



COUNTY GOVERNMENT OF NANDI

OGP Action Plan 1



Abbreviations

CSOs	Civil Society Organizations
ICT	Information and Communications Technology
IRC	Independent Reporting Committee
LPOs	Local Purchase Orders
LSOs	Local Supply Orders
OCDs	Open Contracting Data Standards
OGP	Open Governance Partnership
PB	Participatory Budgeting
NTA	National Taxpayers Association
OGI	Open Governance Institute
CIMES	County Integrated Monitoring and Evaluation System



A Citizenry Empowered through an Open and Responsive Local Government

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During the implementation period, more content will be uploaded to
www.opengov.nandicounty.go.ke



Message from the Governor



It is my great honor to submit the first Open Government Partnership (OGP) Action Plan 2021-2022 for the County Government of Nandi. Through this submission, the County Government of Nandi joins three other County Governments in Kenya and over 70 local governments, Globally and affirms its commitment to strengthen government openness, efficiency and accountability.

This Action Plan outlines the County's long-term Open Government Vision and presents short-term government actions to achieve the vision. The period of implementation for this initial plan is 1 year and aims to establish the necessary systems and sets the foundation to achieve the Open Government Vision and Goals outlined in this Action Plan. We look forward to developing yet another set of Actions Plans through 2027 to fully realize our Open Government Vision.

The Opportunity to join other government reformers across the World through the Open Government Partnership was an opportune moment for my administration to continue on the path of open government. Since 2017 when this administration formed the government, an open-door policy was implemented across units of governments thus, through the Open Government Partnership, we aim to expand the scope of openness, government efficiency and accountability in serving the people of Nandi County.

We have deliberately, through a joint and collaborative effort by both my government Civil Society Organizations (CSOs), citizens, and other non-state actors, co-created a strategic vision that will guide us in the

path of desired openness. We believe that the two commitments contained in this Action Plan are designed to reboot and set our systems to foster an Open and Responsive County government that allow the citizens of Nandi to fully participate in shaping the decisions and the trajectory to deliver for them better livelihoods and a better future.

The County Government of Nandi has been on the path towards achieving some of the Open Government initiatives. Together with NTA, we have created an environment for non-state actors to assess the project implementation performance and to recommend actions for strengthening transparency and accountability. National Taxpayers Association (NTA) through partnerships with Ford Foundation and Council of Governors (COG), initiated Social Audit of Projects in Nandi County in 2018.

One of the key drivers for us in joining OGP is our quest to deepen and mainstream Public Participation in all County Processes. I will shortly be assenting to the Public Participation Act that was recently debated and passed by our assembly and we commit to its implementation and to further integrate technological platforms to provide digital participatory mechanisms to present greater opportunities for civic engagement. The opportunity accorded to us through access to Peer Learning from jurisdiction already in OGP will give us a rich knowledge-base to benchmark best practises locally and internationally.

We look forward to working with the IRM and other monitoring agencies to ensure we deliver on our commitments within the stipulated

time frame. This will be further propelled forward as we have ensured financial resources are available for the key areas of our commitments that will require funding. We have made provisions in the 2021/2022 Budget which was recently approved by the assembly and ascended to by myself.

Finally, I take this opportunity to thank the Stakeholder Coordinating Mechanism, our county's multi-stakeholder Forum that will be officially launched soon, for providing leadership and guidance throughout the co-creation process, the Open Governance Institute (OGI) for the support they gave my team together with our co-applicant National Taxpayers Association (NTA), county government officials led by the Office of the OGP Point of Contact (PoC) and importantly the citizens and Civil Society members, all of whom contributed immensely towards the development of this Action Plan despite the challenges occasioned by Covid-19. They had to submit views online and fill questionnaires in place of more engaging face to face sessions. As the Governor and the political leader of our county, I offer my full support towards the county's Open Government initiatives as we all strive to provide leadership as we endeavor to achieve the open government agenda both locally and at the global stage.

Stephen Araap Sang
Governor Nandi County

July, 2021



Section I

Open Government Vision

1.0. Vision Statement

Kenya's democratic space has been expanded through the 2010 constitution and subsequently, efforts by various stakeholders including non-state actors. Specifically, milestones have been made to enhance young people's voices and representation in leadership through various mechanisms including representation in national and county legislative assemblies while affirmative action provisions such as Access to Government Procurement Opportunities (AGPO) 2013 that obligate public entities to reserve 30% of procurement budget for enterprises owned by special interest groups i.e., youth, women and persons with disability.

