



— THE PRESIDENCY —
MINISTRY OF DEVOLUTION & ASAL

NAIROBI CITY COUNTY GOVERNMENT

ANNUAL CAPACITY & PERFORMANCE ASSESSMENT (ACPA) REPORT

Conducted on:

9th-10th & 13th November, 2018



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ACRONYMS

ACPA	-	Annual Capacity and Performance Assessment
ADP	-	Annual Development Plans
CARPS-	-	Capacity Assessment and Rationalization of the Public Service
CB	-	Capacity Building
CE	-	Civic Education
CFAR	-	County Financial and Accounting Report
CGN	-	County Government of Nairobi
CIDP	-	County Integrated Development Plan
CE&PP	-	Civic Education & Public Participation
CO	-	Chief Officer
EIA	-	Environmental Impact Assessment
EMCA	-	Environmental Management and Coordination Act
FS	-	Financial Statement
FY	-	Financial Year
KDSP	-	Kenya Devolution Support Programme
KRA	-	Key Result Area
M&E	-	Monitoring and Evaluation
MAC	-	Minimum Access Conditions
MODP	-	Ministry of Devolution and Planning
MPC	-	Minimum Performance Conditions
NEMA	-	National Environment Management and Coordination Authority
NT	-	National Treasury
PFM	-	Public Finance Management (Act)
PM&E	-	Planning, Monitoring & Evaluation
POM	-	Programme Operation Manual



ACKNOWLEDGMENT

The consulting team from Prestige Management Solutions Limited would like to thank Nairobi County Government of Nairobi, Senior Management and staff who participated in the Annual Capacity and Performance Assessment. The officials made valuable contributions throughout the assessment and provided useful information and insights to the assessors. We sincerely acknowledge the contribution made by Mr. Dominic Odera, the Director Administration who presided over the assessment as well as all KRA focal persons who actively participated to make the entire exercise a success.

Our most sincere gratitude to H.E Mike Mbuvi Sonko allowing us to undertake the assessment in the County Government of Nairobi and for ensuring that the activity received the seriousness it deserved.



EXECUTIVE SUMMARY

The Government of Kenya developed a National Capacity Building Framework – NCBF, in 2013 to guide the implementation of its capacity building support for county governments. The program is a key part of the government’s Kenya Devolution Support Program – KDSP- supported by the World Bank. The NCBF – MTI spans PFM, Planning and M & E, Human Resource Management, Devolution, and Inter-Governmental Relations and Public Participation.

The Ministry of Devolution and ASAL – MODA, the state department of devolution subsequently commissioned Prestige Management Solutions Limited to carry out the Annual Capacity and Performance Assessment (ACPA) in forty-seven counties in Kenya. The ACPA aims to achieve three complementary roles, namely:

1. The Minimum Access Conditions (MACs)
2. Minimum Performance Conditions (MPCs)
3. Performance Measures (PMs)

In preparation for the assessment process, MODA carried out an induction and sensitization training to the consulting team to help them internalize the objectives of the ACPA, size of capacity and performance grants, County Government’s eligibility criteria, ACPA tool, and the ACPA assessment criteria.

This report highlights the findings of the assessment carried out by Prestige Management Solutions on the Annual Capacity Performance Assessment (ACPA) under the Kenya Devolution Support Programme (KDSP). KDSP is a Programme jointly funded by the National Government and World Bank. The overall KDSP objective is to strengthen the capacity of core national and county institutions to improve delivery of devolved functions at the County level.

The Constitution of Kenya 2010 creates a new governance structure, through rebalancing accountabilities, increasing the responsiveness, inclusiveness, and efficiency of government service delivery. It provides for multiple reforms including a strengthened legislature, judiciary, decentralization, new oversight bodies, and increased transparency and accountability to citizens.

The county governments as new institutions have within four years of existence brought in significant progress in delivering devolved services mainly consisting of health, agriculture, urban services, county roads, county planning and development, management of village polytechnics, and county public works and services.

In preparation for capacity needs of a devolved structure, the national government in consultation with the County Governments created the National Capacity Building Framework (NCBF) in 2013. In respect of Article 189 of the Constitution, Multiple new laws, systems, and policies were rolled out; induction training for large numbers of new county staff from different levels of County Government was initiated focused on the new counties. The Medium Term Intervention (MTI) which provides a set of results and outputs against capacity building activities at both levels of government, and across multiple government departments and partners can be measured were instituted. These measures provide the basis for a more coherent, well-resourced and devolution capacity support, as well as by other actors. The NCBF spans PFM,



Annual Capacity & Performance Assessment Report (ACPA)

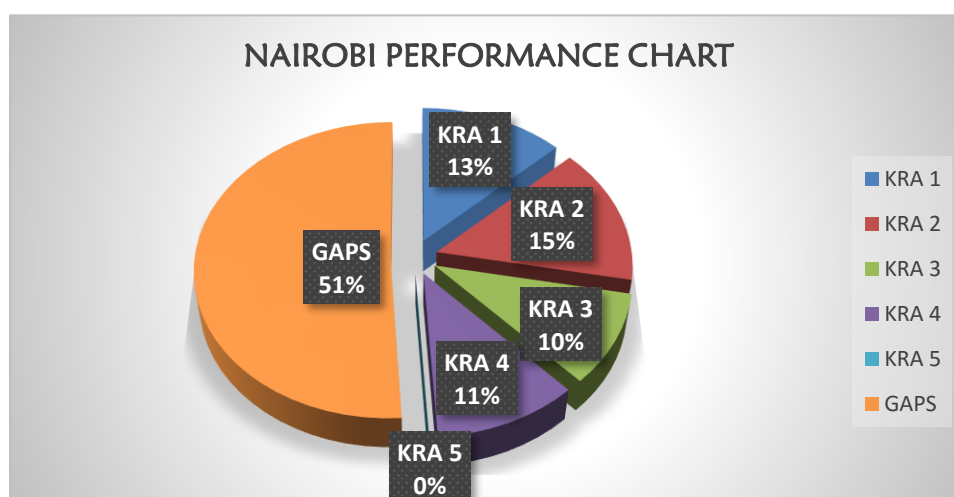
Planning and M&E, Human Resource Management, Devolution, and Inter-Governmental Relations and Public Participation.

This report documents the key issues that arose during the assessment of Nairobi County Government spanning from the methodology used for the assessment, time plan, and overall process, summary of the results, summary of capacity building requirements and challenges in the assessment period

The outcome of the assessment can be summarized as follows:-

ACPA Measures	Outcome
MAC	<ul style="list-style-type: none"> Nairobi County met MAC 1,2 and 3. MAC 4 was not met since the utilization rate was 28.81%.
MPC	<ul style="list-style-type: none"> Nairobi County met MPC 4, 6, 7 and 9. MPC 2 was not met since the submission date for the Financial Statement 2016/17 was out of the scope, 25th Jun 2018 as per the Audit Report. MPC 3 was not met since the audit report from the OAG declared the report as of a Disclaimer Opinion. MPC 5 was not applicable in their case since they did not receive level 2 grants. And lastly MPC 8 was not met as well since there was no environmental committee in place; no screening checklists were availed as well as EAI reports.

ACPA Measures	OUTCOME	RESULT(SCORE)
PM	KRA 1: Public Financial Management	13
	KRA 2: Planning and monitoring and evaluation	15
	KRA 3: Human Resources Management	10
	KRA 4: Civic Education and Participation	11
	KRA 5: Investment implementation & Social and environmental performance	0
SCORE OVER 100		49





Achievements

The County Government of Nairobi performed well in Human Resource Management, Civic Education and Public Participation sectors in terms of evidence presented to the consultants. The documentation needed was in place and availed upon request. The Civic Education Sector in the County did well in terms of conducting public participation that are beyond the budget forums. The Human Resource Management sector conducted a service re-engineering during the period 2017/18 within Huduma center on areas of rate collection, seasonal tickets and single business permits.

Weaknesses

The key area of weakness was found to be between the County Executive and the County Assembly. Documentation needed from the County Assembly was not availed at all.

KRA 5 was poorly performed since the documentation needed were not availed at any point.

There is a clear communication break down between various departments within the county particularly lack coordination within the Finance department. The focal persons in various sectors are not aware of the ACPA exercise.

Challenges

The following were some of the key challenges encountered during the process of undertaking the assignment:

- The constant change of the top management that has slowed operations i.e. the current focal person is new in the position thus could not communicate and effectively advise sector focal persons on KDSP grants.
- The Monitoring & Evaluation structure within the county is not clearly defined thus the difficulty in getting required evidence from the unit.
- There was no project register in place hence it drew a challenge in identifying projects carried out during the FY 2017/18.
- County Asset registry within the county has not been approved nor valued hence the consultants were not able to view any assets belonging to the county.
- The official Nairobi County website was not accessible thus consultant could not access any online evidence

Areas of Improvement

Nairobi County needs to improve on the following areas:

- Enhance departmental relationships in all departments within the county.
- Communication flow needs to be improved both horizontally and inter-departments.
- Establishment of Monitoring & Evaluation committee ought to be in place and ensure they hold a regular meeting in relation to planning and monitoring project activities.
- Develop well-defined Monitoring & Evaluation unit.



- Reduce the website downtime as well as that of the IFMIS to enable citizenry access information on county matters including statutory documents.
- Improve Performances Management measures in order to reduce the rate of employee turnover and motivate staff within the county.

2.0 Introduction

The Government of Kenya, together with Development Partners, has developed a National Capacity Building Framework (NCBF) that framed efforts to build capacity around the new devolved governance arrangements. The NCBF covers both national and county capacity whose intent was to support capacity building to improve systems and procedures through performance-based funding for development investments over a period of five years starting from January 2016.

The Kenya Devolution Support Program (KDSP) was designed on the principles of devolution that recognizes the emerging need to build capacity and deepen incentives for national and county governments to enable them to invest in activities that achieve intended results in the NCBF KRAs. This program is not only expected to build institutional, systems and resource capacity of the county institutions to help them deliver more effective, efficient, and equitable devolved services but also to leverage on the equitable share of the resources they receive annually.

During the first two years of devolution, under the NCBF, the national government put in place multiple new laws and policies and systems, rolled out induction training for large numbers of new county staff from different levels of county government, and initiated medium-term capacity initiatives focused on the new counties.

The framework, therefore, provides a set of results and outputs against which capacity building activities at both levels of government, and across multiple government departments and partners are measured. Further, it also provides the basis for a more coherent, well-resourced and coordinated devolution capacity support across multiple government agencies at national and county levels, as well as by other actors.

The overall objective of the NCBF is “to ensure the devolution process is smooth and seamless to safeguard the delivery of quality services to the citizenry.” The NCBF has five pillars namely;

- Training and Induction; Technical Assistance to Counties;
- Inter-governmental Sectoral Forums;
- Civic Education and Public Awareness; and
- Institutional Support and Strengthening.

