

DATE: 08/12/2019

TO  
COUNTY CHIEF ADMINISTRATOR,  
MIGORI COUNTY  
P.O BOX 195-40400  
MIGORI

Dear Sir,

**RE: PAYMENT FOR THE BLOOD BANK PROJECT**

We the mentioned company wishes to seek your assistance in the above matter.

We wish to express the mistreatment we have suffered in the hands of your Chief Officer Dr. Dalmas Oyugi who has knowingly decided to misuse his office to ensure that our file does not proceed to the finance office for payment.

The officer has been openly working with his position in a manner that we can prove as conflict of interest in the work we were lawfully awarded.

Please take note that your Officer first changed the scope of work verbally so that we could shy off, later wrote a letter intending to terminate the contract and now refusing to endorse the file for payments even after the pending bills committee approved the file for payments.

We seek your indulgence in this matter so that we can get this payments to help us pay our loans we used to deliver the project, find the attached for your confirmation.

Our hopes are fading we are under exceeding pressure to even losing our property that we use as security for loans we used to deliver the project.

We remain looking forward to receiving your positive reply.

Thanks in advance,

  
**ROBERT O. KASERA**  
**DIRECTOR**

DATE: 08/12/2019

TO  
COUNTY CHIEF ADMINISTRATOR,  
MIGORI COUNTY  
P.O BOX 195-40400  
MIGORI

Dear Sir,

**RE: PAYMENT FOR THE BLOOD BANK PROJECT**

We the mentioned company wishes to seek your assistance in the above matter.

We wish to express the mistreatment we have suffered in the hands of your Chief Officer Dr. Dalmas Oyugi who has knowingly decided to misuse his office to ensure that our file does not proceed to the finance office for payment.

The officer has been openly working with his position in a manner that we can prove as conflict of interest in the work we were lawfully awarded.

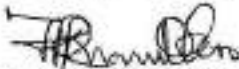
Please take note that your Officer first changed the scope of work verbally so that we could shy off, later wrote a letter intending to terminate the contract and now refusing to endorse the file for payments even after the pending bills committee approved the file for payments.

We seek your indulgence in this matter so that we can get this payments to help us pay our loans we used to deliver the project, find the attached for your confirmation.

Our hopes are fading we are under exceeding pressure to even losing our property that we use as security for loans we used to deliver the project.

We remain looking forward to receiving your positive reply.

Thanks in advance,

  
**ROBERT O. KASERA**  
**DIRECTOR.**

# LIGWARAS ENTERPRISES LIMITED

Construction & General Supplies

LIGWARAS ENTERPRISES LIMITED

DATE: 08/12/2019

TO  
COUNTY SECRETARY,  
MIGORI COUNTY  
P.O BOX 195-40400  
MIGORI

9/12/2019  
MIGORI COUNTY GOVERNMENT  
COUNTY SECRETARY  
P. O. Box 195 - 40400  
SUNA, MIGORI

Dear Sir,

**RE: PAYMENT FOR THE BLOOD BANK PROJECT**

We the mentioned company wishes to seek your assistance in the above matter.

We wish to express the mistreatment we have suffered in the hands of your Chief Officer Dr. Dalmas Oyugi who has knowingly decided to misuse his office to ensure that our file does not proceed to the finance office for payment.

The officer has been openly working with his position in a manner that we can prove as conflict of interest in the work we were lawfully awarded.

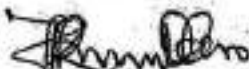
Please take note that your Officer first changed the scope of work verbally so that we could shy off, later wrote a letter intending to terminate the contract and now refusing to endorse the file for payments even after the pending bills committee approved the file for payments.

We seek your indulgence in this matter so that we can get this payments to help us pay our loans we used to deliver the project, find the attached for your confirmation.

Our hopes are fading we are under exceeding pressure to even losing our property that we use as security for loans we used to deliver the project.

We remain looking forward to receiving your positive reply.

Thanks in advance,



**ROBERT O. KASERA**  
**DIRECTOR.**

---

HEAD OFFICE: RELIANCE BUILDING 4TH FLOOR OGINGA ODINGA STREET

Tel: 0722 508 886 / 0728 989 472 P.O. Box 2532-4010 Kisumu • Email: lgwaras@yahoo.com

BRANCH: DOCTORS PLAZA 2ND FLOOR COUNTY ROAD • P.O. Box 60 Suna, Migori

DATE: 08/12/2019

TO  
COUNTY CHIEF ADMINISTRATOR,  
MIGORI COUNTY  
P.O BOX 195-40400  
MIGORI

Dear Sir,

**RE: PAYMENT FOR THE BLOOD BANK PROJECT**

We the mentioned company wishes to seek your assistance in the above matter.

We wish to express the mistreatment we have suffered in the hands of your Chief Officer Dr. Dalmas Oyugi who has knowingly decided to misuse his office to ensure that our file does not proceed to the finance office for payment.

The officer has been openly working with his position in a manner that we can prove as conflict of interest in the work we were lawfully awarded.

Please take note that your Officer first changed the scope of work verbally so that we could shy off, later wrote a letter intending to terminate the contract and now refusing to endorse the file for payments even after the pending bills committee approved the file for payments.

We seek your indulgence in this matter so that we can get this payments to help us pay our loans we used to deliver the project, find the attached for your confirmation.

Our hopes are fading we are under exceeding pressure to even losing our property that we use as security for loans we used to deliver the project.

We remain looking forward to receiving your positive reply.

Thanks in advance,

  
**ROBERT O. KASERA**  
**DIRECTOR.**

ALL ARE WELCOME!!

# EDY BRIGHT AUCTIONEERS

Auctioneers, Court Brokers, Process Servers, Private Investigators, Bailiffs  
Re-Possessors and Debt Collectors

Deft House  
Stadium Road  
2nd floor, Left Wing  
Email address: [edgedavid@gmail.com](mailto:edgedavid@gmail.com)

P.O BOX 2464  
KISII  
mobile 0721 394938  
0735 089792

## PUBLIC AUCTION

Due instructed by KOBA Capital Limited, we shall sell the under mentioned parcels of land on the listed dates and locations.