With the adoption of the devolved system and the statutory mandates to involve the public in all decisions on matters that affect them (The Constitution 2010, PFM Act, and County Government Act 2012 respectively), the county government of Nandi has enacted laws that mandate the conduct of public participation in budgetary processes while has made strides in the implementation of Access to Government Procurement Opportunities (AGPO). These reforms and the support for the growth of democratic governance within and outside government in Kenya presents an opportunity for Nandi County to leverage Open Government to eradicate marginalization and economic inequalities. These will be achieved by enhancing equitable access to social and economic opportunities through meaningful civic engagement, open procurement and disclosure of important information held by the county government for informed decision-making.

1.1. Long-term vision

The county government of Nandi envisions an empowered citizenry through an open and responsive local government. The county aspires to provide a benchmark for best practices in civic engagement, open procurement and disclosures of important information that is necessary for informed participation of citizens, effective oversight of government and its officials and the efficiency of government functionality.

1.2. Achievements

The county government of Nandi has made progress in the following areas towards the achievement of the Vision;

a. Empowerment of citizens to participate in decision-making.

1. Enactment of the Nandi County Public Participation and Civic Education Act 2020 to provide a clear roadmap for civic engagement.
2. Implemented public participation forums at Sub-County Level to collect citizen's input into the county's annual budget.

b. Open procurement and contracting

3. Rolled out e-procurement as required by National Treasury through Integrated Financial Management Information System (IFMIS) to promote greater transparency and accountability in public procurement.
4. Reserved 30% of the county's procurement budget for enterprises owned by youth, women and persons with disabilities (PWDs).
5. Piloted fast-tracking of payments for contracts awarded to enterprises owned by Youth, Women and Persons with Disability as part of its efforts to reduce barriers that hinder the full implementation of the AGPO policy and other relevant affirmative actions.

c. Transparency, accountability and responsiveness.

6. Established Toll-Free call centre to provide feedback mechanism and offer timely address of public concerns in the public service delivery chain.
7. Digitized key processes and information including such as list of public projects
8. Established working relationships with civil society organizations to create an enabling environment for advancing public transparency and accountability.

9. The county has fully implemented County Integrated Monitoring and Evaluation System(CIMES) platform which integrates all facets of government operations operations, including budgeting, planning (CIDP, ADP, MTEFA), Communication Management, schedule management, Public Participation, project management, Monitoring and Evaluation. Going forward, the county government will expand the platform to provide digital participation, publish data on open contracting, development and projects implementation progress.

1.3. Gaps

1. Inadequate buy-in for open government reforms to achieve the vision
2. Budget and policy documents are voluminous and technical budgets thus hinder access and usage of budget data and information by ordinary citizens to effectively participate and engage with the government.
3. A centralized public participation structure which is inaccessible to the majority of citizens, especially special interest groups who face additional economic and physical barriers that limit their ability to participate.
4. Inadequate disclosure of public procurement records and information, budget, policy and development data. Participation of contractors and suppliers is low while procurement systems and processes are inadequately structured to deliver transparent, fair competition and accountable procurement outcomes.

1.4. Goals

To achieve the open government ambition, the county government will, over the long-term, empower its citizens to directly influence and shape government plans, budget and policies to achieve the social, economic and political rights enshrined in the Constitution. The county government will reform and strengthen relevant governance systems, processes and institutions that are key to the achievement of the county's open government vision. This ambition is outlined in the four-goal plan below.

1. Goal 1: Achieve 100% representation of youth, women and persons with disability in the county's budget and economic policies by 2027. Over the medium term, the county will adopt and implement a Participatory Budgeting Model to empower citizens and present real opportunities for advancing citizen's voices and embed greater government responsibility and accountability into the system of governance. PB is the most widespread global participatory model for inclusive governance used in over 7,000 cities to empower citizens and present real opportunities for advancing citizen's voices. PB has been proven to make governments more responsive, connecting officials with the communities they serve and builds pathways for lifelong civic participation. Through PB, the county will secure at least 10% of the county's annual budget to be spent directly by citizens, decentralize and expand participatory structures to foster access to meaningful participatory opportunities at the lowest levels of the county's administrative units by all citizens, with emphasis on inclusivity of special interest groups.