2.1 Key Results Areas

The MTI defines priority objectives, outputs, activities, and budgets for building devolution capacity across 5 KRAs as follows;

- **KRA 1 - Public Financial Management:** (i) Country Revenue Management; (ii) Budget preparations and approval of program based; (iii) IFMIS budget support Hyperion module compliance (iv) Financial Accounting timeliness preparation, Recording and Reporting; (v) Procurement adherence to IFMIS processes and



procurement and disposal Act 2012 ; and (vi) Internal and External Audit reductions of risks and value for money;

- **KRA 2 - Planning and Monitoring and Evaluation:** (i) County Planning and updated County Integrated Development Plan (CIDP) Guidelines; and (ii) County M&E – including County Integrated Monitoring & Evaluation System (CIMES) guidelines;
- **KRA 3 - Human Resources and Performance Management:** (i) County Developing county staffing plans; (ii) competency frameworks, efficient systems, processes and procedures, and performance management systems;
- **KRA 4 – Devolution and Inter-Governmental Relations:** (i) introduction of a new performance-based conditional grant; (ii) Investment management including Social and Environmental safeguards;
- **KRA 5 - Civic Education and Public Participation:** (i) civic education; and (ii) public participation, including means to enhance transparency and accountability;

For each of these KRAs, the NCBF-MTI defines both national and county level results, as well as key outputs and activities. The Performance and capacity grants to counties are thus critical to devolution capacity building as they define key capacity results at the county level, regularly assess progress, and strengthen incentives for counties to achieve these results. In turn, counties that manage to strengthen these key PFM, human resource and performance management (HRM), planning and M&E, and citizen education and public participation capacities will be better equipped to manage county revenues and service delivery, achieve county development objectives, and access other sources of development financing

2.2 The Program Development Objective (PDO)

The broad objective is to strengthen the capacity of core national and county institutions to improve delivery of devolved services at the county level. The Key Program Principles are:

- i) Result based Disbursements- Disbursement of funds follow a set of national and county level results which are well defined and converted into measurable indicators;
- ii) Strengthening Existing Government Systems. All program activities are aligned to existing departmental and county level planning and budgeting system including monitoring and evaluation. Counties are expected to develop implementation reports and financial reports that provide details of capacity building activities completed against the annual capacity building plans and investment grants;
- iii) Support the National Capacity Building Framework. The KDSP supports the implementation of the NCBF through a complementary set of activities. Since 2013, both National Government and Development Partners have designed and implemented a range of activities to support the achievement of NCBF results. The program has established mechanisms by:
 - a) Introducing a robust annual assessment of progress towards NCBF and MTI results to better inform government and development partner activities;
 - b) Building on ongoing National Government capacity building activities to deliver a more comprehensive, strategic and responsive package of activities;



- c) Strengthening the design, coordination, targeting, and implementation of counties' own capacity building activities;
- d) Strengthening the linkage between capacity building 'inputs' and capacity 'outputs' through stronger incentives for improved performance;
- iv) Funds Flow to strengthen the inter-governmental fiscal structure. The program supports fund transfer directly to counties realizing the vision of government to facilitate fiscal transfers through performance grant from the national government to counties;
- v) Independent assessment of results. The Program supports the Annual Capacity & Performance Assessment (ACPA), strengthening of the timeliness and coverage of the audit of the counties' financial statements, which are important inputs to the performance assessments.
- vi) It is against this backdrop that the third annual capacity performance assessment was carried out

2.3 The specific objectives.

The specific objectives of the assessment are to –

- a) Verify compliance of the counties with key provisions of the laws and national guidelines and manuals such as the Public Financial Management Act, 2012, the County Government Act and other legal documents;
- b) Verify whether the audit reports of the OAG of the counties follow the agreements under the KDSP, which is important for the use of findings in the ACPA;
- c) Measure the capacity of county governments to achieve performance criteria derived from the core areas of the NCBF;
- d) Use the system to support the determination of whether counties have sufficient safeguards in place to manage discretionary development funds and are therefore eligible to access various grants, such as the new CPG;
- e) Promote incentives and good practice in administration, resource management, and service delivery through show-casing the good examples and identifying areas which need improvements;
- f) Assist the counties to identify functional capacity gaps and needs;
- g) Provide counties with a management tool to be used in reviewing their performance, and to benchmark from other counties, as well as focusing on performance enhancements in general;
- h) Enhance downwards, horizontal and upward accountability, encourage and facilitate closer coordination and integration of development activities at the county level;
- i) Contribute to the general monitoring and evaluation (M&E) system for counties and sharing of information about counties' operations.

This performance assessment has thus covered the counties' compliance with a set of



minimum access conditions (MACs) for access to grants (MCs), a set of Minimum Performance Conditions (MPCs) and set of defined Performance Measures (PMs), which are outlined in the Annual Capacity & Performance Assessment Manual (ACPA) that was provided to the consultant by KDSP Secretariat prior to the start of the ACPA. To ensure the credibility of the collated data, the quality assurance team moderated with precision to validate the evidence to ensure accountability and ownership of the reports by all players.

The results obtained from the assessment is therefore credible for use in guiding the analysis and in the determination of the counties actual grant allocations for FY 2018/2019 in capacity building and investment. The data similarly will be used to establish a baseline for review of the tool and setting targets of the future performance measures.

The Annual Capacity and Performance Assessment (ACPA)

The Ministry of Devolution and ASAL annually procure an independent Consultant firm to carry out the assessment of the counties on three sets of indicators:

1. Minimum Access Conditions;
2. Minimum Performance Conditions, and
3. Performance Measures.

The Performance Measures are drawn from the NCBF-Medium Term Interventions were further refined through an extensive design process involving many agencies and stakeholders within the counties. These measures were designed vis -a -vis other complementary measures namely; the Fiduciary Systems Assessment and the Environmental and Social Systems Assessment which addresses key gaps and capacity needs.

Although significant capacity building resources have been mobilized by government and external partners, it has proven quite difficult to measure the effectiveness of the inputs provided, as well as to make sure that capacity building resources are channeled to where they are most needed. Arising from these challenges, the KDSP introduced Annual Capacity and Performance Assessment (ACPA) methodology which combines self-assessment of the counties with an external assessment conducted by an independent firm.

The self-assessment helps counties to familiarize with capacity building interventions that address the unique gaps of each county. The external assessment is conducted annually to establish linkages of funding and performance. Similarly, it plays a number of complementary roles which include:

- a) Evaluating the impact of capacity building support provided by national government and development partners under the NCBF
- b) Informing the design of capacity building support to address county needs;
- c) Informing the introduction of a performance-based grant (the Capacity & Performance Grant, which was introduced from FY 2016/17) to fund county executed capacity building and
- d) To increase the incentives for counties to invest in high priority areas



Annual Capacity and Performance Assessment Process

The ACPA process started in June 2016 when the participating counties conducted the Self-Assessment exercise. The process was guided by the National Government technical team that inducted county government on the participation of the KDSP. It forms the basis of capacity building plans for FY 2016/17. The FY 2017/18 assessment was carried out by Prestige Management that started on November 5th to 14th December 2018. All 47 counties were assessed in accordance with the TOR, similar instruments were administered and all other agreed procedures followed.

Therefore, the report is credible and recommended for use by the Government and the development partners in the determination of the counties that qualify for the capacity building and investment grants for the FY 2018/2019. In the event, a count is dissatisfied with the outcome a window of 14 days is granted to file an appeal.

3.0 Methodology & assessment team

The assignment was carried out in line with the terms of reference set out by the client and agreed during the inception reporting. To agree on the assignment methodology and approach, the consultants presented an inception report on 11th October 2018 to the client, which gave a clear pathway in the implementation of the project.

The Inception report elucidated the processes of the mobilization, literature review to study secondary data, primary data collection through field visit and its collation and presentation of the draft report to the client for review and acceptance. In the technical proposal, Prestige Management Solutions Limited presented this methodology to the Ministry of Devolution and ASAL, State Department of Devolution which was considered. These stages are as follows;

3.1 Literature Review

The consultants reviewed several documents to appreciate the context under which the project was conceived and the level of achievement to date. The literature review provided adequate background for the consultants, as to the genesis of the Kenya Devolution Support Programme.

The consultants reviewed several documents authored by the World Bank, to establish the relevance of the project in support of their capacity to access performance grant. A number of these documents formed the built up to the formulation of the performance assessment tool.

The consultants reviewed the applicable laws as well as the World Bank Capacity Building framework, which formed the background literature and framework for the assessment tool. The consultants noted that various World Bank reports including its Capacity Building Results Framework would be instrumental in supporting the process of capacity building.

Briefly, the following contents within the ACPA manual: The Minimum Access Conditions, the Minimum Performance Conditions, and the Performance Measurements. Ministry Official stressed the need for consultants to document challenges witnessed during the field work which could affect the outcome of the assignment. It was observed that the consultants would need to keep a close working relationship with the Ministry of Devolution to quickly respond to emerging issues, on areas where interpretation needed further clarification.



3.2 Mobilization

The assessment commenced with a mobilization meeting between members of Prestige Management Solutions Ltd team and representatives from the Ministry of Devolution and ASAL. At this meeting, Prestige Management Solutions presented the methodology for consideration

- i) The methodology highlighted each stage of the assignment and the scope of the Annual County Performance Assessment, interpretation, and understanding of the Terms of reference, assessment objectives and also proposed other parameters that will enhance the objective of the study, outputs expected & Identification of gaps including existing data to measure the standards.
- ii) Collate background information and relevant material such as existing audit reports, laws and regulations, the operations manuals and relevant records that would ideally assist the consultant in attaining her objective.
- iii) Proposed and agreed on the schedule dates for the field works
- iv) Assessment of key implementation challenges and risks among others

3.3 Sensitization Workshop

Following the submission of the Inception reporting, the consultants were inducted on the contents of the ACPA data collection tools. The workshop was conducted at the Ministry of Devolution offices at the Bazaar Towers. The officials from the Ministry involved in the training were familiar with the tool having conducted similar inductions for Counties' staff. The sensitization workshop took two days and covered the background of the assignment and the detailed assumptions underlying the tool.

The project Coordinator mobilized all the team leaders/assessors consultants involved in the assignment. The team leaders took the assessors through the necessary documents including the capacity assessment tool. The assessors were also facilitated to access relevant documents to help them prepare for the assignment. As part of the preparation for the assignment, the assessors were exposed to County Governance and reporting requirements.

a) Entrance Meeting

The PMS and County of Nairobi staff held the entrance meeting on Tuesday, 9th Nov 2018 at the Committee Room in Nairobi County Government offices at 10.00 am that was chaired by the County KDSP Focal person and Director Administration Mr. Dominic Odera and an opening prayer by Mr. Paul Mwangi. The focal point person for KDSP, Mr. Dominic Odera called upon the staff to corporate during the exercise.

The details of the entrance meeting are highlighted in annex 1.

b) Data Administration

Data collection commenced on Thursday, 9th Nov 2018 at 11 am. The consultants administered the assessment tool within three (3) working days with a holiday break in between. The consultant engaged with key CGM staff and KRA focal persons from various sectors who were knowledgeable in areas that related to the ACPA.



The consultants collected data through the administration of the KDSP tool, observation, desktop review of secondary data as well as an interview method to get information from the officers. They also logged into the website to check uploaded documents. They reviewed the Existing County Integrated Development Plan – CIDP, Annual Development Plans (ADP), Budget, Financial Reports, EIA reports, key project documents, policy documents, strategies, and departmental reports to check whether they complied with underlying laws, regulations ACPA participation and assessment guidelines. They also logged into the website to confirm whether the documents were uploaded. The consultants also visited three project sites:

a) Exit Meeting-Debriefing

The exit meeting was held on 13th Nov 2018 at the Committee Room in Nairobi County Government Offices at 2:50 pm that was chaired by the County KDSP Focal person Mr. Dominic Odera and an opening prayer by Ms. Grace Beatrice an officer from the County.