Details	Name on the title deed	Acreage	date
Siaya/Ragegni/3144	Benson Achola Ombura	1.5 ha	14/01/020
Suna East/Kakrao/8100	John Onyango Oguro	0.3 ha	14/01/020
Kamagambo/Kabuoro/9000	Kamagambo/Kabuoro/9000	0.09 ha	17/01/020
Kamagambo/Kongudi/2460	Benta Awuor Origa	0.4 ha	17/01/020
Suna West/Wiga/2213	Erick Omondi Gogo	1.58 ha	16/01/020
Kamagambo/Kabuoro/9613	Otieno Omoro Micah		17/01/020
Kamagambo/Kabuoro/5766	Otieno Omoro Micah		17/01/020
Suna East/Kakrao/3127	Joseph Ogot Bigogo		16/01/020
East Kisumu/Dago/455	Lawrence Owino Okongo		15/01/020
Suna East/Wasweta/8105	Jeremian Owaka Kagose		16/01/020
Kisumu/Konya/1027	Lawrence Owuor Oyugi	1.6 ha	15/01/020

### Condition of sale

Strictly cash at the fall of the hammer

ALL ARE WELCOME!!

# DAVID BRIGHT AUCTIONEERS

PROPERTY AGENTS, ESTATE MANAGERS, PROCESS SERVERS, PRIVATE INVESTIGATORS, BAILIFFS,  
EX-PROPRIETORS AND DEBT COLLECTORS

P.O. BOX 2464

KISUMU

mobile 0721 154738

0735 987277

EMAIL: [davidbright@gmail.com](mailto:davidbright@gmail.com)

## PUBLIC AUCTION

As instructed by KOBA Capital Limited, we shall sell the under mentioned parcels of land on the listed dates and locations.

Details	Name on the title deed	Acreage	date
Siaya/Ragegni/3144	Benson Achola Ombura	1.5 ha	14/01/020
Suna East/Kakrao/8100	John Onyango Oguro	0.3 ha	14/01/020
Kamagambo/Kabuoro/9000	Kamagambo/Kabuoro/9000	0.09 ha	17/01/020
Kamagambo/Kongudi/2460	Benta Awuor Origa	0.4 ha	17/01/020
Suna West/Wiga/2213	Erick Omondi Gogo	1.58 ha	16/01/020
Kamagambo/Kabuoro/9613	Otieno Omoro Micah		17/01/020
Kamagambo/Kabuoro/5766	Otieno Omoro Micah		17/01/020
Suna East/Kakrao/3127	Joseph Ogot Bigogo		16/01/020
East Kisumu/Dago/455	Lawrence Owino Okongo		15/01/020
Suna East/ Wasweta/8105	Jeremian Dwaka Kagose		16/01/020
Kisumu/Konya/1027	Lawrence Owuor Oyugi	1.6 ha	15/01/020

### Condition of sale

Strictly cash at the fall of the hammer

# REPUBLIC OF KENYA



## MIGORI COUNTY GOVERNMENT MINISTRY OF PUBLIC WORKS, ROADS AND TRANSPORT

Fax No.: MIGORI COUNTY  
Tel.: +254 059 2928  
Email: migoriapida@gmail.com  
*When replying please quote*

MIGORI COUNTY  
P.O. BOX 195-40400,  
**SUNA MIGORI.**

Réf. No. DPW/MCRH/BL/LIGWA/VOL.I/01

Date: 3<sup>rd</sup> January, 2022

M/S LIGWARAS ENTERPRISES LIMITED,  
P.O BOX 100-40403  
**RAPOGI**

### **RE: CONSTRUCTION OF BLOOD BANK AT MIGORI COUNTY REFERAL HOSPITAL**

#### **WARNING NOTICE.**

The project commenced 1n June, 2017 and was due for completion in January, 2018 but up to now it is still incomplete.

You have never given us reason why you cannot complete the works.

You abandoned the works since the beginning of the year and up to now there is nothing going on.

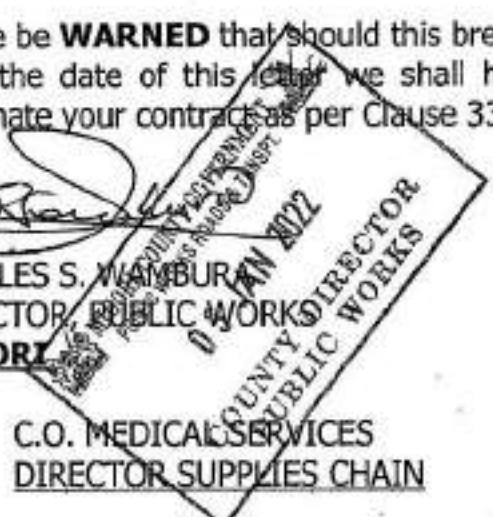
Please note that you are in Breach of Contract because of the following.

1. Stopping works without early warning to the Project Manager as per Clause 19.1 and 19.2.
2. You have failed to finish the works within the stipulated.
3. You have not requested for any time extension as required.
4. You have blocked all communications from the Project Management team

Please be **WARNED** that should this breach continue for the ensuing fourteen (14) days from the date of this letter we shall have no alternative but to advice the client to terminate your contract as per Clause 33.1 of Conditions of Contract

  
CHARLES S. WAMBURI  
DIRECTOR, PUBLIC WORKS  
**MIGORI**

CC C.O. MEDICAL SERVICES  
DIRECTOR SUPPLIES CHAIN



# BEN K. GICHANA & CO. ADVOCATES



Commissioner for Oaths & Notaries Public

B.K.GICHANA (LLB Hons,PgDip) B.WERE(LLB Hons,PgDip) J.OREMO(LLB Hons,PgDip).  
S.WAFULA (LLB Hons,PgDip)

Head Office

HEMA HOSP. BLDG., 1<sup>st</sup> FLOOR, RM.10,  
STADIUM ROAD,

P.O. BOX 2088-40200,

KISII-KENYA

E-mail: [info@bengichanadvocates.co.ke](mailto:info@bengichanadvocates.co.ke)

Mobile: 0720-576-361

Branch Office

Post Bank Bldg. 1<sup>st</sup> floor,  
Opp. Keroka Police Station,

P.O. Box 2088-40200,

KISII-KENYA

OUR REF: BKG/008/22

YOUR REF: TBA

**Date: 13/01/2022**

The Director Public Works  
County Government of Migori  
P.O. Box 195-40400

**MIGORI**

**"Advanced copy via email"**

Dear Sir,

**RE: TENDER NO. MC/17/08/2016-2017  
LIGWARAS ENTERPRISES LIMITED (OUR CLIENT)**

Yours dated **3<sup>rd</sup> January 2022** and duly received on **13<sup>th</sup> January, 2022** has been placed on our desk with instructions from our above captioned client to respond thereto as hereunder;

That on or about **30<sup>th</sup> June, 2017** the County Government of Migori entered into a contract for the proposed construction of blood bank at Migori County Referral Hospital at an agreed contract price of **Kshs. Seven Million One Hundred and Sixty One Thousand and Thirty Two Only (Kshs. 7,161,032.00=)**

That our aforementioned client commenced fulfilling his contract bargain and while in the process of excavation (after mobilizing the materials to the site), the County Government of Migori through the Chief Officer of Health Services in liaison with the then Project Manager (retired) decided to fundamentally restructure the said contract from being a bungalow to a one floor storey building by changing the drawing and bill of quantities.