2. Goal 2: Utilize public procurement as an economic empowerment instrument for special interest groups. We will implement a transparent, competitive procurement system that is accountable to the citizens of Nandi County. We will also integrate accountability platforms that allow citizens to query the procurement processes, especially at the tender evaluation and awarding stage as well as redress mechanisms to promote transparent dispute resolution for unfair tender award processes. These platforms will include publication of tender evaluation results for a 7-day window to accord participating contractors and suppliers as well as citizens and civil society organizations an opportunity to raise any concerns or comment on the evaluation results and to bring to the fore any substantive information about the participating contractors and suppliers that substantially may have effect in the transparency, competition and fairness of the procurement processes which may not have been captured in the regular procedure. To provide timely and immediate feedback to disputes, we will establish a dispute committee to review, hear and determine disputes or claims made by the public and to determine the extent to which the claim has merit or lack it to the extent that claims made has effect on the transparency, competition and fairness in the award of the tenders, and to publish its report within 7-days of its sitting after which the contract award process will proceed as advised. The county



will develop an indicator system and policy to provide for the procedure of dispute resolution. Over the medium term, we will disclose 100% of procurement records in Open Contracting Data Standards (OCDS) to cultivate trust in the procurement system and address bottlenecks that limit the participation of youth, women and persons with disability from accessing the economic opportunities that are available from public procurement as desired by the AGPO policy.

3. Goal 3: Increase the efficiency of public spending by sealing loopholes and leakage in financial management systems. We will empower citizens and civil society to hold the government accountable on the decisions it takes, especially budgets and economic policy priorities and their outcomes. We will publish all necessary information and data held by the county government in platforms that are accessible, on a timely basis and in formats that are machine readable and easily usable by ordinary citizens. To strengthen engagements with civil society and citizens, the county will establish open days at the village level throughout the county to create permanent forums where civil society, citizens and government engage, discuss and implement recommendations for sustaining open government initiatives including social audit reports conducted by civil society.

4. Goal 4. Institutionalize Open Government Reforms. We will create awareness and cultivate buy-in across government and nurture a culture that advances open government initiatives. We will begin by incorporating deliverables of open government initiatives into staff performance contracts as a key measure of open government culture.

1.5. Contribution of the current action plan to the Vision

The commitments contained in this action plan aims to establish the necessary systems and set the necessary foundation for implementing actions that deliver the goals outlined in the previous sections of the Action Plan. Specifically, the commitments and the actions in this action will address identified gaps and address the basics for each of the four goals in the Strategic Vision. Under the first goal, the Action Plan will reform the current participatory structure to create an enabling environment for the rollout of Participatory Budgeting (PB) - a participatory model in which citizens directly allocate a portion of government budget. Under the second goal, the county government will test-run reforms to the procurement system to deliver accountable procurement outcomes while under goal three and four, the action will institutionalize open government across government and create necessary infrastructure for greater government openness and accountability of public officials.

1.6. Relationship between the Vision and the overall government policy

The Constitution of Kenya 2010, introduced a decentralized system of governance, devolving 47 County governments and 1 central government. The rationale behind devolution was to transfer the power and responsibilities from central to local governments in the spirit of empowering citizens by empowering the local leaders with responsibility, resources and capacity to advance political democratization and promote political and economic growth.

Chapter 2 of the constitution clearly stipulates the national values and principles of devolution which include; human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised; good governance, integrity, transparency and accountability. Citizens view devolution as an opportunity to achieve better service delivery and participate in the governance process. Our vision of empowered citizenry through open and responsive local government relates to the government policy of giving the citizens the power to govern their affairs through the County governments.

Engagement and Coordination in the Open Government Strategic Vision and OGP Action Plan

2.1. Action Plan implementation structure

The county has established a Multistakeholder Forum to provide institutional structure for implementation of the action plan. The Forum is composed of 11 members – five (5) of whom are drawn from the public sector while the other five represent various interest groups including civil society, business community and organized groups of citizens. The County Governor is the permanent Chair to the Forum. An appointed Point of Contact (POC) provides overall coordination internally and externally.