The details highlights of the debrief is shown in the annex2

Time plan

Activity	9 th Nov	12 th Nov	13 th Nov	14 th Nov
Entry meeting				
Assessing the Minimum Access Conditions				
Assessing minimum Performance Measures				
Assessing Performance Measures				
Exit Meeting				
Preparing Report				



4.0 SUMMARY OF RESULTS

The summary of the results of the assessments is provided in tables 4.1, 4.2 and 4.3 below by MACs, MPCs, and PMs respectively.

4.1 Minimum Access Conditions (MAC)

The summary of results for Minimum Access Conditions is shown in table 4.1 below:

Minimum Conditions for Capacity and Performance Grants (level 1)	Reason and Explanation	Detailed indicator and Means of Verification (MoV)	Comments from WB/KDSP	Assessment Met/ Not Met	Detailed Assessment Finding
1. County signed a participation agreement	To ensure that there are ownership and interest from the county to be involved in the Program, and to allow access to information for the AC&PA teams.	Signed confirmation letter/expression of interest in being involved in the Program MoV: Review the confirmation letter against the format provided by MoDP/in the Program Operational Manual (POM).	All counties have already signed participation agreements; no need to verify compliance.	Met	There is a signed participation agreement.
2. CB plan developed	Is needed to guide the use of funds and coordination. Shows the capacity of the county to be in driver's seat on CB.	CB plan developed for FY 2017-18 according to the format provided in the Program Operational Manual/Grant Manual (annex). MoV: Review the CB plan, based on the self- assessment of the KDSP indicators: MACs, MPC and PMs, and compared with the format in the POM /Grant Manual (annex).	To be verified <u>independently</u> and <u>NOT</u> as part of ACPA 3. That said, ACPA team should request for copies of implementation reports of the capacity building grants	Met	The CB plan 2017/18 was developed in June 2017 according to POM. Evidence #: CGK/047/MAC2
3. Compliance with the investment menu of the grant	Important to ensure the quality of the CB support and targeting of the activities.	Compliance with investment menu (eligible expenditure) of the Capacity Building Grant released to counties in FY 2016-17 & 2017-18 documented in progress reports. MoV: Review of grant and utilization – progress reports. Reporting for the use of CB grants		Met	CB annual Implementation report 2017/18 was availed. Evidence: CGN/047/MAC 3



Annual Capacity & Performance Assessment Report (ACPA)

Minimum Conditions for Capacity and Performance Grants (level 1)	Reason and Explanation	Detailed indicator and Means of Verification (MoV)	Comments from WB/KDSP	Assessment Met/ Not Met	Detailed Assessment Finding
		for the previous FYs in accordance with the Investment menu			
4. Implementation of CB plan	Ensure actual implementation.	Minimum level (70% of FY 16/17 plan, 75% of FY 17/18 plan, 80% of subsequent plans) of implementation of planned CB activities by end of FY. MoV: Review financial statements and use of CB + narrative of activities (quarterly reports and per the Grant Manual).		Not met	Nairobi county The government received funds equivalent to Ksh. 77,910,897 to Undertake capacity building. Applied funds to CB plan is equivalent to Kshs 22,452,500 which is 28.81% of disbursed capacity building grant. Evidence: CGN/047/MAC/4



4.2 Minimum Performance Conditions

The summary of results for Minimum Performance Conditions is as shown in table 4.2 below.

Minimum Performance Conditions for Capacity & Performance Grants (level 2)	Reason and Explanation	Detailed indicator and Means of Verification	Comments	Assessment met/ not met	Detailed assessment findings
Minimum Access Conditions complied with					
1. Compliance with minimum access conditions	To ensure minimum capacity and linkage between CB and investments.	Compliance with MACs. MoV: Review of the conditions mentioned above and the MoV of these.	At the point of time for the ACPA	Met	Participation agreement signed by the Governor and CB plan 2017/18 were in place.
Financial Management					
2. Financial statements submitted	To reduce fiduciary risks	Financial Statements (for FY 2016-17)with a letter on documentation submitted to the Kenya National Audit Office by 30th September2017 and National Treasury with required signatures (Internal auditor, heads of accounting unit etc.) as per the PFM Act Art.116 and Art. 164 (4). This can be either individual submissions from each department or consolidated statement for the whole county. If individual statements are submitted for each department, the county must also submit consolidated statements by 31 st October 2017. The FS has to be in an auditable format. MoV: Annual financial statements (FSs), submission letters to Office of the Auditor	3 months after the closure of the FY (30 th of September2017). Complied with if the county is submitting individual department statements: 3 months after the end of FY for department statements and 4 months after the end of FY for the consolidated statement. If the county is only submitting a consolidated statement: Deadline is 3 months after the end of FY.	Not met	Nairobi county consolidated Financial statement 16/17 from executive was availed and submitted to OAG by 25 th Jun 2018. Nairobi county assembly did not avail financial statements. Evidence: CGN/047/MPC/2



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Minimum Performance Conditions for Capacity & Performance Grants (level 2)	Reason and Explanation	Detailed indicator and Means of Verification	Comments	Assessment met/ not met	Detailed assessment findings
		General (OAG) + records in OAG.			
3. Audit opinion does not carry an adverse opinion or a disclaimer on any substantive issue	To reduce fiduciary risks	The opinion in the audit report of the financial statements for county executive for FY 2016-17 cannot be adverse or carry a disclaimer on any substantive issue. MoV: Audit reports from the Office of the Auditor General.	Audit reports <u>cannot</u> be with a disclaimer or adverse opinion (increased demands) – <u>no exceptions</u> As per program requirements, the assessment will rely on the audit opinion as at the time they are tabled by OAG to parliament.	Not Met	Nairobi County Government report from the OAG had a Disclaimer Opinion. <i>Evidence: Evidence in soft</i>
Planning					
4. Annual planning documents in place	To demonstrate a minimum level of capacity to plan and manage funds	CIDP, Annual Development Plan (for FY 2017-18) and budget (for FY 2017-18) approved and published (on-line). (Note: The approved versions have to be the version published on county website) (PFM Act, Art 126 (4)). MoV: CIDP, ADP, and budget approval documentation, minutes from council meetings and review of county web-site.		Met	Nairobi County Integrated Development Plan 2013 - 2017, Annual development plan 2017/2018, revised budget 2017/2018 availed <i>CGN/047/MPC/04</i> <i>CGN/047/MPC/04/1</i> <i>CGN/047/MPC/04/2</i>
Use of funds in accordance with Investment menu					
5. Adherence with the investment menu ONLY APPLIES TO 13 COUNTIES	To ensure compliance with the environmental and social safeguards and	Project proposals for use of FY 2017-18 Level 2 grants ¹⁾ are fully consistent with the investment menu (eligible	<u>Please have the list of 13 counties</u> that qualified for level -2 grant	N/A	N/A

¹Level 2 grants for FY 2017-18 were not released until the beginning of FY 2018-19.



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Minimum Performance Conditions for Capacity & Performance Grants (level 2)	Reason and Explanation	Detailed indicator and Means of Verification	Comments	Assessment met/ not met	Detailed assessment findings
WHICH RECEIVED LEVEL 2 GRANTS FOR FY 2017-18 Busia, Nyandarua, Kiambu, Baringo, Makueni, Kisii, Laikipia, Siaya, Narok, Kirinyaga, Kajiado, Garissa and Mandera	ensure efficiency in spending.	expenditures and non-eligible expenditures) as defined in the PG Grant Manual. <u>MoV:</u> Project proposal for current ACPA (i.e.Nov 2018). For the next ACPA. Review financial statements against the grant guidelines. Check up on use of funds from the C&PG through the source of funding in the chart of accounts (if possible through the general reporting system with Source of Funding codes) or special manual system of reporting as defined in the Capacity and Performance Grant Manual) Review budget progress reports submitted to CoB.	N.B. The first level 2 grants were granted in FY17/18even though released in early FY18/19		
Procurement					
6. Consolidated Procurement plans in place.	To ensure procurement planning is properly coordinated from the central procurement unit instead of at departmental, and to ensure sufficient capacity to handle discretionary funds.	Updated consolidated procurement plan for executive and for assembly (or combined plan for both)for FY 2017-18. <u>MoV:</u> Review procurement plan of each procurement entity and county consolidated procurement plan and check up against the budget whether it encompasses the needed projects and adherence with procurement procedures. The procurement plan(s) will	The situation during FY 2017-18 to be assessed. ACPA to identify last budget revision for FY 2017-18 and then assess whether the consolidated procurement plan existed and was updated. (Emphasis should be on the Executive procurement plan 17/18)	Met	Consolidated Procurement plan 2017/2018 for executive availed and aligns with the budget but could not establish if they are uploaded. Evidence: CGN/047/MPC/6 County Assembly procurement plan not availed.



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Minimum Performance Conditions for Capacity & Performance Grants (level 2)	Reason and Explanation	Detailed indicator and Means of Verification	Comments	Assessment met/ not met	Detailed assessment findings
		<p>have to be updated if/and when there are budget revisions, which require changes in the procurement process.</p> <p>Note that there is a need to check both the consolidated procurement plan for 1) the assembly and 2) the executive, and whether it is revised when budget revisions are made.</p>			
Core Staffing in Place					
7. County Core staff in place	To ensure minimum capacity in staffing	<p>Core staff in place (see also County Government Act Art. 44).</p> <p>The following staff positions should be in place:</p> <ul style="list-style-type: none"> • Procurement officer • Accountant • Focal Environmental and Social Officers designated to oversee environmental and social safeguards for all subprojects • M&E officer <p><u>MoV</u>: Staff organogram, schemes of service to review the qualifications against requirements (hence the staff needs to be substantive compared to the schemes of service), sample check salary payments, job descriptions,</p>	At the point of time for the ACPA.	Met	<p>Nairobi county organogram availed.</p> <p>Samples of schemes of service availed with samples for;</p> <ol style="list-style-type: none"> 1. Economics, 2. Supply chain management personnel, 3. Environmental focal person and, 4. Accountant 5. County core staff in place; <ul style="list-style-type: none"> • Director of Environment: Isaac Muraya Kimani. Letter of appointment dated 10th June 2014. • Planning and M & E officer: Mr.KefaOmoiOmanga. Letter of appointment to county government dated 8th April 2014. • Accountant: Maurice



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		interview, and sample checks. Staff acting in positions may also fulfill the conditions if they comply with the qualifications required in the schemes of service.			<p>Okere: letter of appointment dated. Has ICPAK No. 7951 18th April 2016.</p> <ul style="list-style-type: none"> Procurement officer: Leonard KipkemboiBiwot: letter of appointment dated 15th March 2016. <p>A sample of payroll records was availed e.g. for Director finance/accounts; Mr. Abwori Johnson Akong'o.</p> <p>Evidence: CGN/047/MPC7</p>
Environmental and social Safeguards					
<p>8 Functional and Operational Environmental and Social Safeguards Systems (i.e. screening/vetting, clearance/ approval, enforcement & compliance monitoring, documentation & reporting) in place.</p>	<p>To ensure that there is a mechanism and capacity to screen environmental and social risks of the planning process prior to implementation, and to monitor safeguard during implementation.</p> <p>To avoid significant adverse environmental and social impacts</p> <p>To promote environmental and social benefits and ensure sustainability</p> <p>To provide an</p>	<ol style="list-style-type: none"> Counties endorse, ratify and comply with an environmental and social management system to guide investments (from the ACPA starting September 2016). MOV: NEMA Certification of subprojects. Relevant county project documents Appointed environmental and social focal points are actively involved in screening, overseeing comprehensive and participatory ESMPs for all KDSP investments. MOV: (ACPA 3) relevant county project documents. 	<p>Note that the first installment of the expanded CPG investment menu covering sectoral investments starts from July 2017 (FY 2017/18). Hence some of the conditions will be reviewed in the ACPA prior to this release to ascertain that capacity is in place at the county level, and other MPCs will review performance in the year after the start on the utilization of the expanded grant menu (i.e. in the 3rd AC&PA, see the previous column for details).</p> <p>Please ensure that the teams</p>	Not met	<p>Nairobi County environmental committee was not operational within fiscal year 2017/2018 though it's yet to be gazetted and operationalized.</p> <p>An environmental checklist against samples of investments was not availed to consultants.</p> <p>An environmental and social The focal person in place and functional.</p> <p>CGN/047/MPC7</p>