Our said has been diligently performing his part of bargain despite the frustrations of the County Government officials.

Your purported letter of 3<sup>rd</sup> January, 2022 is an afterthought and has been orchestrated to illegally and unlawfully terminate the existing contract after having re-advertised the same.

Further, it is quite disturbing and/or unfortunate that you have deliberately instigated a ploy and/or scheme designed and/or choreographed with a sole intention of circumventing, maneuvering and/or deviating from your obligations towards our client.

**TAKE NOTICE** and be warned that our client has not breached the said contract and any continued breach of the same on your part as well as the purported threatened termination without payment of the amount due being **Kshs. Two Million Five Hundred and Fifty Two Thousand Six Hundred and Eighty One (Kshs. 2,552,681.00/=)** will automatically lead to legal proceedings against you at your own risk as to costs and other consequences that may arise there from.

**Please be forewarned.**

Yours faithfully,

**BEN K. GIOHANA & CO. ADVOCATES**

**B. WERE  
ADVOCATE**

CC: County Secretary  
County Government of Migori

C.E.C Health Services  
County Government of Migori

C.E.C Public Works  
County Government of Migori

C.O Health Services  
County Government of Migori

Head, Supply Chain Management Services  
County Government of Migori

Client



COUNTY GOVERNMENT OF HIGORI

INVITATION TO TENDER

County Government of Migori invites bids from interested and eligible bidders with qualifications and financial capability to submit tenders for goods, works and consultancy services.

S/NO	TENDER NO.	TENDER DESCRIPTION	EST.
1	CGM/EGD/07/2021-2022	REQUEST FOR PROPOSAL (RFP) FOR PROVISION OF CONSULTANCY SERVICES FOR DETAILED DESIGN FOR THE HIGORI COUNTY ULTRA-MODERN STADIUM	1822
2	CGM/MS/08/2021-2022	SUPPLY AND DELIVERY OF MEDICAL EQUIPMENT FOR THE HIGORI COUNTY HOSPITALS	1822
3	CGM/MS/09/2021-2022	SUPPLY AND DELIVERY OF MEDICAL EQUIPMENT FOR THE HIGORI COUNTY REFERRAL HOSPITALS	1822
4	CGM/MS/47/2021-2022	SUPPLY AND DELIVERY OF ESSENTIAL MEDICINE	1822
5	CGM/MS/48/2021-2022	SUPPLY AND DELIVERY OF ASSORTED NON-PHARMACEUTICALS	1822
6	CGM/MS/49/2021-2022	PROPOSED COMPLETION OF INTENSIVE CARE UNIT (ICU) PHASE II AT HIGORI COUNTY REFERRAL HOSPITAL	1818
7	CGM/MS/50/2021-2022	PROPOSED COMPLETION OF PERIMETER WALL WITH SLIDING GATE AT ISEBANIA SUB-COUNTY HOSPITAL	1818
8	CGM/MS/51/2021-2022	PROPOSED EXPANSION OF KITCHEN AT HIGORI COUNTY REFERRAL HOSPITAL	1818
9	CGM/MS/52/2021-2022	PROPOSED CONSTRUCTION OF BLOOD BANK PHASE II AT HIGORI COUNTY REFERRAL HOSPITAL	1818
11	CGM/MS/53/2021-2022	SUPPLY AND DELIVERY OF THEATRE EQUIPMENT	1822
12	CGM/MS/54/2021-2022	SUPPLY AND DELIVERY OF MEDICAL SUPPLIES FOR INPATIENTS	1822
13	CGM/MS/55/2021-2022	PROPOSED RENOVATION OF OUTPATIENT DEPARTMENT AT OTHORO SUB-COUNTY HOSPITAL	1818
14	CGM/CA/28/2021-2022	SUPPLY AND DELIVERY OF MOTOR VEHICLE DOUBLE CAB FOR DEPARTMENT OF CGM COUNTY ATTORNEY	1824
15	CGM/IGT/56/2021-2022	SUPPLY AND DELIVERY OF MOTOR VEHICLE double cab FOR DEPARTMENT OF IGT	1824
16	CGM/EDU/58/2021-2022	PROPOSED COMPLETION OF URIRI VETC	1813
17	CGM/W&E/39/2021-2022	REPAIR AND MAINTENANCE OF SOLAR FLOOD LIGHTS	1818
18	CGM/W&E/39/2021-2022	SUPPLY AND DELIVERY OF ASSORTED ELECTRICAL MATERIALS AND CONSUMABLES	1818

Interested Eligible Bidders may download complete tender documents from the County Government of Migori website at [tenders.go.ke](http://tenders.go.ke) (PPIP portal) and/or through the IFMIS SUPPLIER PORTAL [www.supplier.treasury.go.ke](http://www.supplier.treasury.go.ke) using the Negotiate Bidders shall submit the Original Tender security by dropping in sealed envelopes in the Tender Box located outside the Supply Office at the county treasury.

Pre-tender site visits for all works shall be carried out on Wednesday 19<sup>th</sup> January 2022 Bidders shall meet at the county procurement office at 10:00 a.m.

Any clarification may be sought for through [procurement@migori.go.ke](http://procurement@migori.go.ke). Complete tender documents must be submitted to the SUPPLIER PORTAL [www.supplier.treasury.go.ke](http://www.supplier.treasury.go.ke) so as to be received on or before Monday 24<sup>th</sup> January 2022 at 10:00.

NOTE: Bidders who may experience challenges in accessing and uploading their tenders in the IFMIS supplier portal should contact the helpdesk (e-mail [http://ifmis.go.ke](mailto:http://ifmis.go.ke), Tel: 0800721477/0204801801) at the treasury or contact Supply Chain Manager, County Government of Migori for assistance during official working hours (Monday-Friday 8:00am-5:00pm).