The Multistakeholder Forum is segmented into thematic groups responsible for various implementation roles and responsibilities as discussed below. Each committee is required to develop implementation work plans, convene regularly to assess and consolidate progress made and report on quarterly basis identifying progress made, challenges and opportunities for strengthening implementation.

- a. Implementation theme. There are two thematic groups established to implement the specific commitments in the action plan and the containing milestone activities. The membership of each thematic group is strategically selected to ensure that the necessary resources including expertise, knowledge and finances are available within the theme to support proper implementation.
- b. Resource mobilization theme. A resource mobilization committee has been established to lead resourcing for the implementation of the commitment and their respective milestones. The main role of the committee is to identify resource gaps in the implementation structure and develop remedies including proposal development to secure financial, technical, material or any other types of support required for successful implementation of the Action Plan.

3.0. Independent Local Monitoring Body.

An oversight committee has been appointed to work with the Open Government Partnership (OGP)'s Independent Reporting Mechanism (IRM) to independently assess and report on the action plan co-creation and implementation. The membership of the oversight committee is composed of three (3) members drawn from civil society and government departments which are not directly involved in the implementation of the Action Plan. The committee has been empowered by the county's political leadership to perform this mandate.

The Independent Reporting Committee, with the guidance of IRM and the OGP Support Unit will develop an assessment indicator system for assessing progress and a digital reporting template for thematic committees. Where possible, the reporting templates will embed public feedback mechanisms.

Each thematic committee will submit a progress report or any other information as may be desired, to the Independent Reporting Committee on quarterly basis from which the Independent Reporting Committee will assess, compile and consolidate a quarterly report using the indicator system and table the report at the Multistakeholder Forum's quarterly meeting and subsequently submit to the relevant OGP organs

At each quarterly meeting, the Chairperson of the Multistakeholder Forum will issue a media briefing outlining progress made in the quarter against the quarterly plan, identify challenges and mitigative measures.



Section II

Commitments

Commitment 1:	Public Participation and Civic Engagement	
Descriptive title of the commitment: Expand and restructure participatory structure to promote greater equity and responsiveness of the budget and economic policy priorities to meet the needs of citizens		
Start and End Date	August 2021 – July 2022	
Lead Implementing Agency [Government]	Directorate of Public Participation	Naumy Keter, Ag. Director Public Participation Unit Email: keternaum@gmail.com Phone: 0727695994 Assistant: Mary Kemei Email: marykemei@yahoo.com Phone: 0727294954
Lead Implementing Agency [Civil Society]	National Taxpayers Association	Franciscah Marabu Program Manager +254 721 291 555 Email: fmarabu@nta.or.ke
	Open Governance Institute	Angeline Kimotho Program Manager +254 702987888 Email: kwangu92@gmail.com
Other actors involved	ICT and e-Government	Frankline Limo, Ag. Director e-Government Email: flimo@nandi.go.ke Phone: 0720411695 Assistant: Evans Sirma Email: amrisvns184@gmail.com Phone: 0725756701
	Directorate of Performance Contracting	Felix Maiyo, Ag. Director, Performance Contracting Unit Email: maiyo.felix@gmail.com Phone: 0721154800
	Directorate of Economic Planning	Prisca Muigei Email: priscamuigei@gmail.com Phone: 0720034466 Head of Budget
	Legal Office	George Tarus, Ag. County Attorney Email: gtleagal@nandi.go.ke Phone: 0723981503