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Minimum Performance Conditions for Capacity & Performance Grants (level 2)	Reason and Explanation	Detailed indicator and Means of Verification	Comments	Assessment met/ not met	Detailed assessment findings
	<p>opportunity for public participation and consultation in the safeguards process (free, prior and informed consultations – FPIC)</p>	<p>3. All proposed investments are screened* against a <u>set of environmental and social criteria/checklist</u> safeguards instruments prepared. (Sample 5-10 projects). (From the second AC&PA, Sept. 2016).</p> <p>4. ESIA's or detailed ESMPs are developed for all investments drawing on inclusive public consultations on E&S impacts of specific investments. All proposed investments are located on properly registered public land, and where necessary, proper land acquisition and compensation procedures are followed and Abbreviated Resettlement Action Plans (ARAPs) are developed and implemented for all involuntary resettlement or livelihood impacts. MOV:</p> <ul style="list-style-type: none"> • Required safeguard instruments prepared and approved by the relevant authorities. • Proper land acquisition procedures were followed² 	<p>possess the environmental and social criteria/checklist—see program operations manual (pg).</p>		

²If it is World Bank-funded, this means compliance with OP4.12. If it is using national systems, this means national law, including the Community Land Act.



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Minimum Performance Conditions for Capacity & Performance Grants (level 2)	Reason and Explanation	Detailed indicator and Means of Verification	Comments	Assessment met/ not met	Detailed assessment findings
		5. Operational/functioning County Environment Committee (either set up as per EMCA or technical committee established by the County Government). <u>MoV</u> : Evidence of gazette appointment of members and meeting minutes.			
9 Citizens' Complaint system in place	To ensure a sufficient level of governance and reduce risks for mismanagement.	Established an Operational Complaints Handling System including: <ul style="list-style-type: none"> Formally approved and operational grievance handling mechanisms to handle complaints pertaining to the administrative fiduciary, environmental and social systems (e.g. complaints/grievance committee, county Ombudsman, county focal points etc). <u>MoV</u>: Proof of formal establishment and operations of complaints handling system (more than half of the below): formal designation of responsible persons and their functions in complaints handling standards, guidelines or service charters that regulate 	At the point of time for the ACPA.	Met	The designated officer responsible for handling public participation and civic education in place was not appointed during the year under review. Sample reports on complaints handling processes with minutes availed. Guidelines and service charters that regulate how complaints are handled availed. Samples of minutes of meetings where complaints handled and process conveyed to citizens availed. Evidence: CGN/047/MPC/9 CGN/047/MPC/9/2 CGN/047/MPC/9/3 CGN/047/MPC/9/4 CGN/047/MPC/9 CGN/047/MPC9/2



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Minimum Performance Conditions for Capacity & Performance Grants (level 2)	Reason and Explanation	Detailed indicator and Means of Verification	Comments	Assessment met/ not met	Detailed assessment findings
		<ul style="list-style-type: none">• how complaints are handled• register(s) of complaints and actions taken on them.• Minutes of meetings in which complaints handling is discussed within the internal framework for handling complaints.• Reports/communication to management on complaints handled.• Evidence of a feedback mechanism to the complainant on the progress of complaint. <p><i>See also County Government Act Art. 15 and 88 (1)</i></p>			



4.3 Performance Conditions

The summary of results for Performance Conditions is as shown in table 4.3 below

No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
KRA 1: Public Financial Management Max score: Maximum 30 points.							
a) Strengthened budget formulation, resource mobilization, and allocation							
1.1	Program Based Budget prepared using IFMIS and SCOA	Budget format and quality	The annual budget approved by the County Assembly is: a) Program Based Budget format. b) A budget developed using the IFMIS Hyperion module.	Review county budget document, IFMIS up-loads, the CPAR, 2015. Check use of Hyperion Module: all budget submissions include a PBB version printed from Hyperion (submissions may also include line item budgets prepared using other means, but these must match the PBB budget – spot check figures between different versions).	Maximum 2 points. 2 milestones (a & b) met: 2 points 1 of the 2 milestones met: 1 point	a=1 b=1	County Government of Nairobi Program based budget 2017/18 was availed. The budget was developed using the IFMIS Hyperion module. <i>Evidence:</i> CGN/047/MPC/4/3/KRA/1.1
1.2		The budget process follows a clear budget calendar	Clear budget calendar with the following key milestones achieved: a) Prior to the end of August the CEC member for finance has issued a circular to the county government entities with guidelines to be followed; b) County Budget review and outlook paper –	PFM Act, art 128, 129, 131. Review budget calendar, minutes from meetings (also from assembly resolutions) circular submission letters, county outlook paper, minutes from meetings and Financial Statements.	Max. 3 points If all 5 milestones (a-e) achieved: 3 points If 3-4 items: 2 points If 2 items: 1 point If 1 or 0 items: 0 points.	a=1 b=0 c=0 d=1 e=0	The budget process follows a clear calendar with the following milestones met; a) Circular from CEC member of finance on guidelines for budget preparation dated August 15, 2016. <i>Evidence #:</i> CGN/047/KRA/1.2/a b) Nairobi CBROP



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
			<p>submission by county treasury to CEC by 30 September to be submitted to the County assembly 7 days after the CEC has approved it but no later than 15th October.</p> <p>c) County fiscal strategy paper (FSP) – submission (by county treasury) of county strategy paper to county executive committee by 28th Feb, County Treasury to submit to county assembly by 15th of March and county assembly to discuss within two weeks after the mission.</p> <p>d) CEC member for finance submits budget estimates to county assembly by 30th April latest.</p> <p>e) County assembly passes a budget with or without amendments by 30th June latest.</p>				<p>availed but no letter of submission to the County Assembly. Evidence: CGN/047/KRA/1.2b</p> <p>c) County fiscal strategy paper availed but no submission letter or stamp. Evidence #: CGN/047/KRA/1.2c</p> <p>d) Budget estimates submitted to county assembly by CEC member of finance on 5thApr 2017. Evidence #: CGN/047/KRA/1.2/d/e</p> <p>e) County Assembly approved a budget without amendments. Evidence #: CGN/047/KRA/1.2/d/e</p>
1.3		The credibility of budget	<p>a) Aggregate expenditure out-turns compared to original approved budget.</p> <p>b) Expenditure composition for each sector matches budget</p>	Review the original budget and the annual financial statements, budget progress reports, audit reports, etc. Use figures from IFMIS (general ledger	Max. 4 points. <u>Ad a):</u> If expenditure deviation between total budgeted expenditures and	a=0 b=0	Actual cumulative expenditure for FY 2017/2018 was Kshs. 23,574,138,342 versus overall budget cumulative of Kshs.



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
			allocations (average across sectors).	report at department (sub-vote) level).	<p>total exp. in the final account is less than 10 % then 2 points.</p> <p>If 10-20 % then 1 point.</p> <p>More than 20 %: 0 points.</p> <p><u>Ad b):</u> If the average deviation of expenditures across sectors is less than 10 % then 2 points.</p> <p>If 10-20 % then 1 point.</p> <p>More than 20 %: 0 point.</p>		<p>32,283,953,962 which was 73.02% This translates to the positive variance of 26.98%.</p> <p>Evidence: CGN/KRA1.1a</p> <p>Average across sectors is as follows: i.e. Office of the governor and deputy governor=17.14% ICT, E-Government and public communication=1.236 % Finance and economic planning=4.966% Health=19.6% Urban planning and lands=2.173% Public works transport and infrastructure=18.59% Education, youth, children, culture, sports, and social services=5.284% Trade, commerce tourism and cooperative=3.217% Public service management=6.134% Agriculture, livestock,</p>



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
							development, fisheries and forestry=1.522% Environment, water, energy, and natural resources=7% Urban renewal and housing=1.068% County assembly=5.178% Aggregate for all sectors is 29.41% Evidence: CGN/KRA1.3b
b) Revenue Enhancement							
1.4	Enhanced revenue management and administration	Performance in revenue administration	Automation of revenue collection, immediate banking and control system to track collection.	Compare revenues collected through automated processes as % of total own source revenue.	Max: 2 points. Over 80% = 2 points Over 60% = 1 point	1	Automated revenue 2017/2018 is ksh. 7,913,388,413.82 against own source revenue 2017/2018 ksh. 10,109,419,494. Percentage is 78.277%. Evidence #: CGN/047KRA /1.4/1.5
1.5		Increase on a yearly basis in own-source revenues (OSR).	% increase in OSR from last fiscal year but one (the year before the previous FY) to previous FY	Compare the annual Financial Statement from two years. (Use of nominal figures including inflation etc.).	Max. 1 point. If the increase is more than 10 %: 1 point.	0	For FY 2016/2017 OSR was Kshs 10,933,201,474. For FY 2017/2018 OSR was Kshs 10,109,419,494. Percentage decrease is 7.535%. For FY 2016/2017 OSR was kshs



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
							10,933,201,474. For FY 2017/2018 OSR was kshs 10,109,419,494. Percentage decrease is 7.535%. Evidence #: CGN/047KRA /1.4/1.5 Evidence #: CGN/047KRA /1.4/1.5
c) Enhanced capacity of counties on execution (including procurement), accounting and reporting							
1.6	Reporting and accounting in accordance with PSASB guidelines	Timeliness of in-year budget reports (quarterly to Controller of Budget).	a) Quarterly reports submitted no later than one month after the quarter (consolidated progress and expenditure reports) as per format in CFAR, submitted to the county assembly with copies to the controller of the budget, National Treasury and CRA. b) Summary revenue, expenditure and progress report is published in the local media/web-page.	Review quarterly reports, date and receipts (from CoB). Check against the PFM Act, Art. 166. CFAR, Section 8. Review website and copies of local media for evidence of publication of summary revenue and expenditure outturns.	Max. 2 points. (a &b) Submitted on time and published: 2 points. (a only): Submitted on time only: 1 point.	a=0 b=0	According to the statutory requirements the County did not avail the 1 st and 2 nd quarter reports. 3 rd and 4 th quarter reports were availed but did not meet the statutory requirements. Evidence #: CGN/047KRA /1.6 CGN/047KRA /1.6/2 b) Summary of revenue expenditure and report not published on the webpage.
1.7		Quality of financial statements.	Formats in PFMA and CFAR, and standard templates issued by the	Review annual financial statements, bank conciliations and related	Max. 1 point. Quality as defined by APA team or NT	1	Financial statements and monthly reports availed and comply