MANUAL SUBMISSIONS shall not be accepted. All bids must be submitted through the IFMIS supplier portal.



COUNTY GOVERNMENT OF MIGORI

INVITATION TO TENDER

County Government of Migori invites bids for procurement and construction of various works and services for various projects.

S. NO	TENDER NO.	TENDER DESCRIPTION	EST. VALUE
1	CGM/SDU/57/2021-2022	REQUEST FOR PROPOSAL (RFP) FOR PROVISION OF FORTH TABLE DESIGN FOR THE NEARBY	1000000
2	CGM/MS/08/2021-2022	SUPPLY AND DELIVERY OF MEDICAL EQUIPMENT FOR HOSPITALS	1000000
3	CGM/MS/09/2021-2022	SUPPLY AND DELIVERY OF MEDICAL EQUIPMENT FOR COUNTY REFERRAL HOSPITALS	1000000
4	CGM/MS/47/2021-2022	SUPPLY AND DELIVERY OF ESSENTIAL MEDICINE	1000000
5	CGM/MS/48/2021-2022	SUPPLY AND DELIVERY OF ASSORTED NON-PHARMACEUTICALS	1000000
6	CGM/MS/49/2021-2022	PROPOSED COMPLETION OF INTENSIVE CARE UNIT (ICU) PHASE II AT MIGORI COUNTY REFERRAL HOSPITAL	1000000
7	CGM/MS/50/2021-2022	PROPOSED COMPLETION OF PERIMETER WALL WITH SLIDING GATE AT KISEBANIA SUB-COUNTY HOSPITAL	1000000
8	CGM/MS/51/2021-2022	PROPOSED EXPANSION OF KITCHEN AT MIGORI COUNTY REFERRAL HOSPITAL	1000000
9	CGM/MS/52/2021-2022	PROPOSED CONSTRUCTION OF BLOOD BANK PHASE II AT MIGORI COUNTY REFERRAL HOSPITAL	1000000
10	CGM/MS/53/2021-2022	SUPPLY AND DELIVERY OF THEATRE EQUIPMENT	1000000
11	CGM/MS/54/2021-2022	SUPPLY AND DELIVERY OF MEDICAL SUPPLIES FOR INPATIENTS	1000000
12	CGM/MS/55/2021-2022	PROPOSED RENOVATION OF OUTPATIENT DEPARTMENT AT OTHORO SUB-COUNTY HOSPITAL	1000000
13	CGM/CA/28/2021-2022	SUPPLY AND DELIVERY OF MOTOR VEHICLE DOUBLE CAB FOR DEPARTMENT OF COUNTY ATTORNEY	1000000
14	CGM/ICT/56/2021-2022	SUPPLY AND DELIVERY OF MOTOR VEHICLE double cab FOR DEPARTMENT OF ICT	1000000
15	CGM/EDU/58/2021-2022	PROPOSED COMPLETION OF URIRI VETC	1000000
16	CGM/W&E/39/2021-2022	REPAIR AND MAINTENANCE OF SOLAR FLOOD LIGHTS	1000000
17	CGM/W&E/39/2021-2022	SUPPLY AND DELIVERY OF ASSORTED ELECTRICAL MATERIALS AND CONSUMABLES	1000000

Interested Eligible Bidders may download complete tender documents from the County Government of Migori website [tenders.go.ke](http://tenders.go.ke) (PIP portal) and/or through the IFMS SUPPLIER PORTAL [www.supplier.treasury.go.ke](http://www.supplier.treasury.go.ke) using the respective user names and passwords. Bidders shall submit the Original tender security by dropping in sealed envelopes in the tender box located outside the County Offices at the county treasury.

The tender site visits for all works shall be carried out on Wednesday 19<sup>th</sup> January 2022 before 11:00 am at the county procurement office at 10:00 am.

Any clarification may be sought for through [procurement@migori.go.ke](mailto:procurement@migori.go.ke). Complete tender documents must be submitted through the IFMS SUPPLIER PORTAL [www.supplier.treasury.go.ke](http://www.supplier.treasury.go.ke) so as to be received on or before Monday 24<sup>th</sup> January 2022 at 11:00 am.

NOTE: Bidders who may experience challenges in accessing and uploading their tenders in the IFMS supplier portal should contact the helpdesk (e-mail [help@migori.go.ke](mailto:help@migori.go.ke), tel: 0800721477/0204801801) at the treasury or contact Supply Chain Management Services at the County Government of Migori for assistance during official working hours (Monday-Friday 08:00am-5:00pm).

MANUAL SUBMISSIONS shall not be accepted. All bids must be submitted through the IFMS supplier portal.

**INVOICE**

**LIGWARAS ENTERPRISES LIMITED**



Head Office: Reliance Building  
 4th Floor Oginga Odinga Street  
 P.O. Box 2532-4010 Kisumu  
 Tel: 0722 508 886 / 0728 989 472  
 Email: ligwaras@yahoo.com  
 Branch: Doctors Plaza  
 2nd Floor County Road  
 P.O. Box 60 Suna, Migori

Date: 02/02/2022

To: Migori County Government

P.O. No. 1351620

D/Note No. \_\_\_\_\_

QTY	DESCRIPTION		Ksh.	Cts.
1	Retention fees for the construction of Blood Bank at Migori County Referral Hospital.		340,834	50
<div data-bbox="606 1052 981 1209" data-label="Text"> <p>LIGWARAS ENTERPRISES LIMITED                  P.O. Box 2532-4010                  KISUMU                  Tel: 0722-508886 / 0728-989472</p> </div>				
E&OE No. <b>303</b>				

ACCOUNTS ARE DUE ON DEMAND.  
 (in words) Three Forty Thousand Eight Thirty Four, Fifty Cents only

NET TOTAL	340,834.50
DISCOUNT	
VAT	
TOTAL	

*[Signature]*



**BEN K. GICHANA &  
COMPANY**

Advocates & Commissioner for Oaths

Our Ref.: BKG/030/22

Head Office

Hema Hosp. Building, 1<sup>st</sup> Floor,

P.O. Box 2088-40200,

E-mail: [gichman2002@yahoo.com](mailto:gichman2002@yahoo.com);

[info@bengichanadvocates.co.ke](mailto:info@bengichanadvocates.co.ke)