Commitment Description

<p>Identified Public Problem</p>	<p>Social and economic needs of special interest groups are left unaddressed by the county’s budgets and related economic policies because the county’s participatory approach is inaccessible to the majority of the county’s residents while input collected from the few participating citizens is rarely used to inform budget decisions. COVID-19 pandemic has exacerbated the challenge due to the limited social interaction and the accompanying harsh economic conditions that curtail the economic ability of citizens to perform civic duties. Special interest groups of youth, women and persons with disability (YWPDs) face greater challenges owing to their special and unique needs that limit their ability to participate and influence the county’s budget and policy priorities to meet their needs. Although this segment constitutes the majority of the county’s population (65%), they each constitute a small percentage of participating citizens i.e. Youth 28%, Women 22% and PWDs 0.5%.</p>
<p>Status Quo of problem identified</p>	<p>Currently, the county implements a consultative participatory model which consists offline open forums at sub-county and ward level to receive public views and input of its citizens on the county’s budget and economic policy priorities at the formulation stage. The participatory structure provides minimal participatory opportunities at implementation and evaluation stages of the budget. Because participatory spaces provided at sub-county and ward level are centralized, travels over long distances to the public participation venues and hours wasted on the road create barriers and limitations to participation of citizens, especially women and PWDs. Additionally, existing online opportunities such as the Toll-Free Call Centre are limited and inadequately structured to create online/digital participatory opportunities for budgets and policies. Overall, the representation of citizens in the formulation of budgets and policies is low while the participatory approach does not bind public officials to use input collected from the public to inform the budget and policy priorities of the county, thus, translating to inequalities and further marginalization.</p>
<p>Nandi County’s Commitment to address the identified problem.</p>	<p>Over the period of the Action Plan, the county government of Nandi will reform the participatory structure to enable the implementation of the Participatory Budget (PB) model over the medium-term. The reforms and restructuring will include decentralization of current public participation forums to the Ward level and establishment of a delegate system to improve representation of citizens, especially marginalized groups and mandate the use of public input in setting the budget and policy priorities. We will also review the County’s Participation and Civic Education Act 2020 to align with the long-term open government vision, formulate policies and guidelines to provide clearer methodology of decentralization and expansion of the participatory structure and provide a feedback mechanism on the use of public input. We will complement the participatory structure with the following strategic interventions:</p> <ul style="list-style-type: none"> a) Creation of digital/online platforms to create safe and secure participatory opportunities to citizens who otherwise would not attend an in-person forums to remotely submit input and views to the budget and economic policy, especially young people. b) Integrate civic education to strengthen citizens’ ability to influence the county’s decisions from a point of knowledge. We will also partner with non-state actors to implement civic education activities and foster access to necessary budget and policy data and information in timely and in simplified versions that are easy to understand. c) Establish Ward Open Days to create permanent forums for proactive engagement with civil society and citizens. Through these open days, the county stakeholders will identify, discuss and recommend interventions that will strengthen the county’s open government initiatives. d) Issuance of timely feedback on the use of public participation input to explain which input was used and justifications for input not used.



<p>How the commitment will address the problem identified.</p>	<p>By improving representation of citizens, especially special interest groups and mandating the use of input received from the public as well as feedback for the use of this input, the reform will have created meaningful spaces for quality deliberation and negotiation among citizens and with government officials on how best to spend the county's annual budget. Fruitful deliberations and negotiations between citizens and governments that produce satisfying output also means a greater number of citizens attending and actively participating in the budget formulation. The use of purposefully selected delegates to represent various segments of the county's population including youth, women and persons with disabilities will strengthen the voices of marginalized groups in the county's budget and policy priority setting process.</p> <p>Additionally, the formulation of policies and guidelines to institutionalize participatory budgeting and related procedures and systems will foster transparency and accountability of public officials throughout the budget and policy cycle over the long-term.</p>
<p>The relevant long-term Open Government Strategic Vision</p>	<p>Goal 1, 3 and 4 of the Open Government Vision</p>
<p>Primary Policy Area and Sector of the commitment</p>	<p>Fiscal openness and Inclusion & Public Services (general); Cross-sectoral</p>
<p>Relevant OGP Value</p>	<p>Public Participation and Inclusion, Access to Information and Technology and Innovation for Openness and Accountability.</p>
<p>Resource requirement to implement the commitment.</p>	<p>In the 2021/2022 Budget, resources are budgeted for:</p> <ul style="list-style-type: none"> ◆ Public Participation Unit to roll out some key elements of the commitment and the PP Act at Kshs 10 Million ◆ ICT & e-Government has allocation to further entrench online platforms and to support Call Centre at Kshs 10 Million

