COUNTY GOVERNMENT OF EMBU



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SECOND ASSEMBLY

FOURTH SESSION

REPORT OF THE SECTORAL COMMITTEE ON TRADE, TOURISM, INVESTMENT AND INDUSTRIALIZATION ON THE PUBLIC PETITION TO REQUEST RE-BUILDING OF THE BURNT EMBU MUNICIPAL COVERED MARKET (*OLD MARIGITI*) IN EMBU TOWN.

TO:

THE OWNERS AND ADMINISTRATORS OF THE EMBU MUNICIPAL COVERED MARKET (*OLD MARIGITI*).

P.O BOX,
EMBU.

SUBMITTED FOR INFORMATION AND NOTING BY THE COUNTY

ASSEMBLY.

Clerk's Chambers County Assembly of Embu P.O. Box 140-60100 Embu

FEBRU

FEBRUARY, 2021

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Page 1 of 15

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SECOND ASSEMBLY : FOURTH SESSION REPORT OF THE SECTORAL COMMITTEE ON TRADE, TOURISM, INVESTMENT AND INDUSTRIALIZATION ON THE PUBLIC PETITION TO REQUEST RE-BUILDING OF THE BURNT EMBU MUNICIPAL COVERED MARKET (OLD MARIGITI) IN EMBU TOWN. TO: THE OWNERS AND ADMINISTRATORS OF THE EMBU MUNICIPAL. COVERED MARKET (OLD MARIGITI). P.O BOX. EMBU. SUBMITTED FOR INFORMATION AND NOTING BY THE COUNTY ASSEMBLY. Clerk's Chambers County Assembly of Embu P.O. Box 140-60100 Embu FEBRUARY, 2021 Page 1 of 15

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LIST OF ABBREVIATIONS

BQs - Bill of quantities

C.E.C.M - County Executive Committee Member

COK - Constitution of Kenya 2010

HON. - Honorable

KSHS. - Kenya shillings

MOA - Memorandum of Agreement

MOU - Memorandum of Understanding

N.L.C - National Land Commission

S.O - Standing Orders

EXECUTIVE SUMMARY

The petition to request rebuilding of the burnt Embu Municipal Covered Market (Old Marigiti) in Embu town was received on 3rd July 2020 and tabled on 8th July 2020 pursuant to standing order No. 217 of the Embu County Assembly of Embu Standing Orders and subsequently committed to the committee on Trade, Tourism, Investments and Industrialization (ANNEXURE TTI&I A).

The Committee according to the **Standing Order No. 217(2)** had a period of not more than forty five calendar days to respond to the Petitioners and lay the report on the table of the Assembly.

Section 15 of the County Governments Act 2012 provides that a person has a right to petition a County Assembly to consider any matter within its authority, including enacting, amending or repealing any of its legislation. The Committee therefore conducted an intensive research on the matter and requested for information from the CEC Member Trade, The National Land Commission, Petitioners and interest groups including the Embu Town Market Committee.

In dealing with the matter, the Committee held several meetings to deliberate on the matter. Upon deliberating in the said sittings and interrogating the documents submitted to it, the Committee came up with a report in response to the petition as provided for under the Standing Order No. 217 (2).

In a nut shell, the committee on Trade, Tourism, Investments and Industrialization after considering all the observations and findings recommended for the reconstruction of the burnt Marigiti market for the benefit of the County and the citizens of Embu .

1.0 PREFACE

1.1 MANDATE OF THE COMMITTEE

The mandate of the committee is clearly stipulated out by the Provisions of Standing Order No. 204 (5) which defines among the functions of the committee as being;

- (a) To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the Department;
- (b) To study the program and policy objectives the Department and the effectiveness of the implementation.
- (c) To study and review all County legislation referred to it
- (d) To study, assess and analyze the relative success of the Department as measured by the results obtained as compared with their stated objectives
- (e) To investigate and inquire into all matters relating to the Department as it may deem necessary, and as may be referred to it 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 198 (Committee on Appointments); and
- (g) To make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation

1.2 COMMITTEE MEMBERSHIP

The Committee on Trade, Tourism, Investment and Industrialization is composed of the following members;

1. Hon. Masters Leonard Mwaniki Muriuki - Chairperson

2. Hon. Margaret Lorna Kariuki - Vice- Chairperson

3. Hon. Morris Muchiri Nyaga - Member

4. Hon. Rose Ruguru Kinyua - Member

5. Hon. Jane Ann Muthoni Muriithi - Member

6. Hon. Philip Kinyutu Nzangi - Member

7. Hon. Paul Muchangi Njiru - Member

1.3 PROBLEM STATEMENT

This report arises from a petition presented by the Embu Municipal Covered Market stall owners and administrators to the County Assembly and committed to the committee on Trade, Tourism, Investments and Industrialization requesting rebuilding of the burnt stalls and compensation of the stall owners.

1.4 OBJECTIVES/TERMS OF REFERENCE

The committee set out to achieve the following: -

- 1. To consider the Public petition presented by the Embu Municipal Covered Market stall owners and administrators to the County Assembly.
- 2. To address issues raised through the Public petition
- 3. To consider and present to the House the final report together with the recommendations on the Public petition presented by the Embu municipal covered market stall owners and administrators

1.5 METHODOLOGY

In making its report the committee used the following methods.

Committee meetings.

- 2. Invitation of the CECM Trade, the petitioner and the market committee in charge of Marigiti to give their submissions on the petition.
- 3. Consideration of the submissions from the interest groups (Market Groups)
- 4. Perusal of Written submissions by stakeholders and stall Owners.

1.6 TOOLS OF REFERENCE

The committee made reference to the following documents and relevant laws to come up with its observations, findings and recommendations;

- 1. Constitution of Kenya, 2010,
- 2. County Assembly of Embu Standing Orders, (2nd Edition).
- 3. County Governments Act, 2012,
- 4. Submissions by the CECM Trade, Tourism, Investments and Industrialization
- 5. Submissions by the Petitioners
- 6. Submissions by the interest groups (Marigiti market committee).

1.7 ACKNOWLEDGEMENT

The committee wishes to sincerely thank the offices of the Speaker and the Clerk of the County Assembly for the support which enabled them complete the exercise smoothly. Further, the committee is grateful to the Members of the County Assembly whose support enabled the Committee to accomplish this task. Special thanks to the secretariat for the support at all times.

On behalf of the Committee, I now have the honor and pleasure to present this report on the public petition to request re-building of the burnt Embu municipal covered market (old marigiti) in Embu town.

SIGNED:DATE:

HON. LENNY MASTERS MWANIKI MURIUKI, MCA
CHAIRPERSON
COMMITTEE ON TRADE, TOURISM, INVESTMENT AND
INDUSTRIALIZATION.

2.0 COMMITTEE CONSIDERATION OF SUBMMISSIONS FROM VARIOUS STAKEHOLDERS

2.1 THE LEGAL FRAMEWORK

The legal framework for petitioning public bodies exists as follows:-

Petitions

The right of citizens to petition public authorities is enshrined in the Constitution of Kenya, 2010. Article 37 provides that;

"Every person has a right, peaceably and unarmed, to assemble, to demonstrate, to picket and to present petitions to public authorities"

Section 88 of the County Governments Act No. 17 of 2012 provides citizens right to petition and challenge.

The said section provides that;

- 1) Citizens have a right to petition the County Government on any matter under the responsibility of the county government
- 2) Citizen petitions shall be made in writing to the county government
- 3) County legislation shall give further effect to section 88

The Act in **Section 89** further obligates the County Government authorities, agencies and agents to respond expeditiously to petitions and challenges from citizens.

Further, Section 15 (1), County Governments Act No. 17 of 2012, provides that a person has a right to petition a County Assembly to consider any matter within its authority, including enacting, amending or repealing any of its legislation.

Section 134 (1) of the County Governments Act No. 17 of 2012 provides that the Local Government Act is repeal upon the final announcement of the results of the first election held under the constitution

Section 134 (2) of the County Governments Act No. 17 of 2012 provides that all issues that may arise as a consequence of the repeal under 134(1) shall be dealt with and discharged by the body responsible for matters relating to transition.

The **Standing Order No. 217 (1)** provides that every Petition presented or reported pursuant to this Part, shall stand committed to the relevant Sectoral Committee.

Standing Order No. 217(2) further provides that whenever a Petition is committed to a Sectoral Committee, the Committee shall, in not more than forty five(45) calendar days from the time of reading the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid on the Table of the County Assembly and no debate on or in relation to the report shall be allowed, but the Speaker may, in exceptional circumstances, allow comments or observations in relation to the Petitions for not more than twenty Minutes.

2.2 SUBMMISSIONS FROM THE EMBU MUNICIPAL COVERED MARKET STALL OWNERS AND ADMINISTRATORS.

The Embu Municipal covered market stall owners and administrators made the following submissions before the committee:

- THAT, on 11th March 2020, the Embu Municipal covered Market (old Marigiti) was burnt down by some unknown arsonists;
- ii. **THAT,** most of the members in the market who were compensated by the National Government were neither the owners nor the administrators of the burnt stalls. Those that were compensated were operating outside the market but were storing their wares in the covered market;
- iii. THAT, the owners and the administrators of the burnt stalls suffered and continue to suffer huge economic losses as a result of the arson attack
- iv. THAT, after the said arson attack, which reduced the stalls to ashes, the county government of Embu has neither repaired nor built new stalls;
- v. **THAT,** on 17th March 2020, they informed and petitioned the relevant Embu County Executive Departments but since then they haven't gotten any satisfactory responses to their queries and plights.
- vi. **THAT,** the issues in respect to which the petition was made are not pending before any court of law or constitutional or legal body.
- vii. THAT, the petitioners possessing the National Land Commission application for transfer forms submitted that they did not make any applications to the said commission.

- viii. THAT, in case of any transfer/ sale of a stall, the seller makes an application to the County Land Management Board.
- ix. **THAT,** the petitioners know that the Embu County Government owned the stalls and that they were their tenants.