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
			IPSAS board are applied and the FS include cores issues such as trial balance, bank reconciliations linked with closing balances, budget execution report, schedule of outstanding payments, and an appendix with fixed assets register.	documents and appendixes to the FS, date, and receipts (from CoB and NT). Check against the PFM Act, Art. 166 and the IPSAS format. CFAR, Section 8. Check against requirements. If possible review ranking of FS by NT (using the County Government checklist for in-year and annual report), and if classified as excellent or satisfactory, conditions are also complied with.	assessment (excellent/satisfactory): 1 point		with IPSAS format. <i>Evidence:</i> CGN/047/MPC/2/KR A/1.7
1.8		Monthly reporting and up-date of accounts, including:	The monthly reporting shall include: 1. Income and expenditure statements; 2. Budget execution report, 3. A financial statement including: a. Details of income and revenue b. Summary of expenditures c. Schedule of imprest and advances; d. Schedule of debtors	Review monthly reports. See also the PFM Manual, p. 82 of which some of the measures are drawn from.	Max. 2 points. If all milestones (1-3): 2 points If 1 or 2: 1 point If none: 0 points.	1	Samples of monthly reporting statements for milestone 3 were availed including; <ul style="list-style-type: none"> • Schedule of imprest and advances. • Summary of expenditures • Schedule of debtors and creditors. • Bank reconciliations. <i>Evidence:</i> CGN/047/KRA/1.8/1 CGN/047/KRA/1.8/2



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
			and creditors; e. Bank reconciliations and post in general ledger.				<i>CGN/047/KRA/1.8/3</i> Milestone 1 and 2 were not provided.
1.9		Asset registers up-to-date and inventory	Assets registers are up-to-date and independent physical inspection and verification of assets should be performed once a year.	Review assets register, and sample a few assets. PFM Act. Art 149. Checkup-dates.	Max. 1 point. Registers are up-to-date: 1 point. Transitional arrangements: <u>First year</u> : Assets register need only to contain assets acquired by county governments since their establishment. <u>Second year</u> onwards: register must include all assets, including those inherited from Local Authorities and National Ministries	1	Up to date asset register availed in soft copy. Example of assets is 20 chairs at Baraka primary, scanner HD at the Registry. Evidence: <i>In soft copy (flash drive).</i>
d)	Audit						
1.10.	Internal audit	Effective Internal audit function	An internal audit in place with quarterly IA reports submitted to IA Committee (or if no IA committee, in place, then reports submitted to Governor)	Review audit reports. Check against the PFM Act Art 155	Max. 1 point. 4 quarterly audit reports submitted in the previous FY: 1 point.	0	3 quarterly reports were availed for 2 nd , 3 rd and 4 th Quarter. There were no issue to be attended to in the 1 st quarter hence no report was availed. Evidence #: <i>CGN/047/KRA/1.10</i>



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
1.11		Effective and efficient internal audit committee.	IA/Audit committee established and review of reports and follow-up.	Review composition of IA/Audit Committee, minutes etc. for evidence of review of internal audit reports. Review evidence of follow-up, i.e. evidence that there is an ongoing process to address the issues raised from last FY, e.g. control systems in place, etc. (evidence from follow-up meetings in the Committee). PFM Act Art 155.	Max. 1 point. IA/Audit Committee established and reports reviewed by the Committee and evidence of follow-up: 1 point.	1	Nairobi county internal audit committee in place. Evidence of audit follow up reports for roads, transport, public works and infrastructure, and public service management availed. Evidence: <i>CGN/047/KRA1.11</i> Evidence: <i>CGN/047/KRA1.11/2</i> Evidence: <i>CGN/047/KRA1.11/3</i> Evidence: <i>CGN/047/KRA1.11/4</i>
1.12	External audit	Value of audit queries	The value of audit queries as a % of total expenditure	Review audit report from KENAO. Total expenditure as per reports to CoB.	Max. 2 points Value of queries <1% of total expenditures: 2 points <5% of total expenditure: 1 point	0	Evidence of audit report from KENAO wasn't provided to consultants hence the value of audit queries not determined.
1.13		Reduction of audit queries	The county has reduced the value of the audit queries (fiscal size of the area of which the query is raised).	Review audit reports from KENAO from the last two audits.	Max. 1 point. Audit queries (in terms of value) have reduced from last year but one to last year or if there is no audit queries: 1 point.	0	Evidence of Audit reports for Nairobi County from OAG from the last two audits not availed.
1.14		Legislative scrutiny of audit reports and	Greater and more timely legislative scrutiny of external audit reports within	Minutes from meetings, review of previous audit reports.	Max. 1 point. Tabling of the audit report and evidence	1	Evidence of Legislative scrutiny of external audit follows up



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		follow-up	the required period and evidence that audit queries are addressed		of follow-up: 1 point.		reports availed. <i>Evidence:</i> CGN/047/KRA1.14
e) Procurement							
1.15	Improved procurement procedures	Improved procurement procedures including use of IFMIs, record keeping, adherence to procurement thresholds and tender evaluation.	<p>Note: When PPRA develop a standard assessment tool, APA will switch to using the score from the PPRA assessment as the PM (PFR may incentivize PPRA to do this in DLI 1 or 3).</p> <p>a) 25 steps in the IFMIS procurement process adhered with.</p> <p>b) County has submitted required procurement reports to PPRA on time.</p> <p>c) Adherence with procurement thresholds and procurement methods for type/size of procurement in a sample of procurements.</p> <p>d) Secure storage space with adequate filing space designated and utilized – for a sample of 10 procurements, single files containing all relevant documentation in one place are stored in this secure storage space (1 point)</p>	<p>Annual procurement assessment and audit by PPRA and OAG</p> <p>Sample 5 procurements (different size) and review steps complied with in the IFMIS guidelines.</p> <p>Calculate average steps complied with in the sample.</p> <p>Review reports submitted.</p> <p>Check reports from tender committees and procurement units.</p> <p>Check a sample of 5 procurement and review adherence with thresholds and procurement methods and evaluation reports.</p> <p>Check for secure storage space and filing space, and for a random sample of 10 procurements of various sizes, review contents of files.</p>	<p>Max. 6 points.</p> <p>a) IFMIS Steps: <15steps=0 points; 15-23=1 point; 24-25= 2 points</p> <p>b) Timely submission of quarterly reports to PPRA (both annual reports plus all reports for procurements above proscribed thresholds): 1 point</p> <p>c) Adherence with procurement thresholds and procurement methods for type/size of procurement in a sample of procurements: 1 point.</p> <p>d) Storage space and single complete files for sample of procurements: 1</p>	<p>a=0</p> <p>b=1</p> <p>c=1</p> <p>d=1</p>	<p>a) IFMIS system not fully operationalized as only 4 IFMIS steps are operational.</p> <p>b) Procurement reports to PPRA were availed.</p> <p><i>Evidence #</i> CGN/047/KRA1.15/b</p> <p>c) Samples of Procurements by County government adhered to procurement thresholds;</p> <p>1. Construction of a bridge at Kisumu ndogo market. (Open tender cost at 12,760,000/=)</p> <p>2. Deep cleaning and Hooving of garage stores, general stores, and stationery delivery (Quotation-Service cost at 1,995,378/=)</p> <p>3. Supply and delivery of 16 timer switches. (Restricted tender-good cost at 8,004,000/=)</p>



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			e) Completed evaluation reports, including individual evaluator scoring against pre-defined documented evaluation criteria and signed by each member of the evaluation team, available for a sample of 5 large procurements (2 points)		point e) Evaluation reports: 1 point		4. Supply and delivery of road marking materials. (Restricted tender-works cost at 10,905,000/-) 5. Supply and delivery of stationery. (Quotation-goods cost at 2,914,916/=) The open tender was used for procurements above 4 million, restricted tendering up to 4 million and quotations; works-up to 4 million and goods and services –up to 2 million. Evidence: CGN/047/KRA/1.15/c/e d) Nairobi county adopted a modern form of filing document that's secure and fireproof. e) A sample of evaluation reports, including individual evaluator scoring against pre-defined document devaluation



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							<p>criteriaand, signed by each member of the evaluation team were availed.</p> <ol style="list-style-type: none">1. Construction of a bridge at Kisumu ndogo market. Open tender cost at Ksh. 12,760,0002. Deep cleaning and Hooving of garage stores, general stores and stationery delivery(Quotation services cost at 1,995,378/=)3. Supply and delivery of 16A timer switches. (Restricted tender-goods cost at 8,004,000/=)4. Supply and delivery of road marking materials. (Restricted tender-works cost at 10,905,000/-)5. Supply and delivery of stationery. (Quotation- goods cost at 2,914,916/=)



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							<i>Evidence:</i> <i>CGN/047/KRA/1.15/c/e</i>
Key Result Area 2: Planning and M&E Max score: (tentative 20 points)							
2.1	County M&E system and frameworks developed	County M&E/Planning unit and frameworks in place.	a) Planning and M&E units (may be integrated into one) established. b) There are designated planning and M&E officer and each line ministry has a focal point for planning and one for M&E c) Budget is dedicated to both planning and M&E.	Review staffing structure and organogram. The clearly identifiable budget for planning and M&E functions in the budget.	Maximum 3 points The scoring is one point per measure Nos. a-c complied with.	a=1 b=1 c=1	a) Planning and M&E units are established. An Organogram Availed by the Human resource department. <i>CGN/047/MPC/7/1</i> b) Designated planning and M&E officer is in place - Director of Environment: Isaac Muraya Kimani. Letter of appointment dated 10 th June 2014. <i>CGN/047/MPC/7/5</i> c) Budget line for planning and M&E availed of Ksh. 70,000,000. <i>Evidence #:</i> <i>CGN/047/KRA/2.1/C</i>
2.2		County M&E Committee in place and functioning	County M&E Committee meets at least quarterly and reviews the quarterly performance reports. (I.e. it is not sufficient to have hoc meetings).	Review minutes of the quarterly meeting in the County M&E Committee.	Maximum: 1 point Compliance: 1 point.	0	There was no M&E committee in place for the FY 2017/18.