Cell: 0720-576-363

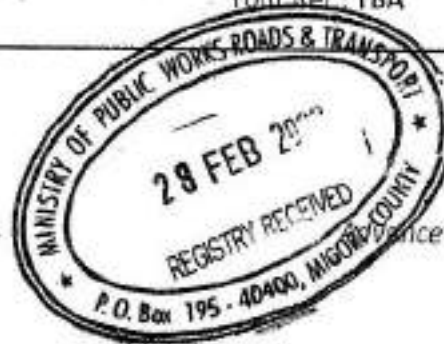
Kisumu-Kenya

Your Ref.: TBA

Date: 18<sup>th</sup> February,

2022

The Director Public Works  
County Government of Migori  
P.O. Box 195-40400  
MIGORI



once copy via E-mail

Dear Sir,

**RE: TENDER NO. MC/17/08/2016-2017**  
**LIGWARAS ENTERPRISES LIMITED (OUR CLIENT)**

The above matter and our previous correspondences on the same refer.

Kindly note that our letter dated the 13<sup>th</sup> of January, 2022 done on behalf of our above named client is yet to be responded to. Nevertheless, please note that our client is still anticipating payment in the sum of Kenya Shillings Two Million Five Hundred and Fifty Two Thousand Six Hundred and Eighty One (Kshs. 2, 552, 681.00/=) only that is long overdue to enable him proceed with the works in respect to the project. Attached is the interim payment certificate for your perusal.

Further, our aforesaid client is yet to be paid a retention fees of Kshs. 340,834.50/= being 10% of the first payment advanced to it by yourselves (find enclosed invoice for your perusal)

Please further note that if the above payment Kshs. 2, 552, 681.00/= together with the retention fees of Kshs. 340,834.50/= is not received or any positive response made by yourselves within the next Seven (7) days, our client shall not have any other option than to invoke the appropriate legal action with a view to obtain a redress.

Yours faithfully,

  
**BEN K. GICHANA & CO. ADVOCATES**

P. O. Box 2088 - 40200

**B. WERE**

**ADVOCATE**

CC: County Secretary  
County Government of Migori

C.E.C Health Services  
County Government of Migori

C.E.C Public Works  
County Government of Migori

C.O Health Services  
County Government of Migori

Head, Supply Chain Management Services  
County Government of Migori



Head Office  
Hema Hosp. Building, 1<sup>st</sup> Floor,  
P.O. Box 2088-40200,  
E-mail: [gichman2002@yahoo.com](mailto:gichman2002@yahoo.com);  
[info@bengichanadvocates.co.ke](mailto:info@bengichanadvocates.co.ke)  
Cell: 0720-576-361  
Kisumu-Kenya

Our Ref.: BKG/030/22

Your Ref.: TBA

Date: 18<sup>th</sup> February,  
2022

The Director Public Works  
County Government of Migori  
P.O Box 195-40400  
MIGORI

*Advance copy via E-mail*

Dear Sir,

**RE: TENDER NO. MC/17/08/2016-2017  
LIGWARAS ENTERPRISES LIMITED (OUR CLIENT)**

The above matter and our previous correspondences on the same refer.

Kindly note that our letter dated the 13<sup>th</sup> of January, 2022 done on behalf of our above named client is yet to be responded to. Nevertheless, please note that our client is still anticipating payment in the sum of Kenya Shillings Two Million Five Hundred and Fifty Two Thousand Six Hundred and Eighty One (Kshs. 2, 552, 681.00/=) only that is long overdue to enable him proceed with the works in respect to the project. Attached is the interim payment certificate for your perusal.

Further, our aforesaid client is yet to be paid a retention fees of Kshs. 340,834.50/= being 10% of the first payment advanced to it by yourselves (find enclosed invoice for your perusal)

Please further note that if the above payment Kshs. 2, 552, 681.00/= together with the retention fees of Kshs. 340,834.50/= is not received or any positive response made by yourselves within the next Seven (7) days, our client shall not have any other option than to invoke the appropriate legal action with a view to obtain a redress.

Yours faithfully,

**BENK. GICHANA & CO. ADVOCATES**

P.O. Box 2088 - 40200

**B. WERESII**

**ADVOCATE**

1|Page

[of 2]

CC: County Secretary  
County Government of Migori

C.E.C Health Services  
County Government of Migori

C.E.C Public Works  
County Government of Migori

C.O Health Services  
County Government of Migori

Head, Supply Chain Management Services  
County Government of Migori



**BEN K. GICHANA &  
COMPANY**

Advocates & Commissioner for Oaths

Our Ref.: BKG/030/22

28/2/2022  
MIGORI COUNTY GOVERNMENT  
COUNTY SECRETARY  
P.O. Box 195 - 40400  
SUNA, MIGORI

Head Office  
Hema Hosp. Building, 1<sup>st</sup> Floor  
P.O. Box 2088-40400  
E-mail: [gichman2002@yahoo.com](mailto:gichman2002@yahoo.com)  
[info@bengichanadvocates.co.ke](mailto:info@bengichanadvocates.co.ke)  
Cell: 0720-576-361  
Kisumu-Kenya

Your Ref.: TBA

Date: 18<sup>th</sup> February,  
2022

The Director Public Works  
County Government of Migori  
P.O Box 195-40400  
MIGORI

Advance copy via E-mail

Dear Sir,

**RE: TENDER NO. MC/17/08/2016-2017**  
**LIGWARAS ENTERPRISES LIMITED (OUR CLIENT)**

The above matter and our previous correspondences on the same refer.

Kindly note that our letter dated the 13<sup>th</sup> of January, 2022 done on behalf of our above named client is yet to be responded to. Nevertheless, please note that our client is still anticipating payment in the sum of Kenya Shillings Two Million Five Hundred and Fifty Two Thousand Six Hundred and Eighty One (Kshs. 2, 552, 681.00/=) only that is long overdue to enable him proceed with the works in respect to the project. Attached is the interim payment certificate for your perusal.

Further, our aforesaid client is yet to be paid a retention fees of Kshs. 340,834.50/= being 10% of the first payment advanced to it by yourselves (find enclosed invoice for your perusal)

Please further note that if the above payment Kshs. 2, 552, 681.00/= together with the retention fees of Kshs. 340,834.50/= is not received or any positive response made by yourselves within the next Seven (7) days, our client shall not have any other option than to invoke the appropriate legal action with a view to obtain a redress.