The Committee was also informed that in their prayers, the petitioners prayed that the county assembly do:

- i. Allocate and approve funds in the Embu County Budget for Financial year 2020/2021
 to build and repair the whole of Embu Municipal Market (Old Marigiti);
- Allocate and approve funds in Embu County Budget for financial year 2020/2021 to compensate them for the losses incurred.
- iii. Order the Embu County Executive to allow the petitioners to repair the burnt stalls to continue with their economic activities.
- iv. Order the Embu County Executive to allocate temporary space within the perimeter of the new market to the petitioners to continue their business; and
- v. Take any other action that it deems necessary, to address the plight of petitioners on the matters raised in their petition

2.3 SUBMMISSIONS FROM THE EMBU TOWN MARKET COMMITTEE

The Committee in the course of dispensing its mandate met with members/officials of the Embu town market committee and got the following information:

- i. THAT, the market committee is aware of the arson attack that burnt down the Marigiti market stalls
- ii. **THAT,** the county government should consider putting up a larger structure that would house more stalls.
- iii. **THAT,** the county government should expedite in the construction process to ensure that the stall owners and administrators do not suffer more.

2.4 SUBMMISSIONS FROM THE COUNTY EXECUTIVE COMMITTEE MEMBER IN CHARGE OF TRADE, TOURISM, INVESTMENTS AND INDUSTRIALIZATION.

The Committee also met with the CECM for Trade, Tourism, Investments and Industrialization and garnered the following information:

- i. THAT, the compensation of the Committee) Kshs.10, 000,000 paid on 12th March 2020 at the Talent Academy grounds, was done by the National Government through the Office of the President. The Department had however written to the County Commissioners Office requesting for the payment schedules of the beneficiaries and would avail it to the committee. (NB: At the time of making this report, this evidence had still not been availed)'
- ii. THAT, the Department had attached rate payments and balances for all the stalls.
- iii. **THAT,** the Department has already prepared and presented artistic impressions, structural and architectural designs and the approved bills of quantities for the proposed Marigiti building.
- iv. **THAT,** the new proposed Marigiti building estimated cost is One Hundred Million Kenya shillings (KShs. 100,000,000).
- v. **THAT**, the County Government currently does not have any MOU(Memorandum of Understanding) with the national government regarding rebuilding of the burnt Marigiti market.
- vi. **THAT,** the proposed project will be embarked on upon budgetary allocation. This particular item was requested for at a budget of Kshs. 50 Million for the 1st phase in the budget proposal for the financial year 2020/2021.
- vii. **THAT,** the stalls are owned by the Embu County Government, and that the Department is not aware of any role of the National Land Commission in transfer of the stalls.
- viii. **THAT,** since the initial allocation, there is no formal transfer of ownership for the stalls, the Department will come up with a policy paper on the same.

- ix. **THAT,** the Embu Covered market stall owners only have tenancy rights to do legal businesses and remit the relevant fees to the County Government.
- x. **THAT,** the Country Government Owns the land where the stalls are situated and that all land title deeds are in custody of the County land Department.
- xi. **THAT,** no one else has any Proprietary rights on the land where the Embu covered market stalls are situated.

3.0 COMMITTEE FINDINGS AND OBSERVATIONS

The committee after considering the views of members of the Embu Municipal Covered Market stall owners, administrators, the market committee, the CECM Trade and other stakeholders made the following findings and observations:

- i. **THAT**, the Embu Municipal Market (Old Marigiti) stalls were indeed burnt down but the cause of the fire has not been ascertained;
- ii. **THAT**, the Embu County Government and tenants of the Embu Municipal Market (Old Marigiti) stalls incurred huge losses as a result of the inferno;
- iii. **THAT,** the compensation of the Kshs.10, 000,000 paid on 12th March 2020 at the Talent Academy grounds, was done by the National Government through the Office of the President. Details of payment of compensation by the National Government were however not availed to the Committee;
- iv. **THAT,** Embu County Government has never paid any monies to any person as compensation.
- v. **THAT, Embu** County Government owes nobody any form of payment or compensation as a result of inferno at Embu Municipal Market (Old Marigiti) stalls. In any case, the county government suffered the most as a result of the inferno.
- vi. **THAT,** the Embu Municipal Market (Old Marigiti) stalls are owned by Embu County Government and the land they are situate is a government land.
- vii. **THAT,** the Petitioners herein are merely tenants of the stalls in Embu Municipal Market (Old Marigiti) and they have no proprietary rights whatsoever on the stalls or the land where the stalls are situate.
- viii. **THAT,** some Petitioners who are tenants of the Embu Municipal Market (Old Marigiti) stalls had outstanding balances for all the stalls rented to them.
- ix. **THAT,** there exists a Memorandum of Agreement (MOA) between the defunct Embu Municipal Council (now Embu County Government) as landlord and stall tenants. The said memorandum articulate expressly terms of engagement. (Annexed and marked **ANNEXURE TTI&I** *B* is a sample Memorandum of Agreement between Embu Municipal Council and stall tenants).
- x. **THAT,** in the Memorandum of Agreement between the Embu Municipal Council and the Stall tenants, there exist no clause or provision on sub-letting the rented Stalls.
- xi. THAT some stall tenants have now sold, leased and sub-let their respective stalls contrary to their tenancy agreement with the Municipal council. (Attached and marked **ANNEXURE TTI&I** *C* is a sample agreement between a Stall tenant and purported purchaser).
- xii. **THAT,** the National Land Commission has also gotten into the fray and has been facilitating the sale, transfer and sub-letting of the Stalls despite lack of a

- legal framework of so doing.(Attached and marked **ANNEXURE TTI&I** *D* is a sample notification of recommendation of allocation of land /transfer of land from the National Land Commission).
- xiii. **THAT,** whereas the National Land Commission was invited to appear before the Committee, the commission never turned up nor presented any written reply. (Attached and marked **ANNEXURE TTI&I** *E* is county assembly request for information letter to the National Land Commission, Embu County Office).
- xiv. **THAT,** the County Government through Department of Trade initiated development and construction of modern market stalls at Embu Municipal Market (Old Marigiti) and has already prepared and presented artistic impressions, structural and architectural designs and the approved BQs (bills of quantities) for the proposed Marigiti building which is estimated to cost One Hundred Million Kenya shillings (Kshs. 100,000,000. **(ANNEXURE TTI&I F)**.
- xv. **THAT,** the County Government currently does not have any MOU with the national government regarding rebuilding of the burnt Embu Municipal Market (Old Marigiti) stalls.

4.0 COMMITTEE RECOMMENDATIONS.

From the foregoing observation vis-a vis the prayers sought by the Petitioners, the Committee on Trade, Tourism, Investments and Industrialization makes the following recommendations to the County Assembly: -

- 1. **THAT,** the prayer to grant Stall Tenants opportunity to develop the burnt stalls should not be granted. Instead, Embu County Government do Fast track funding and construction of modern stalls at Embu Municipal Market (Old Marigiti);
- THAT, the prayers to compensate the Stall Tenants should not be granted as the
 Embu County Government has no responsibility to do so and there are no court
 orders nor arbitral award to compel Embu County Government to compensate the
 Stall Tenants.
- THAT, after development and construction of modern stalls at Embu Municipal Market, Embu County Government give first priority to bonafide and rightful stall tenants at Embu Municipal Market (Old Marigiti).
- 4. **THAT**, all the sale, transfer of or sub-letting of the stalls at Embu Municipal Market (Old Marigiti) by the stall tenants contrary to the Memorandum of Agreement between the defunct Embu Municipal Council and the stall tenants, are illegal and therefore null and void;
- 5. **THAT**, Embu County Government do customize the Memorandum of Agreement between the defunct Embu Municipal Council and stall tenants pursuant to Constitution of Kenya and County Governments Act,2012
- 6. **THAT**, Directorate of Criminal Investigations and Ethics and Anti-Corruption Commission to investigate the following:-
- The cause of the fire that gutted the Embu Municipal Market (Old Marigiti)
- The alleged illegal transfer and/or sale of land and stalls at Embu Municipal Market (Old Marigiti)

5.0 CONCLUSION

The committee on Trade, Tourism, Investments and Industrialization therefore requests the Assembly to consider the observations and recommendation contained in this report and to approve the same to enhance the reconstruction of the burnt Marigiti market for the benefit of the County and the citizens of Embu.

NAME.

SIGNATURE

1. Hon. Margaret Lorna Kariuki

2. Hon. Morris Muchiri Nyaga

3. Hon. Rose Ruguru Kinyua

4. Hon. Jane Ann Muthoni Muriithi

5. Hon. Philip Kinyutu Nzangi

POSITION

Vice- Chairperson

Member

Member

SIGNED

6. Hon. Paul Muchangi Njiru

DATE:

Member

HON. MASTERS LEONARD MWANIKI MURIUKI
CHAIRPERSON
TRADE, TOURISM, INVESTMENT AND INDUSTRALIZATION
COMMITTEE

ANNEXURE TTISI A

PETITION TO REQUEST COMPENSATION AND RE-BUILDING OF THE BURNT EMBU MUNICIPAL COVERED MARKET (OLD MARIGITI) IN EMBU TOWN.

To,
The Clerk,
County Assembly of Embu
P.O Box 140-60100,
Embu,

0 3 JUL 2020

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PUBLIC PETITION

[Pursuant to Standing Order 208]

3 Colors of Branch Bran

PETITION TO REQUEST RE-BUILDING OF THE BURNT EMBU MUNICIPAL COVERED MARKET (OLD MARIGITI) IN EMBU TOWN.

We the undersigned owners and administrators of the Embu Municipal Covered Market (Old Marigiti) of Kirimari Ward, Manyatta sub-county in Embu County,

DRAW the attention of the County Assembly to the following issues affecting us with respect to the burnt market stalls:-

- 1. THAT on 11th March, 2020, the Embu municipal covered market (old Marigiti) was burnt down by some unknown arsonists;
- 2. THAT most of the members in the market who were compensated, were neither the owners nor the administrators of the burnt stalls. Those that were compensated were operating outside the market but were storing their wares in the covered market;
- 3. THAT the owners and the administrators of the burnt stalls suffered and continue to suffer huge economic losses as result of this arson attack;
- 4. THAT after the said arson attack, which reduced our stalls to ashes, the county government of Embu has not repaired nor built new stalls;
- 5. **THAT** on 17th, March, 2020, we informed and petitioned the relevant Embu County Executive Departments but they have failed to give any satisfactory responses to our queries and plights;
- 6. THAT we confirm that the issues in respect of which this petition is made are not pending before any court of law, or constitutional or legal body.