Commitment milestone activities and outputs

No.	Milestone activity	Verifiable Deliverable (Output)	Start – End Date	Required resources	Responsible agency and contact
1.	Formulate policy guidelines to implement Nandi County Public Participation and Civic Education Act 2020	A delegate system, and ward development committees to create safe, secure and structured participatory spaces created for special interest groups	November 2021	Staff time, Conference costs.	George Tarus, Ag. County Attorney Email: gtlegal@nandi.go.ke Phone: 0723981503
3.	Design and integrate interactive digital platforms to the participatory structure	Enhanced access to alternative online participatory avenues	May 2022	Staff time, Conference cost, ICT Platforms.	Frankline Limo, Ag. Director e-Government Email: flimo@nandi.go.ke Phone: 0720411695 Assistant: Evans Sirma Email: amrisvns184@gmail.com Phone: 0725756701
4.	Timely publish all budget and economic policy documents and avail simplified versions online	Increased access to relevant information for informed participation	As per statutory publication timelines.	Staff time, ICT platforms	Prisca Muigei Email: priscamuigei@gmail.com Phone: 0720034466 Head of Budget Directorate of Planning and Budget Assistant: Evans Sirma Email: amrisvns184@gmail.com Phone: 0725756701
5.	Implement Open Days to create formal forums for engagements with CSOs and other stakeholders on social audits of public projects.	Enhanced civilian oversight on public projects	November 2021 and every three months	Staff time, Conference costs, Community mobilization,	Naumy Keter, Ag. Director Public Participation Unit Email: keternaum@gmail.com Phone: 0727695994 Assistant: Mary Kemei Email: marykemei@yahoo.com Phone: 0727294954
6.	Disclose records of Call Centre including response-rates and action taken.	Improved responsiveness and accountability of public officials.	November 2021 and every three months	Staff time, ICT platforms	Phoebe Jeruto, Communications officer Email: chirchirphoebe6699@gmail.com Phone: 0720690716 Emily Bett: Call Centre Manager Email: towetcher@gmail.com Phone: 0721765346
7.	Carry out continuous civic education to improve the capacity of citizens to participate.	Improved knowledge of the county's planning and budgeting and various roles and responsibilities.	August 2021 - July 2022	Staff time, Conference cost	Naumy Keter, Ag. Director Public Participation Unit Email: keternaum@gmail.com Phone: 0727695994 Assistant: Mary Kemei Email: marykemei@yahoo.com Phone: 0727294954



8.	Incorporate OPG commitment milestones to staff contracts	support institutionalization of OGP	September 2021	Staff time Conference costs	Felix Maiyo, Ag. Director, Performance Contracting Unit Email: maiyo.felix@gmail.com Phone: 0721154800 Assistant: Robert Kirui Email: robertkirui@nandi.go.ke Phone: 0722992010
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Commitment 2: Open contracting and public procurement

Descriptive title of the commitment: Reform the procedure for procuring and contracting for public goods, works and services to reduce barriers that limit the participation of suppliers and contractors from accessing economic opportunities available in public procurement.

Start and End Date	August 2021 - July 2022	Lead.
Lead Implementing Agency [Government]	Directorate of Public Procurement	Japhet Tirop Head Supply Chain Management Email: jtirop@nandi.go.ke Phone: 0721954649 Assistant Isidore Koech Email: isidore.koech90@gmail.com Phone: 0726842106
Lead Implementing Agency [Civil Society]	National Taxpayers Association Nandi County Civil Society Network	Franciscah Marabu Program Manager Email: fmarabu@nta.or.ke Phone: 0721291555 Shadrack Tarno Email: shadracktarnor55@gmail.com Phone: 0724530577
Other actors involved	Open Governance Institute Nandi County Civil society Nandi County Youth Bunge	Emmanuel Kongin Programs Administration Email: manukongin@gmail.com Phone: 0720824437
	Directorate of Economic and Planning	Prisca Muigei Head of Budget 0720034466
	Directorate of ICT and e-Government	Frankline Limo Ag. Director e-Government Email: flimo@nandi.go.ke Phone: 0720411695
	Directorate of Communication	Phoebe Jeruto Communications officer Email: chirchirphoebe6699@gmail.com Phone: 0720690716
	Directorate of Public Participation	Naumy Keter Ag. Director Public Participation Unit Email: keternaum@gmail.com Phone: 0727695994

	Legal Office	George Tarus Ag. County Attorney Email: gtlegal@nandi.go.ke Phone: 0723981503
	Performance Contracting	Felix Maiyo Ag. Director, Performance Contracting Unit Email: maiyo.felix@gmail.com Phone: 0721154800

