..........Date.....6th 10/23.....

Name: Brighton Angienda

Designation: Chairperson Rongo Municipality

Date:6th 10/23.....

For and on behalf of the Department of Lands, Housing, Physical Planning and urban development

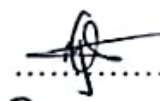
Signature..........Date.....06/10/2023.....

Name: Hon. Eng. John Kobado

Designation: CECM, Lands, Housing, Physical Planning and urban development

Date:06/10/2023.....

Witness

Signature..........

Name: Prisca Castro Majwa.....

Designation: CHIEF OFFICER M&E, PERFORMANCE..... CONTRACTING

Date:6/10/23.....

**PERFORMANCE MATRIX FOR THE DEPARTMENT OF PHYSICAL PLANNING &
URBAN DEVELOPMENT 2023/2024 FINANCIAL YEAR**

		CRITERIA CATEGORY	UNIT OF MEA SUR E	WEIG HT	CURRENT STATUS	TARGET FY 2023/24
A		FINANCIAL STEWARDSHIP AND DISCIPLINE				
	A1	Absorption of Allocated Funds	%	4	95.5%	100
	A2	Absorption of externally mobilized funds	%	2	99.9%	100%
	A3	A-in-A	Ksh	2	-	-
	A4	Pending bills	%	2	10,494,196	<1
		Weight Sub Total		10		
B		SERVICE DELIVERY				
	B1	Implementation of Citizens' Service charter	%	4	50	100
	B2	BPR (Business Process Re-engineering)	%	3	60	100
	B3	Resolution of Public Complaints	%	3	70	100
		Weight Sub Total		10		
C		CORE MANDATE Rongo Municipality priority projects/ programmes ("Big Four" Initiatives)				
	C1.	Rehabilitation of the recreational park in Rongo Municipality	%	48	0	100
	C2	Ease of doing business	%	2	80	100

C3	Project Completion Rate	%	4	50	100
C4	Development Index	%	3	27.41	62.59
C5	Science and Technology	%	3	80	100
	Weight Sub total		60		
D	Implementation of Governors Directives and executive orders	%	2	30	100
E	Access to Government Procurement Opportunities (AGPO)	Kshs	3	171,608,694	30,243,973.2
	Promotion of Local Content	Kshs	2	205,930,433.20	93,847,003.6
G2	Youth Internships/ Industrial Attachments/Apprentice ships	No.	1	60	25
G3	Competence Development	%	2	55	100
G4	Disability Mainstreaming	%	2	70	80
G5	Gender Mainstreaming	%	1	50	100
G6	Prevention of Alcohol and Drug Abuse	%	2	50	100
G7	Prevention of HIV Infections	%	1	50	100
G8	National Cohesion and Values	%	1	30	100
C	Work Environment	%	1	80	100
G10	Corruption Prevention	%	2	40	100
	Weight Sub Total		13		
	OVERALL TOTAL WEIGHT		100		

ANNEX 2:

Performance Contract Explanatory Notes A. FINANCIAL/STEWARDSHIP A1

A. FINANCIAL/STEWARDSHIP

A1. Absorption of Allocated Funds

In the F/Y 2023/24 the Municipality will ensure that funds allocated are absorbed 100% on the programs, projects and activities for which they are appropriated and planned and not on ad-hoc basis.

A2. Absorption of Externally Mobilized Funds

In the F/Y 2023/24, the Municipality has not received any funding from strategic partners but hopes that this will come in the course of the year from the World Bank. At that point, a supplementary budget will be done and this PC reviewed to factor in that aid.

A3. Appropriation-in-Aid (A-in-A)

In the F/Y 2023/24, the Municipality has not received any funding from strategic partners but hopes that this will come in the course of the year from the World Bank. At that point, a supplementary budget will be done and this PC reviewed to factor in that aid.

B. SERVICE DELIVERY

B1. Implementation of Citizens Service delivery charter.