HEREFORE your humble petitioners Pray that County Assembly do —

1. Allocate and approve funds in Embu County Budget For Financial Year 2020/ 2021 to build and repair the whole the Embu Municipal Covered Market (Old Marigiti);

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- 2. Allocate and approve funds in Embu County Budget For Financial Year 2020/ 2021 to compensate us for the losses incurred since we were not compensated as others who were operating outside the market but were storing their wares in the covered market;
- 3. Order the Embu County Executive to allow the us the Petitioners herein, to repair the burnt stalls to continue with our economic activities;
- 4. Order that the Embu County Executive to allocate temporary space within the perimeter of the new market to the Petitioners to continue their business; and
- 5. Take any other action that it deems necessary, to address the plight of petitioners on matters raised in this petition.

We so humbly petition

Name of petitioner	Full Address	Mobile Number	National ID. or Passport No	Stall No.	Signature/Th umb impression
Lucy Kithinji	Box 1168 EmBu	5475758501	7451262	19	Ha
Joseph NJIRU KAUGI	B041427	125473000	10864334	13	· viei
NATHAN MURATHO	Box 449	715396701	0268437	7	B
GRACE ITA	Box 2469	122312438	1912741	5	do:
Moka	Box 36	44675453	30443991	54	Ajora
STEPHEN MWANIKI MIYY	Box 1199	130H14630	0266535	3	\$ng
PHIDES	Emara	421621736	10729668	37	**
MBuKo Mugera	Box 1729 Embu	0.725933\35	0267306	14	man

PAUL NOIRANGU WAIKWA	POBOX EMBY	0724 165 675	1022409	46	Brige
NJIRU	POBOX.	0710143	8660849	18	Nin
ONESMUS	PO BOX	0710143	G60849	32	NJin
LAURENZIA WARYE NGAGI	P.O.BOX 2872 Smba	07056	1880612	53	sp.
ERIC MUNTI MBAIGH	P.D BOX	0726881	23164593	25.	Majo)
EPHANTUS NJIRU KLURA	P. D BOX	072413	0366755	1	Home
EPHATUS MILLEY EILLEY	PO BOX	12/1266	0266155	47	Dine
REGINA NO	POBOX	72239	987188	22	Bolomo
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MICHAEL	Box 1917 Embu	07213308 74	8601915	34	(Dim)
LUCY	BOX 1917 EMBY	07226/42 52	5773096	29	Hogany
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	Box 224	0726700 452	21252438	28	\$
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MARS	2469 Emn.	072169	6693685	40	Harris
GITHICIA KINITLIA	BOX 36 EMBU	01/3774	3522184	8.	with
HTAGA CIKCIURI	BOX 266 EMBU	07120032	9321977	33	100
GIBSON NGARI KIVUTI	D. DOOL	0721112711		55	Dilla
MARY WARUE (BECEASE)	P. 0 BOX 1566 Emby	0728683		36	dua
REHEMA		0714436	01265876	12	Rehom
GETRUBE GANBU MUTUKU	P.O BDX 1566 EMBY	07676	0394398	38.	Thurst
CATHERIA	EPOBOX	07115813	1035620	50	<u>a</u>
SUSAN WANJIRU KGUGI	P.O BOX	895 895		24	S
CATHERIA WANGIRI KIURA	EPOBOX 1200 EMBU	072073 97 2 7	7035620		warsin
11	/1 -	/1	//	41	Wengin

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	MARTIAN CA MATI KARJUKI	P. D BOX	0722288 308	22016336	57	ara-
FOR	PHILIP	P.O BOX	07171B 836	-22844344	30	CMK
	MUGENDI	P.O BOX	0717103 836	22-844344	31	CWK
FOR.	MURINGO	P.O BOX 16 WANGURY	355961	4949113	39	Barlana
	PHILLIS KALLIS	P.O BOX 53 EMBY	07267	0269191	11	Alin
	PIUS KARIUK MYAGA	P. 0 BOX	072173	13332475	52	An
	JOHN	POBOX 270 EMBU	0722137 795	8890510	58	4
	FRANCIS NYAGA NYHUKURI	B1 436	0727717883	3714727	35	
	MWANA ISHA ABDALLA	Bty.	23229401	0265720	4 -	mugicily
	Moungue	9 Embre	19993E499	C265428	6	prhumy.
For	RICHARD IRERI MULIERA	BOX 1984 EMBY	07216599	10796180	42	10
				Wheek		

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ANNEXURE TTIXIB

THE MUNICIPAL COUNCIL OF EMBU

MEMORANDUM OF PREEMENT BETWEEN THE MUNICIPAL COUNCIL OF EMBU

(hereinafter r Perred to as the Landlord) OF POST OFFICE BOX

NO.36, EMBU AN CHARLE VACAMI

(hereinafter r ferred to as the Tenant) OF POST OFFICE BOX

No. 2015? MBM

Whereby it has been agreed as follows:-

- 1. That the Municipal Council of Embu agrees to let to PHYLLAS PACE WARMA..... that part of the Munici al Market known as Market Stall No. 11. ONTO THE MARKET TO
- 2. The Tenant agrees to pay a monthly rent of Kshs..........
 revisable y the Landlord from time to time, and the same
 shall be r id to the Landlord, before taking possession of
 the premis s and theafter the payment shall be made by the
 5th day of the succeeding month.
- 3. The Landle d will repossess any stall that will acrue over one month's rest upon giving a two week's notice of intention to do so to the tenant.
- 4. The Tenant also agrees to deposit with the Landlord an amount equal to one (1) month's rent, which should be refundable on termination of this agreement, provided that the Tenant shall not be indebted to the Council for acrued rents, breakages, replacements or improper use of the stall. The Deposi shall be paid immediately this contract/agreement is execute.
- 5. The Tenant shall be responsible for all licences as may be necessary 'or operation of the stall.
- 6. The stall shall be operated from Monday to Sunday between 7.00 a.m. to 7.00 p.m. (including public Holidays)
- 7. While the andlord shall ensure that the stall surroundings are kept (lean, the Tenant shall be responsible for proper upkeep, cleaning, repair and maintenance of the stall.
- 8. The Tenani shall not do, or permit to be done, in or within the stall bremises, anything that may be a nuisance, or likely to be of a moyance to other tenants within the same neighbour.

- 9. If it shall become necessary for the Terant to carry out any repairs/replacements, he/sne shall execute them within reasonable time after notification by the Council requiring him/her to do so, failure to which the Council shall execute the same and recover the costs thereof from the Tenant.
- 10. While the Tenant continues to abide by the terms and conditions of this agreement, he/she shall carry on business in the said stall without disturbance until the termination of this contractor by either the Tenant giving one (1) months written notice of intention to do so, or by the landlord giving similar notice by reason of the Tenant breaking the terms of this agreement.
- 11. The Tenant agrees that he shall not make any alterations/ Improvements to the stall without a written permission from the Landlord.
- 12. On termin tion of this contract the Tenant shall not remove or destro any fixtures/improvements done to the stall.
- 13. The Tenant shall be subject to any other rules/regulations made by the council/Government that may affect the operations of the market.
- 14. Failure to comply with any of the above clauses shall be construed to mean breach of this contract and rendering the agreement terminated.

Having re d and understood the foregoing we append our signature here below to token of our agreement.

Signed ..

...ID/No 0269(9)

TENANT)

Witnessed by

Pacconjusely. P. Min 10 -0069414

Signed

(MU ICIPAL CLERK)

MUNICIPAL COUNCIL DATE 90-1011.2008

ANNEXURE TTISI C

ACKNOWLEGEMENT

I, JOHNSON F. NJIRU NJERU ID NO. 1303919 do hereby acknowledge receipt of Kshs 410,000/= (Four Hundred & Ten Thousand Shilling Only) from SUSAN WANJIRU NYAMBURA NGUGI ID/NO: 27550540, for sale of Stall No 24 covered market within Embu County.

The stall is sold inclusive of fixtures.

The balance of Kshs 20,000/= (Twenty Thousand Shillings Only) shall be paid on or before a period of 60 days from the date hereof.

DATED AT EMBU. 99 11 DAY OF MAY 2018

Signed by the

Dated at Embu this 29th Day of May 2018

Vendor

JOHNSON F. NJIRU NJERU

In the presence of Dated at Embu 29th this Day of May 2018 purchaser

SUSAN WANJIRU NYAMBURA NGUGI

DRAWN BY:
EDDIE NJIRU & CO
ADVOCATES
EMCO HSE 1ST.FLOOR RM No 102 & 103
P.O BOX 2052-60100
EMBU

ANNEXURE TTISID

THE NATIONAL LAND COMMISSION ACT, 2012 (s.18 (a-b) AND THE LAND ACT, 2012 (s.12 (1) FORM N.L., C 02

	Ref. No: 907
	Date: 15/12/2019
NOTIFICATION OF RECOMMENDATION OF ALLOCATION OF L/USER/EXTENSION OF LEASE/SUBDIVISION OF LAND/AMALGA	AND/CHANGE OF USER/EXTENSION OF
To be submitted in QUADRIPLICATE in respect of each transaction and se	ent to or left at appropriate office Of the N.L.C.;
To: OMARI SWALEH (DECEASED)	
SECTION A-GENERAL INFORMATION (!nsert Name of app	plicant)
ID Passport Number/Certificate of Registration Number (if applicable)
PIN Number (if applicable)	
Postal Address:	
Telephone Number(s):	
Email address (if any):	
Contact Person:REHEMA OMARI IDNO.0265676 CELL 071 1406	113
SECTION B - RECOMMENDED	
Your application number 907 as submitted on15/12/2019.	for uliocation of land/permission to
TRANSFERon L.R. No COVERED MRKT/12 EMBU TOWN (Road)	.Starded in EMBU (Market) along
V/as RECOMMENDED on 19/12/2019 (Date) by the	THE U. COCTC
Filinate Number 4/19/12/CDCTC/2019	subject to the following -
conditions, as per condition of lease certificate	(Jan 1969)
Dated 19/12/2019	
c.c ·	or CDCTC
1. The National Land Commission	

2. The County Government

NB: Your documents have been forwarded to NLC for applied determination.