Commitment Description

Identified Public Problem	<p>Nandi County’s efforts to economically empower its citizens, through public procurement, especially under the Access to Government Procurement (AGPO) Policy 2013 targeting special interest groups, are limited by inadequate disclosure and capacity (knowledge and access to enablers such as financing of LPOs and LSOs as well as ability to fully execute awarded contracts) of contractors and suppliers, especially for enterprises owned by youth, women and persons with disability (YWPDs). Over the last five years, the county has reserved a minimum of 30%(equivalent to Ksh. 1 billion) of all procurement for the special interest groups annually for the last three years, however, the group is yet to absorb the reserved procurement budget. Consequently, inadequate accountability systems and weak supervisory structures for public projects has resulted in the misappropriation of public funds through inappropriate payments and stalling of projects or poor workmanship.</p>
Status Quo of problem identified	<p>Of the reserved Ksh. 3 billion over the last three years, only 32% is absorbed by enterprises owned by special interest groups through contracts awards. Tender notices and procurement records are published on the county website, Public Procurement Information Portal and occasionally on nation-wide newspapers on the assumption that these platforms are public spaces that are conveniently accessible to a majority of the public. However, advertised tenders, especially reserved tenders, receive low responses at an average of 3 bids and a winning-rate of 30%. The number of bids and winning-rate is relatively low considering that special interest groups constitute a cumulative 65% of the county’s population. In addition, occasionally, contracts awarded to this group are cancelled because of poor contract execution, or projects stalling due to limited capacity to deliver or to access financing for LPOs and LSOs. Overall, the participation and the ability of the special interest groups to absorb and utilize the economic opportunities under the reserved procurement budget is inadequate disclosure of procurement record and information relating to procurement opportunities compounded by limited capacity of special interest groups to submit quality bids to promote fair competition and inadequate access to financing of LPOs and LSOs.</p>
Nandi County’s Commitment to address the identified problem.	<p>We will increase and strengthen the participation of special interest groups in the procurement process by reforming the procurement procedure to simplify the bidding process and support fair competition among suppliers and contractors. We also commit to increase the transparency and accountability of the procurement system by disclosing all procurement records including contract information (Beneficial Ownership, Bills of Quantities and project implementation updates) and tender evaluation outcomes. We will innovate the publication of procurement documents to increase access to procurement opportunities and enhance the capacity of contractors and suppliers through training and access to credit facilities. To assess the effect of these reforms to open up the procurement system to marginalized groups, we will begin with a competitive training program for a select 50 representatives of enterprises owned by youth, women and persons with disabilities by end of the Action Plan period Over the long-term, we aim to inspire a change of mindset and attitude and build trust in the procurement system that will eventually stimulate positive public perception of the procurement system and increased participation.</p>

<p>How the commitment will address the problem identified.</p>	<p>a. At least a 5% increase in the reserved procurement budget absorbed by the YWPD from its current absorption of 13% of the reserved procurement budget.</p> <p>b. Existence of a Memorandum of Understanding (MOU) signed between the county government of Nandi and financial institutions outlining arrangements to guarantee credit financing of LPOs and LSOs issued to disadvantaged groups.</p> <p>c. Increased bids tendered by YWPDs showing quantity and quality as a result of the commitment. We will analyze bids tendered over the last three years and after the record after commitment assess the baseline and impact of the commitment on bids and win rates.</p> <p>d. Increased number of YWPDs conveniently accessing tender documents, bidding platforms, and credit financing for issued LPOs and LSOs. We will assess participating YWPDs these elements before, during implementation and immediately after the commitment</p> <p>e. At least 75% of suppliers/bidders report a 75% increase in knowledge of the procurement process and the requirements to successfully bid. We will administer surveys at the beginning of the commitment, mid-way implementation and end of the commitment to assess the baseline and impact of the project.</p> <p>f. Over 50% of participating suppliers/bidders report 75% satisfaction levels with the outcomes of each tender bid. We will administer pre-surveys at the beginning and post-surveys at the end of the commitment to establish baselines and the impact of the project.</p> <p>g. Over 50% of suppliers/bidders report a 75% increase in trust, attitude, and perception of the potential to win a tender if the supplier/bidder met the requirements. We will administer pre-surveys at the beginning and post-surveys at the end of the commitment to generate the necessary data.</p>
<p>The relevant long-term Open Government Strategic Vision</p>	<p>Goal 2, 3 and 4 of the Open Government</p>
<p>Primary Policy Area and Sector of the commitment</p>	<p>Open contracting and public procurement, and Private sector and public service</p>
<p>Relevant OGP Value</p>	<p>Access to Information and Technology and Innovation for Openness and Accountability.</p>
<p>Resource requirement to implement the commitment.</p>	<p>In the 2021/2022 Budget, resources are budgeted for:</p> <ul style="list-style-type: none"> ◆ Economic Planning to roll out a platform for Open Contracting at Kshs 10 Million ◆ ICT & e-Government has allocation to further entrench online platforms and to support Call Centre at Kshs 7 Million ◆ Procurement Section to ensure they implement the commitments targets as elaborated in the action plan.