In the F/Y 2023/2024, the Municipality undertakes to review the services delivery charters for all the units of the Municipality

- i. Review the current Municipality Customer Service Delivery Charter in the first quarter to comply with the third generation County integrated Development Plan for the period 2023-2027; **(30%)**
- ii. Displaying the charter prominently at the point of entry/service delivery points. For the purpose of the display, and ease of notice by the customers, the size of the charter should, at the minimum, be three feet in width and four feet in height, i.e.(3'x4'), with clearly visible font size of the contents **(30%)**;
- iii. Sensitizing employees and cascading to all levels including customizing the charter at the grass roots institutions by factoring realistic time-lines **(15%)**;
- iv. Ensuring conformity with the commitments and standards in the charter by

establishing compliance mechanisms, e.g., maintaining records on service delivery (15%); and

- v. Customizing charter to unique needs of the customers e.g., translating charter to both English and Kiswahili providing mechanisms for sign language (10%)

B2. Customer Satisfaction

The Municipality undertakes to:

I.	Establish a customer care desk with a grievance register	50%
II.	Install a suggestion box for the clients	30%
III.	Undertake an independent baseline customer satisfaction survey.	20%

B3. Application of Service Delivery Innovations

The Municipality will come up with one innovation to automate planning records and implement it -50%

The Municipality will create and publicise social media platforms for the sake of easily connecting with the public -50%

B4. Resolution of Public Complaints

During the F/Y 2023/2024, the Municipality shall conduct the following.

I.	Form a public complaints committee	20%
II.	Create awareness on the complaints handling mechanisms	20%
III.	Dedicate a hotline, complain and compliments box and email address for reporting complaints and giving feedback to the public	20%
IV.	Resolve all complaints received	40%

B5. Business Process Re-engineering

During the FY 2023/24 the Municipality will carry out the following activities

I.	Automate the Land Resource Management functions and policies by uploading the information on the county website	30%
II.	Establish a GIS laboratory	30%
III.	Implement and monitor the re-engineered processes above	35

IV.	Submit BPR report to the office of the County Performance Steering Committee and Public Service Transformation Department in the prescribed format	5%
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C. CORE MANDATE/OPERATIONS

Priority Projects

In the F/Y 2023/24, the Municipality has identified and shall undertake to implement the following priority projects:

I.	Rehabilitation of the recreational park in Rongo Municipality
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During the contract period, the Department will undertake the following activities

S/N O	PROJ ECT NAME	PROJECT DESCRIPTION	LOCAT ION	TOTAL ESTIMA TED COST (Kshs. M)	CUR REN T STA TUS (%)	ALLOCA TION FY 2023/24	EXPECTED DELIVERA BLES 2023/24
I.	Park Rehabil itation	Rehabilitation of the recreational park in Rongo Municipality	Rongo	5,400,000	0	5,400,000	Rehabilitated Park

C2 Ease of doing business

I) Protection of investors – extent of disclosure of information to investors and shareholders and creating awareness of the existing Municipality Laws and Regulations (40%)

II) Enforcement of Contracts -Taking legal action where appropriate for Contractors who are not complying with their contract terms (60%)

C3 Project Completion Rate

During the FY 2023/24, the Municipality shall ensure that projects undertaken adhere to specifications to attain the intended purpose and done to completion (100%):

C4 Development Index

In the F/Y 2023/2024 the Municipality will receive Kshs, 19,694,625 where Kshs 14,294,625 is recurrent while Kshs 5,400,000 is for development, hence a development index of 27.41 %

Working of DI= DE X 100%

TB

$(5,400,000 / 19,694,625)100\% = 27.41\%$

C5 Science, Technology and Innovation Main streaming

The Municipality plans to undertake the following activities in the FY 2023/2024:

I) Appoint STI Champions (10%)

II) Training STI Champions (20%)

III) Develop and implement the Municipality STI main streaming strategy using the template provided on NACOSTI's website www.nacosti.go.ke (20%)

IV) Develop and implement annual work plan for departmental STI main streaming (30%)

V) Submit quarterly and annual reports to NACOSTI office using the STI mainstreaming reporting template provided on NACOSTI's website (20%).

D. Implementation of Governor's Directive

There is currently no directive from the Governor requiring implementation for the FY 2023/2024

E. Promotion of Local Content in Procurement

During the 2023/24 financial year, the Municipality will:

- a) Promote consumption of locally produced goods and services that will contribute to employment creation and growth of local industries and will award at least 40% (Kshs. 40,325,297.6) of the total value of the procurement budget for goods and services produced locally as indicated in the department's procurement plan (80%)
- b) Prepare and submit quarterly progress reports on the implementation of this indicator to the County Secretary and County Performance Steering Committee (20%).

F. CROSS-CUTTING ISSUES

F1. Asset Management

The Municipality will undertake the following to accomplish the following during the implementation period: -

- I) Maintain and update Assets Registers using the prescribed reporting templates issued by the County Treasury (60%)

II) Disposal of Idle Assets - Ensure disposal of unserviceable, obsolete and surplus assets by way of sale, transfer to other public institutions, destruction, donation or other authorized methods of disposal and in all cases in full conformity to the existing legal requirements (40%).