909

EMBU COUNTY GOVERNMENT



15-44-2020

Mobile: +254771204003/+254703192 Tel:+25430686/30656

Address: P.O. Box 36 - 60100 Embu, Location: Embu Town House E-mail; info@embu.go.ke

MINISTRY OF LANDS, WATER, ENVIRONMENT & NATURAL RESOURCES
APPLICATION FOR CONSENT OF COUNTY LAND MANAGEMENT BOARD
To be submitted in triplicate)

The Secretary

County Land Management Board

(a) Present registered holder(s)

FULL-NAME	10.110	
	ID NO.	CONTACT
MARICINIE		
2014	211 <u> </u>	
The state of the s		
* ****** *****************************		
The state of the s		
The state of the s		
The second secon		

2 a. Proposed transferee(s), purchaser(s), charge etc

FULL NAME	ID NO.	CONTACT
Extensa Insatin		17-11 15/
1	And the same of th	
	F 2000 1000 1000 10 10 10 10 10 10 10 10 10	
TI. It of the state of the stat	·	
	4.	***
The second section of the section of th	Market and the state of the sta	

For a registered company, attach a copy of particulate and Cold number

3 Property type

TYPE	SIZE	MARKET & SUB-COUNTY	DÉVELOPED/ UNDEVELOPED	PERMANENT/ SEMI PERMANENT
<u></u> РЕОТ/ТОL	alle, autori pipelane al el se recolabo a trada e poberette come de compositores de			
STALL/MARKET	VERES	MIKE NO E	NING TOWN	
KIOSK	The second secon	*		
SHELTER	and the forest on the second s			

· Nature of transaction/operation e.g. sa	in sub-division addition/dele	tion of name, correction of name,
extension of use/lease, change of use,	charge, subjet	
etc \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\		
	•.	
We hereby declare that the above info	rmation is true to the obstror	1117.701 10.00.13
	22	
		the state of the s
2 60 - 8 mg		
Signature of transferee, chargee etc		Signature of owner, charger etc.
	Λ.	•
6 Ofricial use only	41-	
County survey officer		. Official stamp
	•	
J .	*	
Application placed before County Land M	Asnagement board meeting he	eld on dale
Recommended/rejected the application	vide min No	
Reasons		CATELLA
	" " WELL "	Mi Liter William
	13/11	X
,		

Secretary County Land Management Board

Should attach; (i) Copies of ID (ii) Copies of Pin Certificate (iii) Coloured Passport photo (iv) Payment raceipts (v) Ownership document or minute extract (vi) Map of the area.

THE NATIONAL LAND COMMISSION ACT. 2012 (s.18 (a-b) AND THE LAND ACT, 2012 (s.12 (1)

FORM N.L.C 02

	4 (2) (1) (1) (4) (1) (1) (1) (1) (1) (1) (1)
	Dr. ter
NOTIFICATION OF RECOMMENDATION OF ALLOC USER/EXTENSION OF LEASE/SUBDIVISION OF LA	ATION OF LAND, MANGE OF USER/EXTENSION OF MOMENT OF LAND
(To be submitted in QUADRIPL CATE in respect of each train	nsaction and sent to an extract an average is to office Of the N.L.C.)
ToJOHNSON F.NJIRU NJERU	rt Namo of accide
SECTION A-GENERAL INFORMATION	T Neuro et ett. Ce
ID/Passport Number/Certificate of Registration Number	r (if applicable of the life
PIN Number (if applicable)A0044891175L	
Postal Address:1051 EMBU	
Telephone Number(s): 0725070911	onarring committee and the committee of
Email address (if any):	
Contact Person: SUSAN WANJIRU NYAMBURA N	rguar II. rau,
SECTION B - RECOMMENDED	N .
Your application number673	MARK TO A CONTROL OF THE MARK TO THE THE MARK TO THE THE MARK TO THE MARK TO THE THE THE MARK TO THE THE MARK TO THE
Was RECOMMENDED on 30/05/2018	CLMB
, Minute Number4/30/05/CDCC/2018conditions:	subject to the following
Dated:31/05/2018	Thirte
C.C	or CEMBN
The National Land Commission	AY 2018
2. The County Government	
NP: Your documents have been forwarded to NI C for	a Second



EMBU COUNTY GOVERNMENT



Mobile: +254771204003/+25470310: Tana Farmana 156 Address: P.O. Box 36 – 60100 Embu, Location: Empu Town House Extra it info@embu.go.ke

MINISTRY OF LANDS, WATER, ENVIRONG APPLICATION FOR CONSENT OF COMMITTEE Submitted in triplicate)

ATT & NATURAL RECOURCES OF MANAGEMENT BOARD

To The Secretary
County Land Management Board

1(a) Present registered holder(s)

10 NO.	CONTACT
	2725076411
ID NO.	
2751274-9	3079
	ID NO.

Property to	70
	Property to

TYPE	SIZE	MARKET & SUB-COUNTY	DEVELOPED/ UNDEVELOPED	SEMI PERMANENT
PLOT/TOL :				
STALL/MARKET		WEELD MKT		
KIOSK	and the state of t			•
SHELTER	AND A SECURITY OF THE PARTY OF			

KIOSK						
SHELTER						
Nature of transcalle extension of use/led etc	ase, change of u	use, charge	, sublet,			ne,
		daha har	<u></u>			
We hereby declare	that the above i	nformation	is true to the b	est of my/our kr	nowledge and belief.	
	885	*		•		
			* 1			
Signature of transfere	 ee. chargee etc			Signa	ture of owner,charge	r etc.
6 Official use only	a a					
		1/2				
County survey officer	9		Signature		Official stamp	
4	28					
1	,				-1-10	10
 Application placed be	fore County Land	d Managen	ent board meet	ng held on date	30/57/20(
	ed the application		1116	-1-	011	16

3 1 MAY 2018,

Signatur@/stam

Secretary County Land Management Board

Should attach; (i) Copies of ID (ii) Copies of Pin Certificate (iii) Coloured Passport photo (iv) Payment receipts (v) Ownership document or minute extract (vi) Map of the area.

NOTIFICATION OF RECOMMENDATION OF ALLOCATION OF LABORAGE USER/EXTENSION OF LEASE/SUBDIVISION OF LABORAGE	LAND
(To be submitted in QUADRIPLICATE in respect of each transaction and	tie N.L.C.)
'ToGEORGE MUTURA GAITHO	
SECTION A-GENERAL INFORMATION (Insert Mame of a content o	P
ID/Passport Number/Certificate of Registration Number (if applies to the second	
PIN Number (if applicable)A002854518U	
Postal Address:	
Telephone Number(s):0723653231	
Email address (if any):	
Contact Person: CHARLES MUGENDI KARIUKI IDI	15 CT 17 17 17 17 17 17 17 17 17 17 17 17 17
SECTION B - RECOMMENDED	
Your application number 838as submitted on 15/0 //	ermission to
Was RECOMMENDED on 18/01/2019 (Date) by the	
Minute Number 4/18/01/CDCC/2019	wing conditions:
Dated: 22/07/2019	. ()
C.C	
1. The National Land Commission	
2. The County Government	
NB: Your documents have been forwarded to NLC for approval d	

EMBU COUNTY GOV



Mobile: +254771204003/+254703153

Website: www.s

M.Ka

MINISTRY OF LANDS, WATER, ENVIRONMENT OF COUNTY 1200 (To be submitted in triplicate)

To: The Secretary
County Land Management Board

1(a) Present registered holder(s)

FULL NAME

2(a) Proposed transferee(s), purchaser(s), charge etc.

FULL NAME

CHARLES WILGENEY KARIOKS

NB: For a registered company, attach a copy of certificate.

CER

36

Property type		2		
TYPE *	The second secon	MARMET 3.	DINDEVELOPED/	SEMI PERMANENT!
PLOTAGE			***	
STALL/MARKET STALL:	-			1
4075				1
SHELTER		THE AND INCOME. A STATE OF THE AND INCOME. A STATE OF THE AND INCOME.	i i	
/ Nature of the 1	10.00		tion/deletion of name, :	correction of name.
extension of Lat	13.75 (1.15	Total subst		
etc	* * *	entranti congres senennag sedera cisares.		· · · · · · · · · · · · · · · · · · ·
Signature of trans	erget to		Signature	of owner charger etc
6 Official use on			3.	
County-survey			0	fficial stamp
		₹*		
Application places		trail must be and me	ating held on date	
R-commended in		· · · · · · · · · · · · · · · · ·		
Reasons				- Art
			TO COLUMN	2 Marchalle Colores

Secretary County Land Management Board

Should attach;

The Transport Cartificate (iii) Coloured Passport photo (iv) Payment receip.s (v) Owner and an arrange and rect (vi) Map of the area.