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
2.3	County Planning systems and functions established	CIDP formulated and updated according to guidelines	<p>a) CIDP: adheres to guideline structure of CIDP guidelines, b) CIDP has clear objectives, priorities and outcomes, reporting mechanism, result matrix, key performance indicators included; and c) Annual financing requirement for full implementation of CIDP does not exceed 200% of the previous FY total county revenue.</p>	<p>CIDP submitted in the required format (as contained in the CIDP guidelines published by MoDP).</p> <p>See County Act, Art. 108, Art 113 and Art. 149.</p> <p>CIDP guidelines, 2013, chapter 7.</p>	<p>Maximum: 3 points</p> <p>1 point for compliance with each of the issues: a, b and c.</p>	<p>a=1</p> <p>b=1</p> <p>c=1</p>	<p>a) CIDP 2013/2017 for Nairobi County was availed and adheres to guideline structure of CIDP guidelines. b) CIDP has clear objectives, priorities and outcomes, reporting mechanism, result matrix, and key performance indicators. c) The approved budget for the FY 2017/18 was Ksh. 35,503,000,000 and the total revenue collected for the year 2016/17 was Ksh. 19, 5666,000,000 leading to an 81% of implementation. <i>Evidence:</i> CGN/047/MPC/2/KRA/1.7 CNG/047/KRA/1.2e</p>
2.4		ADP submitted on time and conforms to guidelines	<p>a) Annual development plan submitted to Assembly by September 1st in accordance with required format & contents (Law says that once submitted if they are silent on it then it is assumed to be passed). b) ADP contains issues</p>	<p>Review version of ADP approved by County Assembly for structure, and approval procedures and timing, against the PFM Act, Art 126, 1.</p>	<p>Maximum: 4 points</p> <p>Compliance a): 1 point. b) All issues from A-H in PFM Act Art 126,1: 3 points 5-7 issues: 2 points 3-4 issues: 1 point, see Annex.</p>	<p>a=1</p> <p>b=3</p>	<p>Annual development plan 2017/18 submitted by 31st Aug 2016 and conforms guidelines. Annual development plan contains all issues as per PFM Act 126. <i>Evidence:</i> CGN/047/MPC4/1/KRA/2.4</p>



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
2.5		The linkage between CIDP, ADP, and Budget	mentioned in the PFM Act 126,1, <u>number A-H</u> Linkages between the ADP and CIDP and the budget in terms of costing and activities. (costing of ADP is within +/- 10 % of final budget allocation)	Review the three documents: CIDP, ADP and the budget. The budget should be consistent with the CIDP and ADP priorities. The costing of the ADP is within +/- 10% of the final budget allocation. Sample 10 projects and check that they are consistent between the two documents.	Maximum: 2 points Linkages and within the ceiling: 2 points.	0	There was some linkages between the County integrated development plan 2013/2017, annual development plan and the budget 2017/2018 as follows <ul style="list-style-type: none"> • Rehabilitation of health centers CIDP pg 111, in the ADP provide essential medical services & reduce the burden of violence and injuries pg. 133 and in the budget rehabilitation &Revationpg 74. • Rehabilitation of Kihumbuini Primary schools - Kangemi in the CIDP pg 89, in the ADP Rehabilitate of Kileleshwa Day Nursery School CIDP pg 62 and in the budget refurbishment of building pg 76. There is no clear linkage in the Urban Planning, Public works, Transport &



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							infrastructure, Trade, Commerce, Tourism & Cooperatives, Agriculture, Livestock and Fisheries Development, departments. The ADP does not speak to the budget 2017/18 <i>CGN/047/MPC/4</i> <i>CGN/047/MPC/4/1/KRA/2.4</i> <i>CGN/047/MPC/4/KRA/1.1</i>
2.6	Monitoring and Evaluation systems in place and used, with feedback to plans	Production of County Annual Progress Report	<p>a) County C-APR produced;</p> <p>b) Produced timely by September 1 and</p> <p>c) C-APR includes clear performance progress against CIDP indicator targets and within result matrix for results and implementation.</p> <p>(Ad b) Compliance if produced within 3 months of the closure of a FY and sent to Council of Governors for information. This will be done in reference to the County Integrated M&E System Guidelines.</p>	<p>Check contents of C-APR and ensure that it clearly link s with the CIDP indicators.</p> <p>Verify that the indicators have been sent to the CoG.</p>	<p>Maximum: 5 points.</p> <p>a) C-APR produced = 2 points</p> <p>b) C-APR produced by end of September. 1 point.</p> <p>c) C-APR includes performance against CIDP performance indicators and targets and with result matrix for results and implementation: 2 points.</p> <p>(N.B. if results matrix is published separately, not as</p>	<p>a=2</p> <p>b=1</p> <p>c=2</p>	<p>a) Nairobi county annual progress report for FY2017/2018availed.</p> <p>b) C-APR produced July 2018 dated.</p> <p>c) C-APR2017/2018includes clear performance progress againstCIDP indicator targets and inline with result matrix for results and implementation.</p> <p>Evidence: <i>CGN/047/KRA/2.6</i></p>



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
					part of the C-ADP, the county still qualifies for these points)		
2.7		Evaluation of CIDP projects	Evaluation of completion of major CIDP projects conducted on an annual basis.	Review the completed project and evaluations (sample 5 large projects).	Maximum: 1 point. Evaluation is done: 1 point.	0	No evaluation reports for projects were availed.
2.8		Feedback from the Annual Progress Report to Annual Development Plan	Evidence that the ADP and budget are informed by the previous C-APR.	Review the two documents for evidence of C-APR informing ADP and budget	Maximum: 1 point. Compliance: 1 point.	0	C-APR 2016/2017 was not availed.
Key Result Area 3: Human Resource Management Max score: 12 points.							
3.1	Staffing plans based on functional and organization assessments	Organizational structures and staffing plans	<p>a) Does the county have an approved staffing plan in place, with annual targets?</p> <p>b) Is there clear evidence that the staffing plan was informed by a Capacity Building assessment / functional and organizational assessment and approved organizational structure?</p> <p>c) Have the annual targets in the staffing plan been met?</p>	<p>Staffing plan</p> <p>Capacity Building Assessment / CARPS report</p> <p>Documentation evidencing hiring, training, promotion, rationalization, etc.</p> <p>In future years (after first AC&PA), there should be evidence that CB/skills assessments are conducted annually to get points on (b). Targets within (+/- 10 % variations).</p>	<p>Maximum 3 points:</p> <p>First AC&PA: a = 2 points, b = 1 point c = NA.</p> <p>Future AC&PAs: a=1 point, b = 1 point, c = 1 point</p>	<p>a=2</p> <p>b=1</p>	<p>a) Staffing plan was availed and with clear targets.</p> <p>Evidence: <i>CGN/047/KRA3.1/a</i></p> <p>b) Evidence of TNA and draft CARPS reports were availed <i>CGN/047/KRA3.1/b</i> <i>CGN/047/KRA3.1/b/2</i></p> <p>c) Annual targets in the staffing plan were met. Evidence: <i>CGN/KRA3.1b</i></p>
3.2	Job descriptions, including skills and competence	Job descriptions, specifications and competency	a) Job descriptions in place and qualifications met (AC&PA 1: Chief	Job descriptions Skills and competency	Maximum score: 4 points	4	Sample Job Descriptions for finance, economic



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
	requirements	framework	<p>officers/heads of departments; 2nd AC&PA: all heads of units; future AC&PAs all staff (sample check))</p> <p>b) Skills and competency frameworks and Job descriptions adhere to these (AC&PA 1: Chief officers/heads of departments; 2nd AC&PA: all heads of units; future AC&PAs all staff (sample check)</p> <p>c) Accurate recruitment, appointment and promotion records available</p>	<p>frameworks.</p> <p>Appointment, recruitment and promotion records</p>	<p>All a, b and c: 4 points.</p> <p>Two of a-c: 2 points</p> <p>One of a-c: 1 point</p>		<p>planning, and environmental and natural resource officers were availed.</p> <p>Evidence: CGN/047/KRA3.2/a B) Skills and Competency framework availed. CGN/047/KRA/3.2/b c) Samples of recruitment records and recruitment process were availed. CGN/047/KRA/3.2/C</p>
3.3	Staff appraisal and performance management operationalized in counties	Staff appraisals and performance management	<p>a) Staff appraisal and performance management process developed and operationalized.</p> <p>b) Performance contracts developed and operationalized</p> <p>c) service re-engineering undertaken</p> <p>d) RRI undertaken</p>	<p>Review staff appraisals.</p> <p>County Act, Art 47 (1).</p> <p>Country Public Service Board Records.</p> <p>Staff assessment reports.</p> <p>Re-engineering reports covering at least one service</p> <p>RRI Reports for at least one 100-day period</p>	<p>Maximum score: 5 points.</p> <p>a) Staff appraisal for all staff in place: 1 point. (If staff appraisal for</p> <p>b) Performance Contracts in place for CEC Members and Chief Officers: 1 point</p> <p>Performance Contracts in place for the level below Chief Officers: 1</p>	<p>a=1</p> <p>b=0</p> <p>c=1</p> <p>d=1</p>	<p>a) A sample of Staff performance appraisals for officers was availed.</p> <p>Evidence; CGN/047/KRA/3.3/a b) Performance contracting for CECs and governor were in place but not signed. The PCs between CECs and COs and between Cos and Directors were not availed. Evidence: CGN/047/KRA/3.3/b c) Nairobi city County</p>



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
					<p>point</p> <p>c) Service delivery processes re-engineered in counties: 1 point</p> <p>d) Rapid Results Initiatives-RRIs launched/upscale: 1 point</p>		<p>service re-engineering was undertaken and offered at Hudumacenter e.g. single business permit, seasonal tickets, rates collection services.</p> <p>Evidence: <i>CGN/047/KRA/3.3/c</i></p> <p>c) Public service transformation efficiency third wave RRI report was availed.</p> <p>Evidence: <i>CGN/047/KRA/3.3/d</i></p>
<p>Key Result Area 4: Civic Education and Participation - <i>A citizenry that more actively participated in county governance affairs of the society</i></p> <p>Max score: 18 points</p>							
4.1	Counties establish functional Civic education units	CEU established	<p>Civic Education Units established and functioning:</p> <p>(a) Formation of CE units</p> <p>(b) Dedicated staffing and</p> <p>(c) Budget,</p> <p>(d) Programs planned, including curriculum, activities etc. and</p> <p>(e) Tools and methods for CE outlined.</p>	County Act, Art 99-100.	<p>Maximum 3 points.</p> <p>CEU fully established with all milestones (a) - (e) complied with: 3 points.</p> <p>2-4 out of the five milestones (a-e): 2 points</p> <p>Only one: 1 point.</p>	3	<p>Subsector CE unit is established and functional.</p> <p>Evidence: <i>CGN/047/KRA/4.1/a</i></p> <p>Appointment letter for a focal person for civic education availed – Rahab W. Maina as Sub-county Administrator (Civic Education & Public Participation) on 19 the Jun 2018.</p> <p>Evidence: <i>CGN/047/KRA4.1b</i></p> <p>c) There is a budget line for civic education of</p>



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
							Ksh. 40,000,000. Evidence: CGN/047/KRA/4.1/c d) There is a program and work plan in place that includes curriculum activities. Evidence: CGN/047/KRA/4.1/d e) Tools and methods for civic education in place such as; adverts and notices, evidence by days forum. Evidence: CGN/047/KRA/4.1e/4/4 CGN/047/KRA/4.1/E/4.3
4.2		Counties roll out civic education activities	Evidence of roll-out of civic education activities – (minimum 5 activities).	County Act, art. 100. Examples are engagements with NGOs to enhance CE activities/joint initiatives on the training of citizens etc. Needs to be clearly described and documented in a report(s) as a condition for availing points on this.	Maximum 2 points. Roll out of minimum 5 civic education activities: 2 points.	2	Samples of Roll out activities were availed; <ul style="list-style-type: none"> • Attendance register for Roysambu sub-county CIDP public participation. • Starehe public Participation forum Proceedings held on 30th Aug 2017. • Minutes of Ruaraka Sub-county and Ward Administrators held on 4th Dec 2017. • Minutes of Weekly