F2. Youth Internships/ Industrial Attachments/Apprentice ships

During the year 2023/2024, the Municipality intends to do the following to ensure that all Municipality projects and programs have a component of transfer of skills to the youth through internship;

I	The Municipality targets to attach 5 (Five) students as interns/attachés	25
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F3. Competence Development

I	Conduct training needs assessment to identify gaps to be filled	30%
II	Develop a training plan for the Municipality and align it with budgetary allocation for the activity	30%
III	Implement the training plan	40%

During the financial year 2023/24, the Municipality will undertake the following activities:

F4. Disability Mainstreaming

During the financial year 2023/24, the Municipality will undertake the following activities:

I	Maintain disaggregated data by number, age, gender, placement and forms of disability for staff and individuals reached by the Municipality's programmes	50%
II	Ensure ease of access to the offices and other establishments for PWDs through provision of ramps, washrooms' non-slippery floor and parking	30%
III	Ensure ease of access to communication and information for the deaf, blind and low vision persons through provision of a sign language interpretation, accessible website, braille and large print	15%
IV	Submit quarterly reports using the prescribed format to County Secretary and County Performance Management Steering Committee	5%

F5. Gender Mainstreaming

In the contract period F Y 2023/24, the Municipality intends to achieve the following: -

I	Sensitize staffs on work place gender policy in consultation with the gender department	50%
II	Receive cases / complains / compliments about gender violence and report to the department of Gender for action	40%
III	Submit quarterly reports using the prescribed format to the state Department for Gender with a copy to the National Gender and Equality Commission and the performance appraisal steering committee	5%
IV	Ensure gender balance in formation of various committees within the department	5%

F6. Prevention of Alcohol and Drug Abuse

During the FY 2023/24, the Municipality shall:

I	Constitute a committee to guide ADA workplace prevention program	20%
II	Conduct training on workplace-based prevention interventions in liaison with NACADA	30%
III	Develop and implement annual work plan on ADA prevention and management programmes	20%
IV	Undertake a baseline survey on alcohol and drug abuse	20%
V	Submit quarterly performance reports to Nacada and the county performance steering Committee	10%

F7. Prevention of HIV Infections

The Municipality commits to do the following activities:

I	Allocate resources for implementation of HIV, NCDs and mental health interventions	20%
II	Facilitating staff to access the prescribed health screening package for HIV, NCDs and mental health	20%
III	Implementing the prescribed sensitization package for NCDs	20%
IV	Implementing the prescribed sensitization package on HIV Prevention	20%
V	Promoting mental wellness and prevention of mental health conditions	20%

F8. National Cohesion and Values

In the contract period F Y 2023/24, the Municipality will;

- a). Implement at least five (5) commitments and submit in the prescribed format an Annual Progress Report on the implementation of the commitments and way forward captured in the 2021 Annual President's Report on National Values and Principles of Governance (60%);

The following are the five (5) commitments the Municipality plans to undertake

- i) Fast track implementation of programmes, projects and activities for the realization of the "The plan" Agenda;
- ii) Implement measures for post-COVID-19 recovery to enhance execution of government programmes, projects, activities and service delivery;
- iii) Leverage on and enhance use of Information and Communications Technology (ICT) and other innovations in service delivery;
- iv) Continue to enhance the fight against corruption, dispensation of justice and observance of the rule of law;
- v) Continue to implement measures to protect the environment, mitigate climate change, and improve the national forest cover; and

- b). Submit in the prescribed format the Annual Report on measures taken and progress achieved in the realization of National Values and Principles of Governance to the county secretary and county management steering committee (40%).

F9. Work Environment

During the financial year 2023/2024, the Municipality will undertake to

I	Improve parking space by constructing of a shade	50%
II	Carry out an internal work environment survey, prepare a work plan for implementation of the survey recommendations by end of second quarter	30%
III	Purchase of office furniture	20%

F10. Corruption Prevention

In the contract period F Y 2023/24, the Municipality will:

- I. Carryout a Bribery and Corruption Risk Assessment in all Municipality Sections and Units and develop a plan to mitigate the risks (40%)
- II. Implement measures/strategies outlined in the Risk Mitigation Plan (30%)

- III. Display notices of 'corruption free zone' in all the offices of the department (10%)
- IV. Put restriction on cash payment to the officers (10%)
- V. Submit quarterly performance reports to EACC and County Performance Steering Committee using the prescribed reporting format (10%).