THE NATIONAL LAND COMMISSION ACT, 2012 (s.18 (a-b) AND THE LAND ACT, 100-FORM N.L.C 02

	Dato: 1532 1772	
NOTIFICATION OF RECOMMENDATION OF ALLOCATION OF LANUSER/EXTENSION OF LEASE/SUBDIVISION OF LAND/AMAR	VO/CHAMOT CALL	ELAND
(To be submitted in QUADRIPLICATE in respect of each transaction and account	thorties	ing N.L.C.)
ToBENSON MUGO KARIUKI		S. C.
SECTION A-GENERAL INFORMATION - (Insert Name of appl.	icani)	-£
ID/Passport Number/Certificate of Registration Number (if applicable)	nongrad	
PIN Number (if applicable)A003505609R	many as a constant	
Postal Address: P.O BOX 442-60100 EMBU	***************************************	
Telephone Number(s):0708253205		
Email address (if any):	***************************************	
Contact Person: CHARLES MUGENDI KARIUKI ID 140. 222		
SECTION B - RECOMMENDED		
Your application number 837as submitted on15/01/2TRANSFERon L.R. No: COVERED MARKET/30 Situated inEM	IBU	Jermission to) along
Was RECOMMENDED on 18/01/2019 (Date) by the	.Parti-cocc	,
Minute Number 4/18/01/CDCC/2019		Malowing conditions:
Dated: 22/07/2019		*
C.C		
1. The National Land Commission	£	
2. The County Government		
NB: Your documents have been forwarded to NLC for supposed		

THE NATIONAL LAND COMMISSION ACT, 2012 (s.18 (a-b) AND THE LAND ACT, 2012 (s.12 (1) FORM N.L.C 02

	Ref. No: , 720	
•	Date:125.04/2016	
	227	
USER/EXTENSION OF LEASE/SUBDIVISION OF LAND/ANA	ALGATION OF LANDSTRAKSFER OF LAND	
(To be submitted in QUADRIPLICATE in respect of each transaction	and sent to or left at appropriate office Of the N.L.C.)	
To: ABRAHAM NJOGU KATHUTWA		
SECTION A-GENERAL INFORMATION (Insert Name	of applicant	
ID/Passport Number/Certificate of Registration Number (if appli	icable)	
PIN Number (if applicable)		
Postal Address:PO BOX 109-60100 EMBU	M. W. M. M. M. M. W.	
Telephone Number(s)0721726413		
Email address (if any):		
Contact Person. LYDIA MARIGU NJOGU ID NO. 1303254	TO THE WANTED	
SECTION B - RECOMMENDED		
Your application number720as s	submitted on	
Land/permission to TRANSFERon L.R. No STALL 2 GOV (Market)	/EXCOUNT STOST COMEMBU	******
Along(Reset)		
Was RECOMMENDED on20/06/2018 (Date) by	Ywe EMBU. DATE	Minute
Number4//20/06/EMBUCDCC/2018	bject to the following	ng
Conditions	=======================================	
Dated: 31/07/2018	Signed Spull	
C.C	A PAR SECO	
1. The National Land Commission		
2. The County Government		
NB: Your documents have been forwarded to NLC for approval	desert in den	

THE NATIONAL LAND COMMISSION ACT. 2012 (s.18 (a-b) AND THE LAND ACT. 2012 (s.12 (1)) FORM N.L.C 02

· ·	Ref. No:445
	Date:08/07/2018
NOTIFICATION OF RECOMMENDATION OF ALLOCATION USER/EXTENSION OF LEASE/SUBDIVISION OF LAND/A	N. O
(To be submitted in QUADRIPLICATE in respect of each transacti	on and sent to or left at appropriate of
To . GEORGE MUGO NYAGA	or and don't to or left at appropriate office Of the N.L.C.)
SECTION A-GENERAL INFORMATION (Insert Nam	ne of applicant)
ID/Passport Number/Certificate of Registration Number (if ap	nplicable) extracte
PIN Number (if applicable)A003832033M	production of the second secon
Postal Address: 255-60100 EMBU	
Telephone Number(s):0721444093	
Contact Person: FRANCIS NYAGA NTHUKURI, 3014727, M	TRI Communica
SECTION B - RECOMMENDED	State of the Committee
Your application number445	as submitted on 06/0/7/2016for allocation of .Situated inEMBU
Was RECOMMENDED on05/0/8/2016 (Date)	by the Files
, Minute Number34/05/08EMBUCLMB/2016 following conditions: Has per allocation regulation.	ubject to the
Dated:08/09/2016	Signed
C.C	
1. The National Land Commission	
2. The County Government	

NB: Your documents have been forwarded to NLC for approval determination



COUNTY ASSEMBLY OF EMBU



CLERK OF THE COUNTY ASSEMBLY

Spring Valley Area Along James Nyaga Crescent Road Off Embu-Meru Highway Opposite Faith House P.O Box 140-60100 EMBU TEL: 068-2231208 E-mail: countyassemblyofembu@gmail.com

REF:CAE/LEG/10/VOL.XX/ (04)

DATE: 20THAUGUST, 2020

National Land Commission County Coordinator, Embu

Dear Sir

RE: REQUEST FOR INFORMATION.

The County Assembly of Embu is in receipt of a Public Petition from the Old Marigiti stall owners. The Petition was referred to Committee on Trade, Tourism, Investment and Industrialization for consideration and reporting. The Committee is aware of your responsibilities under Article 67 (2) (a) of the Constitution of Kenya.

The Committee in its meeting held on Tuesday 18th August 2020, received documents from Old Marigiti Stall owners tabled as evidence of ownership of the Embu Covered Market stalls. Among the annexures tabled as evidence of ownership of the stalls is documents purported to originate from and signed by yourself (here attached).

The Committee therefore resolved to request for the following information:

- 1. A statement confirming Authenticity of the documents purported to originate from your office. (Attached).
- 2. Has the County Government of Embu engaged you with respect to issuance or transfer of Embu Covered Market stalls?
- 3. Are you by provisions of any law supposed to be engaged in dealings with market stalls?
- 4. What is the role of the National Land Commission/County Land Management Committee in the dealings of Embu Covered Market stalls?
- 5. What rights do Embu Covered Market stall owners have with respect to the stall they possess?

ANNEXURE TTIZI SE

- 6. Who owns the land where the Embu Covered Market stalls are situated?
- 7. Does any other person(s) have any proprietary rights on the land where Embu Covered Market stalls are situated?

Kindly submit Two (2) copies of your submissions, and any documentary evidence, on the above subject matter by close of business on Wednesday 26th August 2020.

Thank you.

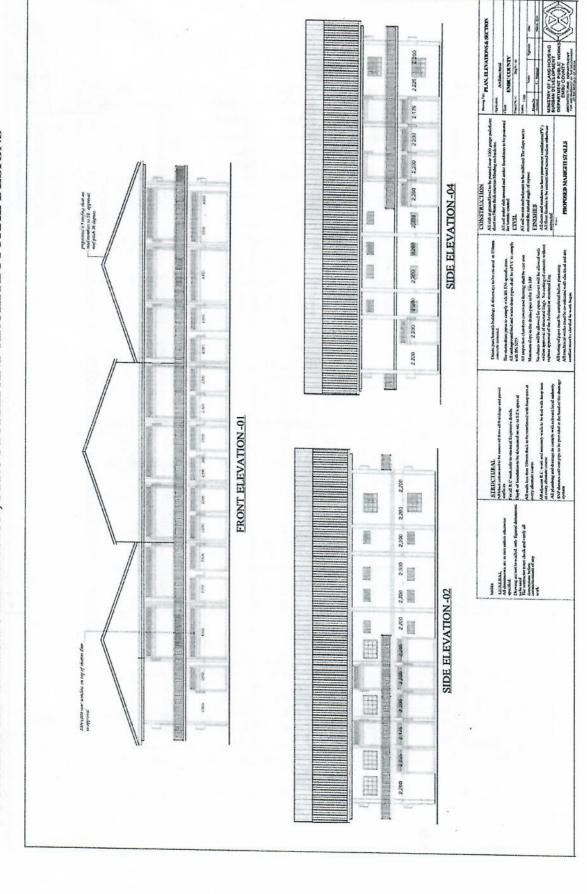
Yours sincerely

JAMES MUNYI IRERI

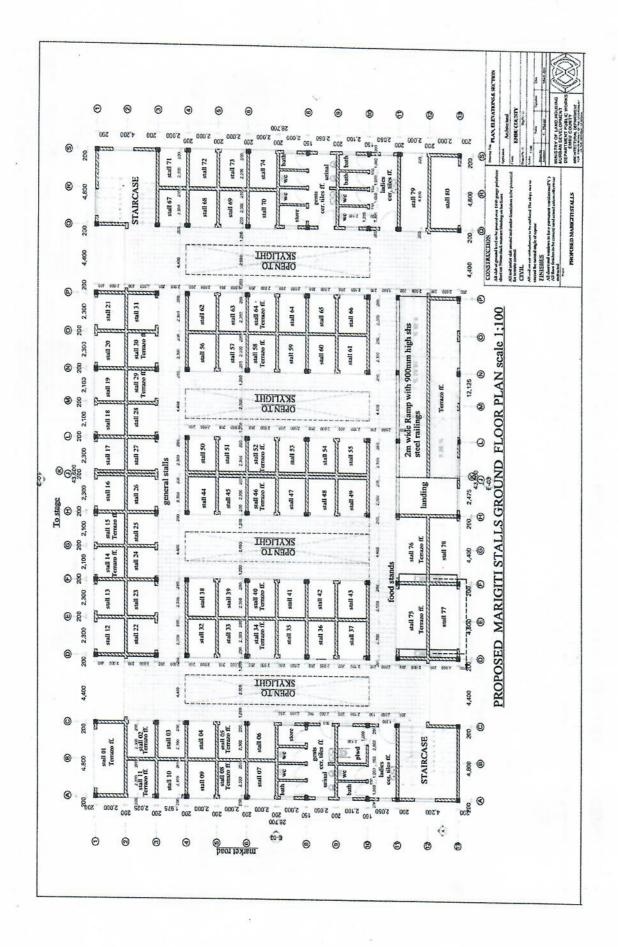
FOR: CLERK OF THE COUNTY ASSEMBLY.