Commitment milestone activities and outputs

No.	Milestone activity	Verifiable Deliverable (Output)	Start – End Date	Required resources	Responsible agency and contact
1.	Develop a framework to provide guidance on simplification of procurement procedures.	Simplified procurement procedure.	September 2021	Staff time, Conference cost,	Legal Office George Tarus- Ag. County Attorney Email: gtlegal@nandi.go.ke Phone: 0723981503
2.	Design a training program with a schedule, curriculum, and related logistics and develop capacity of 50-select YWPDs to pilot reforms.	50 YWPDs-owned enterprises trained on procurement systems and processes, bidding requirements, use of digital systems, redress mechanisms, etc.	September 2021	Staff time, Conference cost, Training and capacity-building needs	Japhet Tirop- head Supply Chain Management Email: jtirop@nandi.go.ke Phone: 0721954649 Assistant Isidore Koech Email: isidore.koech90@gmail.com Phone: 0726842106
3.	Secure agreements for credit financing guarantees for LPOs and LSOs issued to YWPDs from credit or financing institutions and the county government.	Access to credit financing by YWPDs	January 2022	Staff time, Conference cost, Agreements	Meshack Malakwen Email: tekereimesh@gmail.com Phone: 0721850669 Chief officer, Finance Finance and Economic
4.	Simplify and make available tender documents through innovative approaches, specifically, short text alerts, social media and other low-tech platforms.	Increased access to timely procurement information and tender opportunities immediately they are published.	November 2021	Staff time, Conference cost, Low-tech platforms.	Japhet Tirop- head Supply Chain Management Email: jtirop@nandi.go.ke Phone: 0721954649 Assistant Isidore Koech Email: isidore.koech90@gmail.com Phone: 0726842106
5.	Publicize summary data on tenders, contracts, and evaluations through the county website and other convenient platforms, ideally in OCDS.	Increased transparency and accountability of the procurement system.	December 2021 and every month.	Staff time, Conference cost, Low-tech platforms.	Japhet Tirop- head Supply Chain Management Email: jtirop@nandi.go.ke Phone: 0721954649 Assistant Isidore Koech Email: isidore.koech90@gmail.com Phone: 0726842106



6.	Develop “how to” guides and videos containing key and minimum bids requirements and procedure to aid potential contractors and suppliers to gain greater knowledge and understanding of the bidding process.	Infographics and explainer videos to raise awareness on the procurement process, requirements, and conveniently provide guides on how to bid/ compete.	November 2021	Staff time, Conference cost, Film production	Phoebe Jeruto- Communications officer Email: chirchirphoebe6699@gmail.com Phone: 0720690716
7.	Establish and build capacity of ward and village project management committees to oversee implementation of public projects.	Increased completion rate and quality of public projects.	February 2020	Staff time, Conference cost, Training facilitators	Naumy Keter, Ag. Director Public Participation Unit Email: keternaum@gmail.com Phone: 0727695994
8.	Incorporate OPG commitment milestones to staff contracts	support institutionalization of OGP	September 2021	Staff time, Conference costs	Felix Maiyo- Ag. Director, Performance Contracting Unit Email: maiyo.felix@gmail.com Phone: 0721154800 Assistant: Robert Kirui Email: robertkirui@nandi.go.ke Phone: 0722992010





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