Yours faithfully,

**BEN K. GICHANA & CO. ADVOCATES**

**B. WERE  
ADVOCATE**

1|Page

(of 2)

CC: County Secretary  
County Government of Migori

C.E.C Health Services  
County Government of Migori

C.E.C Public Works  
County Government of Migori

CO Health Services  
County Government of Migori

Head, Supply Chain Management Services  
County Government of Migori



**BEN K. GICHANA &  
COMPANY**

Advocates & Commissioner for Oaths

Our Ref.: BKG/030/22

Your Ref.: TBA

Date: 18<sup>th</sup> February,

2022

Head Office  
Hema Hosp. Building, 1<sup>st</sup> Floor,  
P.O. Box 7088-40200,  
E-mail: [gichman2002@yahoo.com](mailto:gichman2002@yahoo.com);  
[info@bengichanadvocates.co.ke](mailto:info@bengichanadvocates.co.ke)  
Cell: 0720-576-361  
Kisii-Kenya

The Director Public Works  
County Government of Migori  
P.O Box 195-40400  
MIGORI

*Advance copy via E-mail*

Dear Sir,

**RE: TENDER NO. MC/17/08/2016-2017**  
**LIGWARAS ENTERPRISES LIMITED (OUR CLIENT)**

The above matter and our previous correspondences on the same refer.

Kindly note that our letter dated the 13<sup>th</sup> of January, 2022 done on behalf of our above named client is yet to be responded to. Nevertheless, please note that our client is still anticipating payment in the sum of Kenya Shillings Two Million Five Hundred and Fifty Two Thousand Six Hundred and Eighty One (Kshs. 2, 552, 681.00/=) only that is long overdue to enable him proceed with the works in respect to the project. Attached is the interim payment certificate for your perusal.

Further, our aforesaid client is yet to be paid a retention fees of Kshs. 340,834.50/= being 10% of the first payment advanced to it by yourselves (find enclosed invoice for your perusal)

Please further note that if the above payment Kshs. 2, 552, 681.00/= together with the retention fees of Kshs. 340,834.50/= is not received or any positive response made by yourselves within the next Seven (7) days, our client shall not have any other option than to invoke the appropriate legal action with a view to obtain a redress.

Yours faithfully

**BEN K. GICHANA & CO. ADVOCATES**

**B. WERE**  
**ADVOCATE**



1 | Page

[of 2]

CC: County Secretary  
County Government of Migori

C.E.C Health Services  
County Government of Migori

C.E.C Public Works  
County Government of Migori

C.O Health Services  
County Government of Migori

Head, Supply Chain Management Services  
County Government of Migori



**BEN K. GICHANA &  
COMPANY**

Advocates & Commissioner for Oaths

Our Ref.: BKG/030/22

Head Office  
Hema Hosp. Building, 1<sup>st</sup> Floor,  
P.O. Box 2088-40200,  
E-mail: [gichman2002@yahoo.com](mailto:gichman2002@yahoo.com);  
[info@bengichanadvocates.co.ke](mailto:info@bengichanadvocates.co.ke)  
Cell: 0720-576-361  
Kisumu-Kenya

Your Ref.: TBA

Date: 18<sup>th</sup> February,  
2022

The Director Public Works  
County Government of Migori  
P.O Box 195-40400  
MIGORI

*Advance copy via E-mail*

Dear Sir,

**RE: TENDER NO. MC/17/08/2016-2017**  
**LIGWARAS ENTERPRISES LIMITED (OUR CLIENT)**

The above matter and our previous correspondences on the same refer.

Kindly note that our letter dated the 13<sup>th</sup> of January, 2022 done on behalf of our above named client is yet to be responded to. Nevertheless, please note that our client is still anticipating payment in the sum of Kenya Shillings Two Million Five Hundred and Fifty Two Thousand Six Hundred and Eighty One (Kshs. 2, 552, 681.00/=) only that is long overdue to enable him proceed with the works in respect to the project. Attached is the interim payment certificate for your perusal.

Further, our aforesaid client is yet to be paid a retention fees of Kshs. 340,834.50/= being 10% of the first payment advanced to it by yourselves (find enclosed invoice for your perusal)

Please further note that if the above payment Kshs. 2, 552, 681.00/= together with the retention fees of Kshs. 340,834.50/= is not received or any positive response made by yourselves within the next Seven (7) days, our client shall not have any other option than to invoke the appropriate legal action with a view to obtain a redress.

Yours faithfully,

  
BENIGNO WERE  
BEN K. GICHANA & CO. ADVOCATES  
P. O. Box 2088 - 40200  
B. WERE  
ADVOCATE

1 Page

[of 2]

CC: County Secretary  
County Government of Migori

C.E.C Health Services  
County Government of Migori

C.E.C Public Works  
County Government of Migori

C.O Health Services  
County Government of Migori

Head, Supply Chain Management Services  
County Government of Migori



**BEN K. GICHANA & CO.**  
**COMPANY**

Advocates & Commissioner for Oaths

Dur Ref.: BKG/030/22



Head Office  
Hema Hosp. Building, 1<sup>st</sup> Floor,  
P.O. Box 2088-40200,  
E-mail: gichman2002@yahoo.com;  
info@bengichanadvocates.co.ke  
Cell: 0720-576-361  
Kisii-Kenya

Your Ref.: TBA

Date: 18<sup>th</sup> February, 2022

The Director Public Works  
County Government of Migori  
P.O Box 195-40400  
MIGORI

*Advance copy via E-mail*

Dear Sir,

**RE: TENDER NO. MC/17/08/2016-2017**  
**LIGWARAS ENTERPRISES LIMITED (OUR CLIENT)**

The above matter and our previous correspondences on the same refer.

Kindly note that our letter dated the 13<sup>th</sup> of January, 2022 done on behalf of our above named client is yet to be responded to. Nevertheless, please note that our client is still anticipating payment in the sum of Kenya Shillings Two Million Five Hundred and Fifty Two Thousand Six Hundred and Eighty One (Kshs. 2, 552, 681.00/=) only that is long overdue to enable him proceed with the works in respect to the project. Attached is the interim payment certificate for your perusal.

Further, our aforesaid client is yet to be paid a retention fees of Kshs. 340,834.50/= being 10% of the first payment advanced to it by yourselves (find enclosed invoice for your perusal)

Please further note that if the above payment Kshs. 2, 552, 681.00/= together with the retention fees of Kshs. 340,834.50/= is not received or any positive response made by yourselves within the next Seven (7) days, our client shall not have any other option than to invoke the appropriate legal action with a view to obtain a redress.