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
							meetings in Phros office. <i>CNG/047/KRA/4.2/4.4/a/2</i> <ul style="list-style-type: none"> Consultative Meeting between Nairobi County, Pangani residents, TA and Developers. <i>Evidence: CGN/047/KRA/4.2/4.4/b</i>
4.3	Counties set up institutional structures systems & process for Public Participation	Communication framework and engagement.	<p>a) System for Access to information/ Communication framework in place, operationalized and public notices and user-friendly documents shared In advance of public forums (plans, budgets, etc.)</p> <p>b) Counties have designated officer in place, and the officer is operational.</p>	<p>County Act, Art. 96.</p> <p>Review approved (final) policy/procedure documents describing access to information system and communication framework and review evidence of public notices and sharing of documents. Review job descriptions, pay-sheets and/or other relevant records to ascertain whether the designated officer is in place; review documents evidencing activities of the designated officer (e.g. reports written, minutes of meetings attended etc.)</p>	<p>Maximum 2 points.</p> <p>a) Compliance: 1 point.</p> <p>b) Compliance: 1 point.</p>	<p>a=1</p> <p>b=1</p>	<p>a) Public notices and forums are available as means for accessing information. <i>CGN/047/KRA/4.1/E/4.3</i></p> <p>b) A designated focal person is in place – Joyce BosiboriSomoni as Deputy Director Public Participation and Civic Education. <i>CGN/047/KRA/4.3/b</i></p>
4.4		Participatory planning and budget forums	a) Participatory planning and budget forums held in the previous FY before the	<p>PFM Act, Art. 137.</p> <p>County Act, 91, 106 (4), Art. 115.</p>	<p>Maximum 3 points.</p> <p>All issues met (a-f): 3 points.</p>	3	a) Minutes of several minutes were availed. <i>CGN/047/KRA/4.2/4.4</i>



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
		held	<p>plans were completed for on-going FY.</p> <p>b) Mandatory citizen engagement /consultations held beyond the budget forum, (i.e. additional consultations)</p> <p>c) Representation: meets requirements of PFMA (section 137) and stakeholder mapping in public participation guidelines issued by MoDP.</p> <p>d) Evidence that forums are structured (not just unstructured discussions)</p> <p>e) Evidence of input from the citizens to the plans, e.g. through minutes or other documentation</p> <p>f) Feed-back to citizens on how proposals have been handled.</p>	<p>Invitations Minutes from meetings in the forums.</p> <p>List of attendances, Meetings at ward levels,</p> <p>The link between minutes and actual plans.</p> <p>List of suggestions from citizens, e.g. use of templates for this and reporting back.</p> <p>Feedback reports/minutes of meetings where feedback provided to citizens</p>	<p>4-5 met: 2 points.</p> <p>1-3 met: 1 point.</p>		<p><i>/a.2</i></p> <p>b) Sample minutes and a report were availed showing citizen engagement held beyond the budget. <i>CGN/047.KRA/4.4/a/4</i> <i>CGN/047.KRA/4.2/4.4</i> <i>/b</i> <i>CGN/047/KRA/4.4/a/1</i></p> <p>c) Activities meet requirements of PFMA and Stakeholder mapping in public participation guidelines. <i>CGN/047/KRA/4.2/4.4</i> <i>/</i></p> <p>d) Evidence of forums being structured was availed. <i>CGN/047/KRA/4.4/d</i></p> <p>e) Evidence of citizen inputs on plans was availed. <i>CGN/047/KRA/4.4/e/f</i></p> <p>f) There was evidence of how citizen proposals have been handled. <i>CGN/047/KRA/4.4/e/f</i></p>
4.5.		Citizens' feedback	Citizen's feedback on the findings from the C-APR/implementation status report.	Records of citizens engagement meetings on the findings of the C-APR. Review evidence from how the inputs have been	<p>Maximum points: 1</p> <p>Compliance: 1 point.</p>	1	C-APR FY 2017/18 was prepared and availed. The C-APR also has an implementation matrix on the challenges,



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
				noted and adhered with and whether there is a feedback mechanism in place.			lessons learned and means of mitigation. CGN
4.6		County core financial materials, budgets, plans, accounts, audit reports and performance assessments published and shared	Publication (on county web-page, in addition to any other publication) of: i) County Budget Review and Outlook Paper ii) Fiscal Strategy Paper iii) Financial statements or annual budget execution report iv) Audit reports of financial statements v) Quarterly budget progress reports or other report documenting project implementation and budget execution during each quarter vi) Annual progress reports (C-APR) with core county indicators vii) Procurement plans and rewards of contracts viii) Annual Capacity & Performance Assessment results ix) County citizens' budget	PFM Act Art 131. County Act, Art. 91. Review county web-page. (N.B.) Publication of Budgets, County Integrated Development Plan and Annual Development Plan is covered in Minimum Performance Conditions)	Maximum points: 5 points 9 issues: 5 points 7-8 issues: 4 points 5-6 issues: 3 points 3-4 issues: 2 points 1-2 issues: 1 point 0 issues: 0 points.	0	The consultants were unable to confirm documents published on the website due to downtime challenges.
4.7		Publication of bills	All bills introduced by the county assembly have been published in the national and in county gazettes or	County Act, Art. 23. Review gazetted bills and Acts, etc.	Maximum 2 points Compliance: 2 points.	0	No evidence of gazette or published bills.



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
			county website, and similarly for the legislation passed.	Review county website.			
Result Area 5. Investment implementation & social and environmental performance Max score: 20 points.							
5.1	Output against the plan – measures of levels of implementation	Physical targets as included in the annual development plan implemented	<p>The % of planned projects (in the ADP) implemented in last FY according to completion register of projects</p> <p><i>Note: Assessment is done for projects planned in the Annual Development Plan for that FY and the final contract prices should be used in the calculation. Weighted measure where the size of the projects is factored in. If there are more than 10 projects a sample of 10 larger projects are made and weighted according to the size.</i></p>	<p>Sample min 10 larger projects from minimum 3 departments/sectors.</p> <p>Points are only provided with 100 % completion against the plan for each project.</p> <p>If a project is multi-year, the progress is reviewed against the expected level of completion by end of last FY.</p> <p>Use all available documents in assessment, including: CoB reports, procurement progress reports, quarterly reports on projects, M&E reports etc.</p>	<p>Maximum 4 points (6 points in the first two AC&PAs).³</p> <p>More than 90 % implemented: 4 points (6 points in the first two AC&PAs).</p> <p>85-90 %: 3 points</p> <p>75-84%: 2 points</p> <p>65-74%: 1 point</p> <p>Less than 65 %: 0 point.</p> <p>If no information is available on completion of projects: 0 points will be awarded.</p> <p>An extra point will be awarded if the county maintains a comprehensive,</p>	0	Nairobi county government did not avail project register. Consultants were unable to determine the percentage completion of sample projects.

³As VFM is only introduced from the third ACPA, the 5 points for this are allocated across indicator 5.1 to 5.4 in the first two ACPA on the top scores in each PM, e.g. from 4 points to 6 points in the Performance Measure No. 5.1



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
					accurate register of completed projects and status of all ongoing projects (within the total max points available, i.e. the overall max is 4 points/6 respectively in the first two AC&PA).		
5.2	Projects implemented according to cost estimates	Implementation of projects and in accordance with the cost estimates	Percentage (%) of projects implemented within budget estimates (i.e. +/- 10 % of estimates).	<p>A sample of projects: a sample of 10 larger projects of various sizes from a minimum of 3 departments/ sectors.</p> <p>Review budget, procurement plans, contract, plans and costing against actual funding. If there is no information available, no points will be provided. If the information is available in the budget this is used. (In case there are conflicts between figures, the original budgeted project figure will be applied).</p> <p>Review completion reports, quarterly reports, payment records, quarterly progress reports, etc.</p> <p>Review M&E reports.</p>	<p>Maximum 4 points. (5 points in the first two AC&PAs).</p> <p>More than 90 % of the projects are executed within +/-5 of budgeted costs: 4 points (5 points in the first two AC&PAs)</p> <p>80-90%: 3 points</p> <p>70-79%: 2 points</p> <p>60-69%: 1 point</p> <p>Below 60%: 0 points.</p>	0	Project register was not availed by Nairobi county government.



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				Compare actual costs of the completed project with original budgeted costs in the ADP/budget.			
5.3	Maintenance	Maintenance budget to ensure sustainability	Maintenance cost in the last FY (actuals) was minimum 5 % of the total capital budgeted evidence in selected larger projects (projects which have been completed 2-3 years ago) have been sustained with actual maintenance budget allocations (sample of min. 5 larger projects).	<p>Review budget and quarterly budget execution reports as well as financial statements.</p> <p>Randomly sample 5 larger projects, which have been completed 2-3 years ago.</p> <p>Review if maintenance is above 5 % of the capital budget and evidence that budget allocations have been made for projects completed 2-3 years ago and evidence that funds have actually been provided for maintenance of these investments.</p>	<p>Maximum 3 points (4 points in the first two AC&PAs).</p> <p>The maintenance budget is more than 5 % of the capital budget and sample projects catered for in terms of maintenance allocations for 2-3 years after 3 points (4 in the first two AC&PA).</p> <p>More than 5 % but only 3-4 of the projects are catered for 2 points.</p> <p>More than 5 % but only 1-2 of the specific sampled projects are catered for 1 point.</p>	0	Nairobi county government did not avail maintenance budget evidence for ensuring stability.
5.4	Screening of environmental social safeguards	Mitigation measures on ESSA through audit reports	Annual Environmental and Social Audits/reports for EIA /EMP related investments.	Sample 10 projects and ascertain whether environmental/social audit reports have been produced.	<p>Maximum points: 2 points (3 points in the first two AC&PAs)</p> <p>All 100 % of sample done in</p>	0	<p>Focal person for environment availed samples of EIA reports on the following projects;</p> <ul style="list-style-type: none"> Construction of a new modern



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					<p>accordance with the framework for all projects: 2 points (3 points in the first two AC&PAs)</p> <p>80-99 % of projects: 1 point</p>		<p>market of two (2) level floors located at Ziwani area, Nairobi County.</p> <ul style="list-style-type: none"> Construction of a three (3) floor Karandini market building comprising stalls for hardware goods, food, clothes, electronics, recreational areas, parking space, offices, perimeter fence, stores, associated facilities and amenities located at Dagoreti corner along Ngong road, Naivasha road (Nairobi County).
5.5	EIA /EMP procedures	EIA/EMP procedures from the Act followed.	<p>Relevant safeguards instruments Prepared: Environmental and Social Management Plans, Environmental Impact Assessment, RAP, etc. consulted upon, cleared/approved by NEMA and disclosed prior to the commencement of civil works in the case where screening has indicated that this is</p>	Sample 5-10 projects	<p>All 100 % of sample done in accordance with the framework for all projects: 2 points</p> <p>80-99 % of projects: 1 point</p>	0	No sample of EIA checklist from NEMA for samples of projects was availed and showed clear procedures to be followed.



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No.	Priority Outputs	Performance Area	Performance Measure (Detailed Indicators)	Means of Verification and Issues to Check	Scoring /level of importance	The result (Score)	Detailed Assessment Findings
			required. All building & civil works investments contracts contain ESMP implementation provisions (counties are expected to ensure their works contracts for which ESIA's /ESMPs have been prepared and approved safeguards provisions from part of the contract.				
5.6	Value for the Money (from the 3 rd AC&PA).	Value for the money.	Percentage (%) of projects implemented with a satisfactory level of value for the money, calibrated in the value for the money assessment tool.	To be included from the 3rd AC&PA only . A sample of a minimum of 5 projects will be reviewed. The methodology will be developed at a later date, prior to the 3 rd AC&PA. Note that a sample will be taken of all projects, not only the ones, which are funded by the CPG. The % of projects (weighted by the size of the projects) with a satisfactory level of value for the money will be reflected in the score i.e. 80 % satisfactory projects= XX points, 70 % = XX points.	Maximum 5 points. To be developed during implementation based on the TOR for the VfM. Points: maximum 5, calibration between 0-5 points. E.g. more than 90 % of projects Satisfactory: 5 points, more than 85 % 4 points, etc.	In order to ensure that the scores always vary between 0-100 points, the 5 points are allocated across the PMs 5.1-5.4 with 2 extra points to the PM No. 5.1 and 1 extra to each of the PMs No's 5.2-5.4 until VfM is introduced from the 3 rd AC&PA	N/A
					Total Maximum Score: 100 points.	49	



5.1 Challenges in the assessment

The following were some of the key challenges encountered during the process of undertaking the assignment.