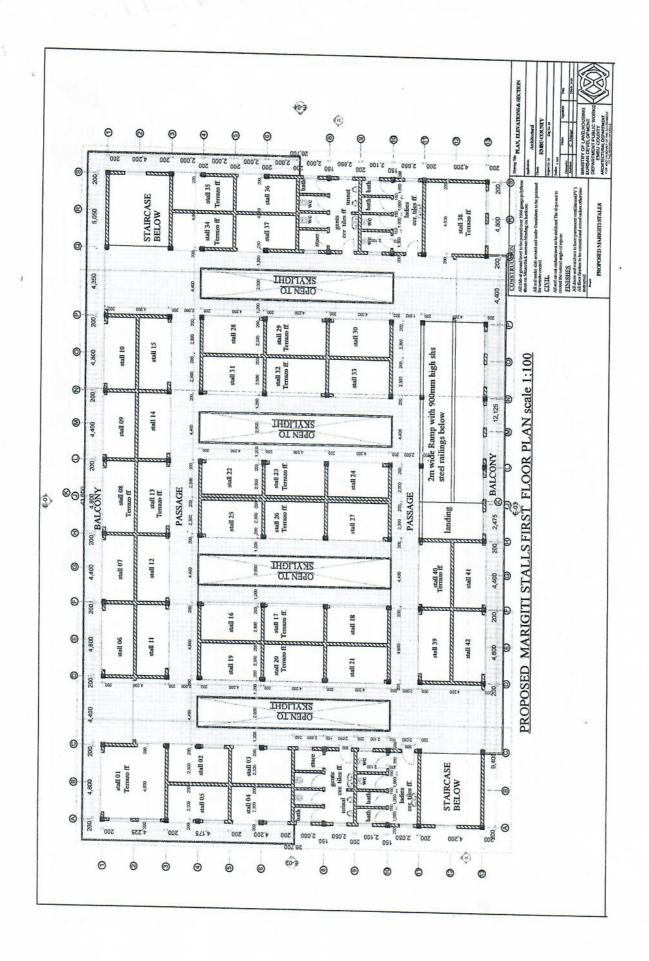
ANNEXURE TTIXIE

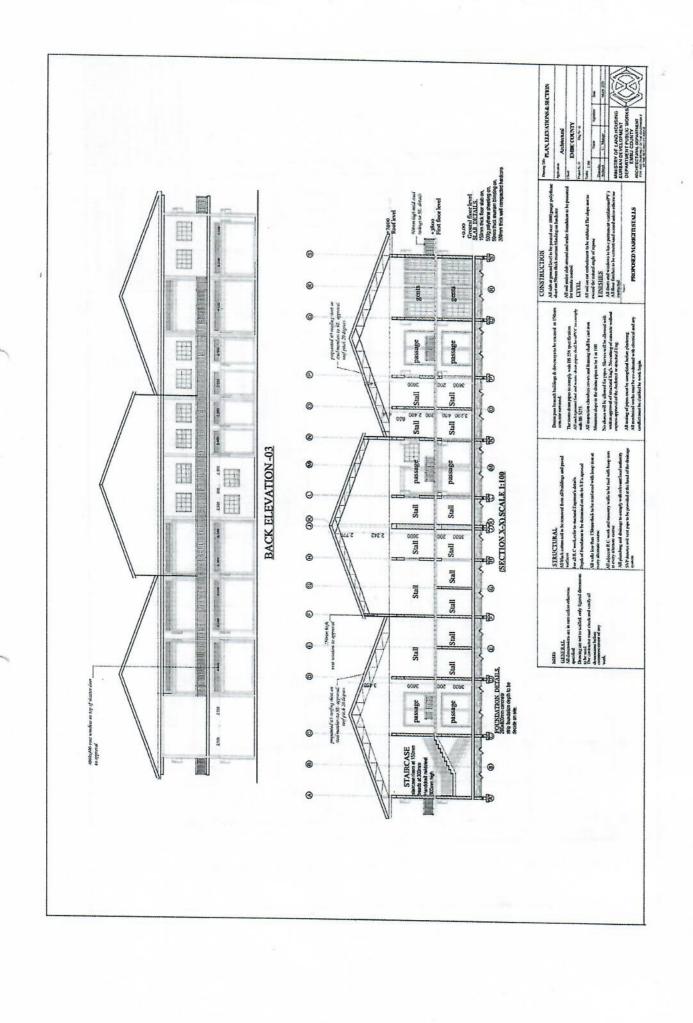
DOCUMENT 3A - ARTISTIC IMPRESSION, STRUCTURAL AND ARCHITECTURAL DESIGNS



ANNEXURE TITIZIE







DOCUMENT 3B - THE APPROVED APPROVED BILLS OF QUANTITIES FOR THE PROPOSED MARIGITI BUILDING

As attached.

REPUBLIC OF KENYA



EMBU COUNTY GOVERNMENT

PROPOSED REHABILITATION OF DAMAGED EMBU MARIGITI STALLS TO MODERN STALLS - EMBU COUNTY

ESTIMATED COST

Prepared by: QS F.N. MURAGE

Department of public works P.O. Box 29- EMBU.

EMBU COUNTY

SECTION NO. 01 MEASURED WORKS

Item		Unit		y Rate	- 1
	SECTION NO. 01: MEASURED WORKS	J	- QL	yrtate	KShs Cts
	ELEMENT NO. 1				
	SUBSTRUCTURES/ DEMOLITIONS AND ALTERATIONS: (ALL PROVISIONAL)				
	Notes:				
i)	The Contractor shall provide the method of carrying out demolition works to the PM for approval.				
ii)	The Contractor shall exercise necessary safety measures so as not to cause any damage to the existing structure and adjoining properties.				
iii)	Hacking or breaking of old concrete must be done and cleaned thoroughly before receiving new concrete all to the approval of the PM				
v)	The Contractor shall note that all salvage materials shall be the property of the Client. The Contractor shall therefore carefully remove all components and set them aside for the Client to collect and store for re-use. The Contractor shall be responsible for carting away debris but upon approval by the PM				
vi)	No salvage material shall be incorporated in the works without the express written authority of the PM				
	<u>Walls</u>				
A .	Demolish 200mm thick masonry walls down to floor level and make good disturbed surfaces. (Approximately 342SM)	ITEM			150,000
	Columns & Beams				150,000
В	Demolish 300mm thick masonry columns and beams down to floor level with and including reinforcement bars and make good disturbed surfaces	ITEM			150,000
	Floors				
С	Break approximately 150mm thick concrete floor slab with and including BRC mesh reinforcement and make good all works disturbed (Approximately 792SM)	ITEM			050.000
D	Allow for load cart away debris off all arising as to the approval by the PM	ITEM			250,000
					350,000
	Carried forward		KShs.		900,000

tem	Description	Unit	Qty R	ate	KShs C
	ELEMENT NO. 1	- Andrew Pro			Kolis
	SUBSTRUCTURES (ALL PROVISIONAL) -				
	Brought forward		KShs.		
Α	Allow for keeping all excavations free from surface water		Kons.		900,000
_	A11.	ITEM			10,000
В	Allow for planking and strutting to uphold sides of excavations	ITEM			10,000
	Excavations and Earthworks				
С	Excavate to remove top soil 300mm deep commencing from ground level	SM	1,200	200	240,000
D	Excavate foundation trenches not exceeding 1.50m deep commencing from reduced level	СМ	595	350	208,163
E	Excavate foundation trenches exceeding 1.50m and not exceeding 3.0m deep	СМ	150	350	52,500
F	Excavate for column bases not exceeding 1.50m deep from reduced level	СМ	540	350	189,000
G	Excavate for column bases exceeding 1.50m and not exceeding 3.0m deep	СМ	120	350	42,000
	Disposal			000	42,000
Н	Backfilling around foundations	СМ	1,017	200	203,350
1	Load and cart away surplus spoil	СМ	388	300	116,400
	Filling				
J	300mm Thick approved hardcore filling well compacted in layers not exceeding 150mm thick	SM	1,165	400	466,000
ĸ	50mm Thick murram blinding	SM	1,165	300	349,500
L	Approved hardcore or other approved materials to make up levels	СМ	120	1,500	180,000
	Carried forward		KShs.		2,966,913

Item	Description	Unit	Qty	Rate	KShs C
	ELEMENT NO. 1		102	111111111111111111111111111111111111111	- Kollo G
	SUBSTRUCTURES (ALL PROVISIONAL) - CONTINUED		y , ell		
	Brought forward		KShs.	2	2,966,913
	Concrete mix (1:4:8) in 50mm thick blinding under:				
Α	Strip foundations	sм	529	350	185,150
В	Column bases	SM	281	350	98,438
	Reinforced concrete class 25/20 (20mm aggregate) in:				
С	Strip foundations	СМ	106	13,000	1,378,000
D	Column bases	СМ	84	13,000	1,096,875
E	Sub columns	СМ	32	13,000	416,000
F	150mm Thick floor slab	SM	1,165	1,950	2,271,750
	Reinforcement				
	Deformed reinforcement bars to B.S 4449 cut, bent and placed in position including all necessary binding wire and spacer blocks:				
G	Assorted Bars	KG	24,461	145	3,546,881
	Fabric reinforcement				
Н	BRC mesh type No. A142 weighing 2.22KG/SM including 200mm minimum end and side laps	SM	1,165	500	582,500
	Formwork to:				
١.	Sides of column bases	SM	189	450	85,050
J	Vertical sides of columns	SM	317	450	142,650
K	Sides of strip foundations	SM	353	450	158,850
L	Edges of slab over 75 - 150mm high	LM	141	150	21,150
	Carried forward		KShs.	-	12,950,206

ltem	Description	Unit	Qty Ra	ite	KShs
	ELEMENT NO. 1				
	SUBSTRUCTURES (ALL PROVISIONAL) - CONTINUED			71.72	
	Brought forward		KShs.		12,950,206
	Quarry dressed natural stone walling bedded and jointed in cement and sand mortar (1:4) reinforced with 26 gauge hoop iron at every alternate course:-				
Α	200mm Thick walling	SM	1,410	2,000	2,820,000
	<u>Damp-proof membrane</u>				
В	500 Gauge polythene sheet laid under surface beds (measured net - no allowance given for overlaps)	SM	1,165	200	233,000
	Bituminous felt damp proof courses to BS 743 Type A, laid on and including leveling screed of cement mortar (1:3)				
С	200mm Wide in walling	LM	141	150	21,150
	Anti-termite treatment				
D	Chemical anti-termite treatment executed by an approved specialist under a ten-year guarantee to surfaces of hardcore, etc	SM	1,165	150	174,750
	<u>Sundries</u>				
	Cement sand (1:3) render to:-				
E	15mm Render to plinths	зм	64	250	16,000
F	Prepare and apply three coats of black bituminous paint on rendered plinth surfaces	SM	64	250	16,000
	Expansion Joint				
G	20 mm thick x 200 mm wide expansion joint with 'flexcell' joint filler or similar to engineer's approval	LM	44	1,000	44,000
	Mastic Sealant		9 2 9 9 <u>1</u>		
Н	20 mm x 20 mm deep mastic sealant or similar to engineer's approval	LM	44	350	15,400
			40.		
	ELEMENT NO. 1 CARRIED TO				
	SUBSTRUCTURES SECTION SUMMAR	Υ	KSHS		16,290,506