Yours faithfully,

**BEN K. GICHANA & CO. ADVOCATES**  
P. O. Box 2088 - 40200  
**B. WERESII**  
**ADVOCATE**

CC: County Secretary  
County Government of Migori

C.E.C Health Services  
County Government of Migori

C.E.C Public Works  
County Government of Migori

C.O Health Services  
County Government of Migori

Head, Supply Chain Management Services  
County Government of Migori



**BEN K. GICHANA &  
COMPANY**

Advocates & Commissioner for Oaths

Our Ref.: BKG/030/22

Your Ref.: TBA

Date: 18<sup>th</sup> February,  
2022

Head Office

Hema Hosp. Building, 1<sup>st</sup> Floor,

P.O. Box 2088-40200,

E-mail: [gichman2002@yahoo.com](mailto:gichman2002@yahoo.com);

[info@benkghanadvocates.co.ke](mailto:info@benkghanadvocates.co.ke)

Cell: 0720-576-361

Kisumu-Kenya

The Director Public Works  
County Government of Migori  
P.O Box 195-40400  
MIGORI



Advance copy via E-mail

Dear Sir,

**RE: TENDER NO. MC/17/08/2016-2017**  
**LIGWARAS ENTERPRISES LIMITED (OUR CLIENT)**

The above matter and our previous correspondences on the same refer.

Kindly note that our letter dated the 13<sup>th</sup> of January, 2022 done on behalf of our above named client is yet to be responded to. Nevertheless, please note that our client is still anticipating payment in the sum of Kenya Shillings Two Million Five Hundred and Fifty Two Thousand Six Hundred and Eighty One (Kshs. 2, 552, 681.00/=) only that is long overdue to enable him proceed with the works in respect to the project. Attached is the interim payment certificate for your perusal.

Further, our aforesaid client is yet to be paid a retention fees of Kshs. 340,834.50/= being 10% of the first payment advanced to it by yourselves (find enclosed invoice for your perusal)

Please further note that if the above payment Kshs. 2, 552, 681.00/= together with the retention fees of Kshs. 340,834.50/= is not received or any positive response made by yourselves within the next Seven (7) days, our client shall not have any other option than to invoke the appropriate legal action with a view to obtain a redress.

Yours faithfully,

**BEN K. GICHANA & CO. ADVOCATES**

P.O. Box 2088-40200

**B. WERE**  
**ADVOCATE**

CC: County Secretary  
County Government of Migori

C.E.C Health Services  
County Government of Migori

C.E.C Public Works  
County Government of Migori

C.O Health Services  
County Government of Migori

Head, Supply Chain Management Services  
County Government of Migori



**BEN K. GICHANA &  
COMPANY**

Advocates & Commissioner for Oaths

Our Ref.: BKG/030/22

Your Ref.: TBA

Date: 18<sup>th</sup> February,  
2022

Head Office:  
Hema Hosp. Building, 1<sup>st</sup> Floor,  
P.O. Box 2088-40200,  
E-mail: [gichman2002@yahoo.co.ke](mailto:gichman2002@yahoo.co.ke);  
[info@bengichanadvocates.co.ke](mailto:info@bengichanadvocates.co.ke);  
Cell: 0720-575-361  
Kisii-Kenya

The Director Public Works  
County Government of Migori  
P.O Box 195-40400  
MIGORI



Advance copy via E-mail

Dear Sir,

**RE: TENDER NO. MC/17/08/2016-2017**  
**LIGWARAS ENTERPRISES LIMITED (OUR CLIENT)**

The above matter and our previous correspondences on the same refer.

Kindly note that our letter dated the 13<sup>th</sup> of January, 2022 done on behalf of our above named client is yet to be responded to. Nevertheless, please note that our client is still anticipating payment in the sum of Kenya Shillings Two Million Five Hundred and Fifty Two Thousand Six Hundred and Eighty One (Kshs. 2, 552, 681.00/=) only that is long overdue to enable him proceed with the works in respect to the project. Attached is the interim payment certificate for your perusal.

Further, our aforesaid client is yet to be paid a retention fees of Kshs. 340,834.50/= being 10% of the first payment advanced to it by yourselves (find enclosed invoice for your perusal)

Please further note that if the above payment Kshs. 2, 552, 681.00/= together with the retention fees of Kshs. 340,834.50/= is not received or any positive response made by yourselves within the next Seven (7) days, our client shall not have any other option than to invoke the appropriate legal action with a view to obtain a redress.

Yours faithfully,

**BEN K. GICHANA & CO. ADVOCATES**

**B. WERE  
ADVOCATE**

CC: County Secretary  
County Government of Migori

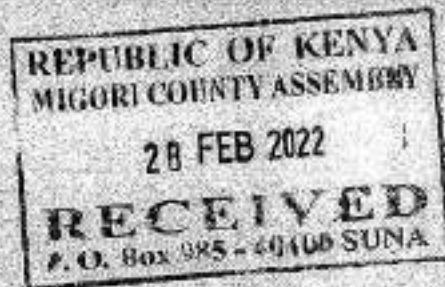
C.E.C Health Services  
County Government of Migori

C.E.C Public Works  
County Government of Migori

C.O Health Services  
County Government of Migori

Head, Supply Chain Management Services  
County Government of Migori

THE CLERK  
COUNTY ASSEMBLY OF MIGORI  
P.O BOX 195-40400  
MIGORI



Dear Sir,

RE: PETITION TO THE COUNTY ASSEMBLY OF MIGORI CONCERNING CONSTRUCTION OF A BLOOD BANK AT MIGORI COUNTY REFERRAL HOSPITAL.