- Lack of willingness in submitting documentary evidence from the staff.
- Website downtime that could not allow the consultants to access the system.
- Communication breakdown between sectors/departments as well as the County Executive staff and the County Assembly staff.
- There is a high turnover of staff in the County evidenced by Focal person lack of knowledge on ACPA.
- There is no Monitoring & Evaluation committee in place.

5.1 Observations

Issues raised and respective recommendations made by the individual aspect of assessment, i.e. MACs, MPCs, and PMs are provided in the following sections 5.1 to 5.4.

5.2 MAC's

The following observations were made:

- There is a signed participation agreement in place
- The CB plan for the FY 2017/18 availed though it does not conform to the POM i.e. KRA 4 reads Intergovernmental Relations instead of Civic Education & Participation and had Social and Environmental aspects as “other KRAs”.

5.3 MPC's Issues

The following observations were made:

- The County assembly did not avail the required documentation for the assessment.
- The county core staffs needed are in place.

5.4 PMAs

KRA 1: Public Finance Management

The following observations were made:

- The E-procurement process uses Auto-creation.
- Lack of evidence of Assembly scrutiny of audit reports.

KRA 2: Planning and Monitoring & Evaluation

The following was observed:-

- Planning document including CIDP, ADP and ACPA project reports are availed but could not be confirmed on the county website due to Web page not functional.
- Most of the projects indicated to have been conducted during the FY 2017/18 do not lie within the said year.



- There were poor linkages found between the CIDP 2013 – 2017, ADP 2017/18 and budget 2017/18.
- There were no consolidated or sectorial project implementation reports availed by the County.

KRA 3: Human Resource

The following was observed:

- The county government of Nairobi conducted an RRI within the year 2017/18.
- Human Resource Department provided most of the required documentation.
- There is proof of recruitment in place as well as a salary payment sample check.

KRA 4: Civic Educations and Participation

- CEU conducted public participation within the county that is beyond budget forums such as weekly meetings held in the PRs Office.
- There is a clear budget line within the budget for the CE department.
- Beyond the budget, forums were evidence by way of citizen engagements meetings

KRA 5 Investments and Social Environment Performance

- There was no evidence of a functional environmental committee for the FY 2017/18.
- The designated focal M&E person was away and the current staffs were not in a position to provide required documentation.
- There is no evidence of the maintenance budget for various projects during the FY 2017/18.



6.0 OVERVIEW OF THE 5 WEAKEST PERFORMANCES

The Table below presents assessed areas of the county of weakest performance during the field visit.

KRA	Performance Measure	Issues
KRA 1	Public Finance Management	The County did not meet the Budget calendar timelines, documents and circulars were not prepared on time.
KRA 2	Planning &M&E	There is no M &E committee in place. No project register was in place and hence difficulties in tracking project/program progress. Not all the required documentation were availed.
KRA 3	Human Resource Management	There were no Performance Contracts availed for the year under assessment.
KRA 4	Civic Education	The consultants were unable to establish if the required statutory document that required online publications were published due since the website was not functional.
KRA 5	Investment implementation & social and environmental performance	Much of the required documentation was not availed including: <ul style="list-style-type: none">• Certification or project status reports for projects conducted during the FY 2017/18.• Screening checklists of projects.• EIA/ESMP reports conducted during the year under assessment. Maintenance cost was not availed.



7.0 NAIROBI COUNTY – LIST OF REPRESENTATIVES INTERVIEWED

NO	NAME	DESIGNATION	TELEPHONE CONTACTS
1.	Mr. Dominic Odera	Director Administrator	domdera@yahoo.com
2	Johnson Akongo	Ag. HOCT (A)	abworijakongo@yahoo.com
3	Paul Mwangi	Accountant	kpaul090@gmail.com
4	Francis Njoroge	Auditor	franknjoro2000@gmail.com
5	Grace Beatrice	L.A II	beatricegrace@yahoo.com
6	Charles Kibuchi	Accountant	nderitukibuchi@gmail.com
7	EmmahKaruchu	Deputy Director	eckarachu@gmail.com
8.	Pius Tanui	SCEO	pinskatanui@gmail.com
9.	Grace Ojiayo	SCEO	gal75829@gmail.com
1.	Charles Ochoi	CHRO	choigetii@gmail.com
2.	Justus Alukwe	Adm. Officer	justusalukwe@gmail.com
3.	George Mwangi	Dep. Director Assets Mgt	georgemwariri@yahoo.com
4.	TirasKamau	Budget Officer	ktirasoke@gmail.com
5.	Alice Mundia	Finance and Economic Planning	alice_kahutho@yahoo.com
6.	Edward Gichana	Head of Audit and Risk Management	e.gichana2011@gmail.com
7.	JairusMsumba	CCO devolution Sub County Administrator	jairus_musumba@yahoo.com
8.			



8.0 APPENDICES

8.1 APPENDIX 1: ENTRY MEETING MINUTES

MINUTES OF ENTRY MEETING ON ANNUAL CAPACITY & PERFORMANCE ASSESSMENT HELD AT THE COMMITTEE BOARDROOM - NAIROBI ON 9TH NOV 2018

MEMBERS PRESENT

COUNTY TEAM:

NAME	DESIGNATION
1. Mr. Dominic Odera	Director Administration
2. Johnson Akongo	Ag. Head of County Treasury (A)
3. Paul Mwangi	Accountant
4. Francis Njoroge	Auditor
5. Grace Beatrice	Legal Assistant II
6. Charles Kibuchi	Accountant
7. EmmahKaruchu	Deputy Director
8. Pius Tanui	SCEO
9. Grace ojiayo	SCEO
10. Charles Ochoi	CHRO
11. Justus Alukwe	Admin Off
12. George Mwangi	Dep. Director Assets Mgt
13. TirasKamau	Budget Officer

PRESTIGE MANAGEMENT SOLUTIONS TEAM

NAME	DESIGNATION
1. Dr. NyoikeWamwea	Project Coordinator (QA)
2. Mr. AbudoQonchoro	Team Leader
3. Ms. Winnie Moraa	Assessor
4. Mr. Don Ongori	Assessor

MIN: 1/05/11/2018: PRELIMINARY

The meeting was opened with a word of prayer from Charles Ochoi of HR department.

MIN: 2/05/11/2018: OPENING REMARKS

The Director Administration, Dominic Odera made a brief introduction of county staff members present. He welcomed and appreciated the assessment team and gave them the opportunity to introduce themselves. The project coordinator Prestige Management solutions Dr. NyoikeWamwea introduced the members of the assessment team.

MIN: 3/05/11/2018: OVERVIEW OF THE ASSESSMENT PROCESS

The Project coordinator, Dr.Wamwea appreciated the county staff on their reception, highlighted that the assessment is evidence-based and expectations of the consultants from the entire exercise. He gave a brief preview on what the exercise entailed and



emphasized that the assessment team were not auditing but would be assessing various critical areas during the exercise based on evidence availed.

The Team Lead, Mr. Qonchoro took the team through the three days' assessment program. Mr. Qonchoro stressed on timelines, the importance of both entry and exit meetings, signing of attendance register and cooperation from the county staff to meet the deadlines as per the program. He also advised that the measures of assessment as stringent and focal persons abide by the same.

MIN: 6/05/11/2018: ADJOURNMENT

The meeting adjourned at 9:30 am after which the consultants began the assessment exercise.

Minutes Prepared by:

1. Name: Winnie Moraa

Signature: _____

Date: _____

Minutes confirmed by:

2. Name: AbudoQonchoro – Team Leader

Signature: _____

Date: _____

3. Name _____

Signature: _____

Date: _____



8.2 APPENDIX 2: MEETING MINUTES EXIT

MINUTES ON EXIT MEETING-ANNUAL CAPACITY & PERFORMANCE ASSESSMENT II HELD AT INTERNAL AUDIT BOARDROOM-NAIROBI COUNTY ON 13TH NOV 2018 FROM 2:50 P.M TO 4:10 P.M

MEMBERS PRESENT:

COUNTY TEAM:

NAME	DESIGNATION
1. Dominic Odera	Director Administration
2. Alice Mundia	Finance and economic Planning
3. Paul Mwangi	Accountant
4. Edward Gichana	Head of audit and Risk Management
5. JairusMsumba	CCO devolution Sub County Administrator
6. Alice kahuthu	DD HRD
7. Gertrude Kamuna	Chief Supply Chain Mgt officer
8. Grace Ojiayo	SCEO
9. Grace Beatrice	Legal Assistant II
10. Justus Alukwe	Adm. Officer
11. Francis Njoroge	Internal Audit

PMS TEAM

NAME	DESIGNATION
5. Dr. NyoikeWamwea	Project Coordinator (QA)
6. Mr. AbudoQonchoro	Team Leader
7. Ms. Winnie Moraa	Assessor
8. Mr. Don Ongori	Assessor

MIN: 1/07/11/2018: PRELIMINARY

The meeting was opened with a word of prayer by Grace Beatrice followed by introductions from the county staff present and the consultants' team.

MIN: 2/07/11/2018: OPENING REMARKS

The Director Administration, Mr. Dominic Odera apologized on behalf of the County Secretary who could not grace the meeting due to pressing matters that required his attention. He then gave a vote of thanks to the county staff for their participation throughout the exercise as well as to the consultants.

MIN: 3/07/11/2018: OVERVIEW OF THE ASSESSMENT PROCESS

The Project coordinator Dr. Wamwea appreciated on hospitality and cooperation from county key designated persons. He explained the purpose of the exercise from MACs, MPCs, and PMs. He also highlighted on some documents that were availed and not signed,

Team Lead, MrQonchoro gave a comprehensive recap on assessment. He shared the observations and challenges experienced during the assessment period. Some of the observations noted as followed:



- Communication breakdown within the county departments in terms of County focal person communicating to sector team leads thus more time taken on information sharing of the exercise,
- County website not functioning all through the assessment period,
- Projects visited were not for 2017/2018 FY as advised by Focal person of the sectors
- Lack of documentation from the County Assembly that was not availed.
- Monitoring & Evaluation structure within the county is not clearly defined thus the difficulty in getting required evidence,

He later congratulated some departments for a well-collaborated exercise and submission of required documents and Mr. Odera for having accommodated the assessment team for purposes of the exercise.

Mr. Odera gave final remarks on entire program and thanked the County team on their participation and briefly stated that it was a good platform for learning and improving on the different requirement of the grants under each Key Result Areas.

MIN: 4/07/11/2018: ADJOURNMENT

The meeting was adjourned at 4:10 pm after which the consultants called the assessment period to a close.

Minutes Prepared by:

1. Name: Winnie Moraa

Signature: _____

Date: _____

Minutes confirmed by:

2. Name: AbudoQonchoro – Team Leader

Signature: _____

Date: _____

3. Name _____

Signature: _____

Date: _____



— THE PRESIDENCY —
MINISTRY OF DEVOLUTION & ASAL

**For Contact Information:
Ministry of Devolution and ASAL
State Department of Devolution
6th Floor, Teleposta Building
P.O. Box 30004-00100
NAIROBI.**