Item	Description	Unit	Qty	Rate	KShs Ct
	ELEMENT NO. 2				
	REINFORCED CONCRETE SUPERSTRUCTURE		production of	SÃO LYTRIA DEVAL	
	Vibrated reinforced concrete class 25/20 (20mm aggregate) in:-				
Α	Columns	СМ	156	13,000	2,028,000
В	Beams	СМ	178	13,000	2,314,000
С	Ring beams	СМ	51	13,000	663,000
D	Thick waist and ramp	СМ	8	13,000	104,000
Е	Steps	СМ	2	13,000	26,000
F	150mm Thick landing	sм	41	1,950	79,950
G	150mm Thick suspended floor slab	sм	1,080	1,950	2,106,000
	Reinforcement				
	Deformed reinforcement bars to B.S 4449 cut, bent and placed in position including all necessary binding wire and spacer blocks:				
Н	Assorted diameter bars D8-D16	KG	61,920	145	8,978,400
	Sawn formwork to:-				
1	Sides of columns	SM	1,555	450	699,750
J	Sides and soffites of beams	ѕм	1,410	450	634,500
ĸ	Soffites of suspended slabs	ѕм	1,080	450	486,000
L	Soffites of landing	ѕм	34	450	15,300
М	Sloping soffites of staircases and ramp	ѕм	65	450	29,250
N	Sloping edges of waist and steps	ѕм	58	450	26,100
0	Edges of risers over 225mm but not exceeding 300mm high	LM	76	150	11,400
Р	Ditto landing over 150mm but not exceeding 225mm high	LM	14	150	2,100
	ELEMENT NO. 2 CARRIED TO R.C. SUPERSTRUCTURE SECTION SUMMARY		кзнз.		18,203,750

item	Description	Unit	Qty	Rate	KShs C
	ELEMENT NO. 3			1 1 1 1 1 1 1 1	Kolis C
	WALLING	Cry a		en er enn i	oel la
	Fine dressed stone walling bedded and jointed in cement and sand mortar (1:3) ;reinforced with and including 25mm wide 26 gauge hoop iron at alternate courses				
А	200mm Thick External walls	SM	691	1,600	1,105,600
В	200mm Thick Internal walls	SM	2,650		4,240,000
С	150mm Thick ditto	SM	236	1,600	377,600
	Expansion joints			1,000	377,000
D	25mm Flexcell	SM	106	1,600	169,600
E	25x12 Mastic sealant	LM	100	200	20,000
		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
			4		
			1		
	ELEMENT NO. 3 CARRIED TO				

ltem	Description	Unit	Qty	Rate	KShs C
	ELEMENT NO. 4			CONTRACT	
	ROOF CONSTRUCTION - (ALL PROVISIONAL)		7	Levin	jen l
	ROOF STRUCTURE AND COVERING				
Α	Supply and fix prepainted 28 gauge Box profile sheets IT5 or other equal and approved manufacturer fixed on steel purlins (m.s) with and including galvanised mild steel hook bolts with rubber cappings to specification	SM	1,236	1,500	1,854,000
В	Supply and fix polycarbonate glass sky light sheets or other equal and approved manufacturer fixed on steel				
	members to architects approval.	SM	108	2,000	216,000
С	Standard ridge cap to match	LM	36	750	27,000
	The following in steel work to B S 449 including welding, jointing and two coats of red oxide primer before fixing, holes, bolts, all joints welded at least 6mm fillet welds - Contractor to provide shop drawings for the Structural Engineer's approval				
	Truss spanning 1.5 metres including hoisting from ground level				
D	102x 50 x 50 x 3.34Kg/m Zed purlins	LM	851	1,200	1,021,200
	LATTICE .				
Ε	Top chord 75x50x3mm SHS	LM	748	1,050	785,400
F	Bottom chord 75x50x3mm SHS	LM	695	1,050	729,750
G	Struts and ties 75x50x3mm SHS	LM	762	1,050	800,100
Н	12mm Diameter round bars in sag rods	LM	528	450	237,600
1	Make threads to ends of round bars acting as bolts, sag rods including two nuts and washers, 12mm diameter	NO	979	200	195,800
J	Allow a Sum for welding, jointing, bolting etc	SUM			100,000
	Carried forward		KShs.	1.6611	5,966,850

ltem	Description	Unit	Qty	Rate	KShs.
	ELEMENT NO. 4				
	ROOFING - (CONTINUED)		-		
	Brought forward		KOh-		
	Roof Drainage		KShs.		5,966,850
	Mild steel				
Α	200mm x 175mm Gauge 26 mild steel gutter fixed to steel rafters with and including appropriate bolts and holder bats			2-302	
В		LM	141	1,500	211,500
В	Extra over for boxed ends	NO	8	550	4,400
	200mm Diameter 14 Gauge downpipe fixed to wall with and including holder bats to approval	LM	88	1,800	158,400
D	Extra over gutter for cutting 200mm diameter hole	NO	8	550	4,400
E	Extra over horse shoe bend	NO	8	600	4,800
F	Extra over swanneck with 850 mm long projection	NO	8	600	4,800
	Painting and decorating				
	Touch up primer, prepare and apply two undercoats and one gloss finishing coat oil paint to metal				
G	Surfaces not exceeding 200mm girth	LM	3,813	80	305,040
Н	Surfaces 200 - 300mm girth	LM	141	100	14,100
i	General metal surfaces	sм	285	380	108,300
	ELEMENT NO. 4 TOTAL CARRIED TO SECTION SUMMARY		Кѕнѕ.		6,782,590

Item	Description	Unit	Qtv	Rate	KShs Ct
	ELEMENT NO. 5			LOT LOT	Kolls Ct
	EXTERNAL FINISHES				
	FLOOR FINISHES				
	Insitu concrete paving				
Α	200mm Thick paving slabs	SM	135	1,500	202 500
	WALL FINISHES			1,000	202,500
	Cement and sand (1:4) rendering				
В	15mm Thick rendering to walls ,beams and columns	SM	691	400	070 444
С	50mm Thick mouldings to doors and windows	SM	350	400	276,400
	Prepare and apply three coats of "Crown Solo Ultra Super gloss" paint to rendered surfaces		350	400	140,000
D	Rendered walls, beams and columns	SM	1,041	380	395,580
)/18					
	ELEMENT NO. 5 CARRIED TO EXTERNAL FINISHES SECTION SUMMA	RY	кѕнѕ.		1,014,480

Item	Description	Unit	Qty	Rate	KShs Cts
	ELEMENT NO. 6		ā	THE PARTY	1.12
	INTERNAL FINISHES			anya.s	2.0
	FLOOR FINISHES				
	Cement and sand (1:4) screed trowelled smooth: beds to receive flooring			7200.000	100
Α	25mm Thick to receive terrazzo flooring	sм	2,245	400	898,000
В	32mm Thick to receive ceramic tile flooring	sм	150	400	60,000
	Polished terrazzo as described:-				50,555
С	20mm Thick paving to screeded surfaces	зм	2,245	2,400	5,388,000
	Non-slip local coloured first quality floor tiles		7,000		3,000,000
D	8mm Thick ceramic floor tiles pointed and jointed in matching coloured cement and sand mortar	SM	150	2,000	300,000
Е	125 x 8mmThick skirting	LM	2,356	650	1,531,400
F	300 x 8mmThick treads	LM	87	550	47,850
G	20mm Thick terrazo tiles to edges of steps including cutting to profile of steps, maximum height 300mm	LM	25	550	13,750
Н	167 x 10mm Risers	LM	91	550	50,050
I	50 x 25mm Aluminium anti-slip fixed to treads	LM	86	200	17,200
2.5					
	Carried forward		KShs.		8,306,250

Item	Description	Unit	Qty	Rate	KShs Ct
	ELEMENT NO. 6			e rojinal	TKOIIS O
	FLOOR FINISHES - CONTINUED		9 1	ISTERNATION AND STREET	
	Brought forward		KShs	or me	8,306,250
	WALL FINISHES			here been	0,300,250
	Cement and sand (1:1:6) lime plaster			- 0.30.000	070.04
Α	12mm Thick two coat plaster	SM	6,778	400	2,711,200
	Cement and sand (1:3) backing				2,711,200
В	15mm Thick backing to receive ceramic tiles	sм	329	400	131,600
	Prepare and apply three coats of first quality silk vinyl paint to:	15/14			101,000
С	Plastered walls and concrete surfaces	SM	6,778	380	2,575,640
	First quality coloured ceramic wall tiles				
D	300 x 300 x 6mm Thick fixed to walls pointed and jointed in matching coloured mortar	SM	329	2,000	658,000
	CEILING FINISHES				
	Cement and sand (1:1:6) lime plaster				
E	12mm Thick two coat plaster to horizontal soffits of floors and landing	SM	2,364	400	945,600
F	12mm Thick two coat plaster to sloping soffites of stairs	SM	65	100	
	uPVC Ceiling boards	Oivi	05	400	26,000
G	Supply and fix uPVC ceiling boards complete with cornice	SM	1,080	1,100	1,188,000
н	50 x 50 mm sawn treated softwood timber brandering.	LM	3,596	98	352,447
			68		
				-	
	Carried forward		· KShs.		16,894,737

Item	Description	Unit	Qty	Rate	KShs
	ELEMENT NO. 6				
	CEILING FINISHES - CONTINUED				96
	Brought forward		KShs		40.00.
	Skim, prepare and apply one undercoat and two finishing coats of Crown Silk Vinyl paint to:-		Kons		16,894,737
Α	Gypsum surfaces	SM	1,080	380	410,400
В	Extra over gypsum for access trap door overall size 600 x 600mm including 75 x 50mm sawn cypress trimming			555	410,400
	painted and set loose	NO	12	1,000	12,000
	Prepare and apply one undercoat and two finishing coats of silk vinyl paint to:-	- 1		= = = =	
С	Plastered surfaces	sм	2,429	380	923,020
	RAMP FINISHES				
	FLOOR FINISHES TO RAMP				
	Cement and sand (1:4) screed trowelled smooth: beds to receive flooring				
D	25mm Thick to receive terrazzo	sм	102	400	40,800
	Rough washed terrazzo			e in the state of	100
E	20mm Thick terrazzo	sм	102	2,400	244,800
F	125 x 15mmThick skirting ditto	LM	95	650	61,750
	Dividing strips				
G	25 x 8mmThick plastic dividing strip	LM	36	1,200	43,200
					-4 1
			(a)		
	ELEMENT NO. 6 CARRIED TO				
	INTERNAL FINISHES SECTION SUMMARY		KSHS.		18,630,707

Item	Description	Unit	Otv	Rate	1/01	
	ELEMENT NO. 7		Gity	. vale	KShs	C
				200411618088		
	WINDOWS				155	
	Precast concrete class 20/20 vibrated					
Α						
•	250 x 75 mm (Average) Thick window cill bedded and jointed in cement and sand mortar (1:4), weathered and					
	throated.	LM	52	900	46,800	
	Window frames and finishings in wrought hardwood;				10,000	
	Complete with louvre end frames: for 150mm wide				emety III	
	louvre, 900mm long; complete with 4mm thick clear glass.		100			
В	Windowsia- 4000					
D	Window size 1000 x 900 mm high	NO	24	6,500	156,000	
	Supply the following windows in part openable and part					
	closed including cutting, fixing lugs to walling and bedding all round frame in cement and sand (1:3) mortar					
	all as per Architect's					
С	Ditto size 1500 x 1200 high	NO	21	11,700	245 700	
D	Ditto size 1800 x 1500 high		21	11,700	245,700	
	1	NO	4	17,550	70,200	
	Purpose made mild steel grills fabricated from heavy duty sections all welded complete with fixing lugs and					
	priming before fixing					
Е	Burglar proofing comprising 16x 16mm wrought solid	1				
	mild steel bars as per the architect's design herebelow:					
		SM	22	6,500	143,000	
	Painting and Decorating					
	Prepare and touch up primer, apply one undercoat and				4.1	
	two finishing coats gloss paint; on metal			1000 1000	- 1	
F	Metal surfaces of grilles (measured both sides)	SM	44	380	16,720	
	Prepare and apply one undercoat and two finishing				10,720	
	coats of silk vinyl paint to:-					
G	Wood surfaces	014		0.000000		
		SM	71	380	26,980	
					- 1	
	ELEMENT NO. 7 CARRIED TO					
1	WINDOWS SECTION SUMMARY		KSHS.		705,400	

Item	Description	Unit	Qty	Rate	KShs
	ELEMENT NO. 8				
	DOORS			owen	ed l
	All timber sizes are finished sizes and the contractor should include in his prices for ex sizes.				
	<u>DOORS</u>				
	Steel casement doors				
Α	Overall size 4000 x 2400mm (Extreme height) high mild steel roller shutter door including frame, painted with non corrosive paint, fixing lugs and all necessary ironmongery; as detailed in Architectural Drawing	NO	47	91,200	4,286,400
В	Overall size 2000 x 2400mm high ditto	NO	85	45,000	3,825,000
	Solid Core Flush doors				
С	45mm Thick mahogany double leaf openable veneered flush door overall size 1200 x 2100mm high. All to Architect detail drawings.	NO	. 5	18,900	04.500
D	Ditto overall size 900 x 2100mm high	NO	34	14,175	94,500 481,950
	Door frames and finishings in wrought mvule			.,,,,	401,830
E	Ex 250 x 50mm rebated frame with 2 labours plugged	LM	201	900	180,900
F	Ex 250 x 50mm Transome with four labours	LM	37	900	33,300
G	Ex 63 x 32mm Architraves	LM	201	150	30,150
Н	16mm quadrant	LM	201	150	30,150
	Ironmongery				
1	100mm Brass polished butt hinges including washers and screws	NO	117	450	52,650
J	2 Lever mortice lock -brass complete with furniture	NO	39	1,800	70,200
ĸ	38mm Diameter brass rubber door stop	NO	10	200	2,000
L	75mmThick tower bolt	NO	31	550	17,050
м	Vaccant/ engaged signs	NO	31	850	26,350
	Carried forward		KShs.		9,130,600

Item	Description	Unit	Qty	Rate	KShs Ct
	ELEMENT NO. 8				Kons Ct
	DOORS - CONTINUED			- 1	
	Brought forward		KShs.		9,130,600
	Sundries				
А	250 x 25 x 1.6mm Thick mild steel door cramps one end			11 91	
	turned and built into wall chase and the other screwed to back of the frame	NO		The Tes	
		NO	5	150	750
	Prepare and apply one undercoat wood preservative to woodwork before fixing				
В					
	Surfaces exceeding not exceeding 100mm girth	LM	402	50	20,100
С	Ditto exceeding 100 but not exceeding 200mm girth	LM	238	80	19,040
	Knot, stop, prime and prepare and apply two undercoats				
	and one clear polyurethane varnish to woodwork		The said		
D	Surfaces exceeding not exceeding 100mm girth	LM	400	400	
E			402	100	40,200
	Ditto exceeding 100 but not exceeding 200mm girth	LM	238	100	23,800
F	General surfaces	SM	154	380	58,520
	Prepare and apply one undercoat and two finishing coats gloss paint; on metal				
G	Metal doors (measured flat overall both sides)	SM	1,638	380	622,440
			1	3070	
	la, de la late de late de la late de l				
					1
	ELEMENT NO. 8 TOTAL CARRIED TO			-	
	ELEMENT NO. 8 TOTAL CARRIED TO DOORS SECTION SUMMARY		KSHS.		9,915,450

ltem	Description	Unit	Qty	Rate	KShs Ct
	ELEMENT NO. 9				
	BALUSTRADES (ALL PROVISIONAL)				
	Staircase and Ramp Balustrades				50.04
Α	1000mm high balustrading comprising 30mm diameter x 3mm thick chrome coated CHS handrail and 3N0. 30mm diameter x 3mm thick chrome coated CHSintermediate rails welded to 18NO. 50mm diameter x 3mm chrome coated CHS balustrades at landings, to Achitect's details	LM	102	9,000	918,000
	Balcony Balustrades		·		
В	1000mm high balustrading comprising 30mm diameter x 3mm thick chrome coated CHS handrail and 3N0. 30mm diameter x 3mm thick chrome coated CHS intermediate rails welded to 4NO. 50mm diameter x 3mm chrome coated CHS balustrades fixed to the floor slab, to Achitect's details				
		LM	113	8,000	904,000
la,	<u>Sundries</u>				heror, I
С	Form mortice in concrete size 100 x 100 x 150mm deep to anchor 30mm diameter x 3mm CHS brackets including filling in concrete mix 1:3 and make good	NO	115	100	11,500
	ELEMENT NO. 9 CARRIED TO			-	
	BALUSTRADING SECTION SUMMARY		KSHS.	_ 10 ms h	1,833,500

	SECTION NO: 01 MAIN	BUILDING		
	NEW WORKS	*		
	SECTION SUMMARY			
	ELEMENT NO. NAME		PAGE	AMOUNT KSHS.
1	Substructures (All provis	sional)	1/4	16,290,506
2	R.C Superstructure		1/5	18,203,750
3	Walling		1/6	5,912,800
4	Roof Construction		1/8	6,782,590
5	External Finishes		1/9	1,014,480
6	Internal Finishes		1/12	18,630,707
7	Windows		1/13	705,400
8	Doors		1/15	9,915,450
9	Balustrades	The state of the s	1/16	1,833,500
	1			

PC SUMS

PROVISIONAL AND PRIME COST SUMS

ITEM	DESCRIPTION	RATE	AMOUNT
	PROVISIONAL SUMS	KAIE	AMOUNT
	The following provisional items are to be measured on completion of the works and priced in accordance with rates contained in these Bills of Quantities or pro-rata there to or deducted in whole if not required.		
Α	Allow a Sum of Kenya Shillings One Million only for Plumbing, Foul water drainage installation and Sanitary fittings.	SUM	1,000,000
В	Provide a Provisional Sum of Kenya Shillings Five hundred Thousand only for Electrical Works	SUM	500,000
C	Provide a Provisional Sum of Kenya Shillings Seven hundred Thousand only for External works.	SUM	700,000
D	Allow a Sum of Kenya Shillings One Million only for contingencies.	SUM	500,000
E	Allow a Sum of Kenya Shillings Five hundred only for Project Management.	SUM	500,000
	TOTAL AMOUNT CARRIED TO PC & PS SUMS GRAND SUMMARY	кѕнѕ	3,200,000

MAIN SUMMARY

PROPOSED REHABILITATION OF DAMAGED EMBU MARIGITI STALLS TO MODERN STALLS - EMBU

GRAND SUMMARY

ITEM	DESCRIPTION	PAGE	AMOUNT IN KSHS	OFFICIAL USE KSHS
1	GENERAL PRELIMINARIES		500,000	JE, COL
2	PARTICULAR PRELIMINARIES		1,500,000	
3	MEASURED WORKS	1/17	79,289,183	
4	PC & PS SUMS	PS/1	3,200,000	
	SUB-TOTAL (1)		84,489,183	
5	ADD on SUB-TOTAL (1) as 16% VAT		13,518,269	
	ESTIMATED COST		98,007,453	

Prepared by: QS FN MURAGE

Department of public works P.O. Box 29- EMBU.

EMBU COUNTY