LIGWARAS ENTERPRISES LTD, the undersigned, a private limited Company duly incorporated under the Companies Act, 2015, and whose directors are residents of Migori County,

DRAW the attention of the County assembly to the following;

- (i) THAT the County Government of Migori issued a tender to LIGWARAS ENTERPRISES LTD, the Petitioner herein, in the year 2017 to construct a Bungalow structure meant to be a Blood Bank.
- (ii) THAT however, the Chief Officer of Health Services has exhibited open bias, abuse of office and conflict of interest against the Petitioner herein in respect to the Project, the particulars of which being as follows:
  - a. Purporting to fundamentally restructure the said project from being a bungalow to a one floor storey building by changing the drawing and the bill of quantities.
  - b. Sending letters, continuously to the Petitioner threatening to terminate the contract.
  - c. Failing to pay to the Petitioner for the works done according to the agreed payment schedule.
  - d. Re-advertising the project purporting to be for phase II but in the tender document it is indicated to commence afresh, from the excavation level. This is despite the fact that the Petitioner has substantially constructed the structure.
  - e. Assuming powers in respect to the project which he does not possess in line with the Procurement and Assessment Disposal Act by *inter alia*, making unilateral decisions of altering/varying the terms relating to the project.
- (iii) THAT the actions by the Chief Officer of Health Services as aforesaid have led to the stalling of the project and delaying its completion and thus denying the residents of Migori the much needed facility.
- (iv) THAT the re-advertising of the project is solely meant to siphon the County coffers and unnecessarily burden the tax payers in the County.

(v) **THAT** the Chief Officer of Health Services and all the other relevant officers in the County who are responsible for the subject project have never responded to the letters done by the Petitioner seeking that they expedite payment as per the payment schedule hence the filing of the instant Petition.

(vi) **THAT** the Petitioner never breached the terms of the contract governing the project and that the delay, if any, in completing the project was solely occasioned by the acts complained of on the Chief Officer.

(vii) **THAT** the Petitioner confirms that efforts have been made to have the matter addressed by the relevant body, but the same has failed to give any response or a satisfactory response.

(viii) **THAT**, none of these issues raised in this Petition is pending in any court of Law, Constitutional or any other legal body.

**WHEREFORE** your humble Petitioner prays that the County assembly:

(a) Does intervene in the subject project and look into the matters complained of hereinabove;

(b) Summons the Chief Officer of Health Services before the relevant committee in the assembly and clarify on the issues complained of hereinabove against him;

(c) Direct the Chief Officer of Health services to process payment in favour of the Petitioner for purposes of completion of the project in line with the payment certificate submitted to him;

(d) Direct the Chief Officer and all the relevant concerned officers in the County to cancel the advert made touching on the subject project to pave way for the completion of the on-going works.

And your Petitioner will ever pray.

DATED at KISUMU this .... 24<sup>th</sup> ..... day of ..... February ..... 2022.

NAME OF PETITIONER: LIGWARAS ENTERPRISES LTD

FULL ADDRESS: P.O BOX 40403  
RAFOGI

SIGNATURE OF DIRECTOR 

ROBERT KASERA ID. NO. 20766039.

Petition made pursuant to Section 15 of the County Government Act No. 17 of 2012, the Constitution of Kenya, 2010, and all the enabling provisions of the law.

AFFIDAVIT IN SUPPORT OF THE PETITION

I, **ROBERT ODERO KASERA** of P.O BOX 40403 RAPOGI do hereby make oath and solemnly state as follows:

1. **THAT**, I am a male adult of sound mind and disposition, a co-director of the Petitioner herein and hence competent to swear this affidavit.
2. **THAT**, I have been granted the authority by the co-director of the Petitioner herein to swear this Affidavit.
3. **THAT**, **LIGWARAS ENTERPRISES LTD**, the undersigned, is a private limited Company duly incorporated under the Companies Act, 2015, and whose directors are residents of Migori County.
4. **THAT** the County Government of Migori issued a tender to **LIGWARAS ENTERPRISES LTD**, the Petitioner herein, in the year 2017 to construct a Bungalow structure meant to be a Blood Bank at Migori County Referral Hospital at an agreed contract price of **Kshs. Seven Million One Hundred and Sixty One Thousand and Thirty Two Only (Kshs. 7,161,032.00=)** *(attached herewith and now marked ROK-01 a-d are copies of the contract, acceptance letter, local service order and bill of quantity attesting to the same)*
5. **THAT**, we then commenced fulfilling our contractual bargain and while in the process of excavation (after mobilizing the materials to the site), the County Government of Migori through the Chief Officer of Health Services in liaison with the then Project Manager (retired) decided to fundamentally restructure the said contract from being a bungalow to a one floor storey building by changing the drawing and bill of quantities. *(attached herewith and now marked ROK-02 is a copy of bill of quantity attesting to the same)*
6. **THAT**, the Petitioner herein has only been paid a sum of *Kenya Shillings Three Million Four Hundred and Eight Thousand Three Hundred and Forty Five (Kshs. 3,408,345/=)* instead of Kenya Shillings Five Million Nine Hundred and Sixty One Thousand and Twenty Seven (Kshs. 5,961,027.00) being the amount that has been spent on the project so far. Further, the County Government of Migori still owes the Petitioner a sum of **Kshs. Two Million Five Hundred and Fifty Two Thousand Six Hundred and Eighty One (Kshs. 2,552,681/=)** which

sum is yet to be paid despite persistent pleas, requests and reminders (attached herewith and now marked ROK-03 a&b are copies of payment voucher and interim payment certificate-IPC 01 attesting to the same)

7. **THAT**, further, the Petitioner is yet to be paid a retention fees of Kshs. 340,834.50/= being 10% of the first payment advanced to it.(attached herewith and now marked ROK-04 is a copy of invoice attesting to the same)
8. **THAT**, the said Chief officer illegally re-advertised the said tender despite having full knowledge of the existing contract with which action amounts to a clear breach of the existing contract(attached herewith and now marked ROK-05 is a copy of the tender advertisement notice for phase II attesting to the same)
9. **THAT** however, the Chief Officer of Health Services has exhibited open bias, abuse of office and conflict of interest against the Petitioner herein in respect to the Project, the particulars of which being as follows;
  - a) Purporting to fundamentally restructure the said project from being a bungalow to a one floor storey building by changing the drawing and the bill of quantities.
  - b) Sending letters, continuously to the Petitioner threatening to terminate the contract.
  - c) Failing to pay to the Petitioner for the works done according to the agreed payment schedule.
  - d) Re-advertising the project purporting to be for phase II but in the tender document it is indicated to commence afresh, from the excavation level. This is despite the fact that the Petitioner has substantially constructed the structure.
  - e) Assuming powers in respect to the project which he does not possess in line with the Procurement and Assessment Disposal Act by *inter alia*, making unilateral decisions of altering/varying the terms relating to the project.
10. **THAT** the actions by the Chief Officer of Health Services as aforesaid have led to the stalling of the project and delaying its completion and thus denying the residents of Migori the much needed facility.
11. **THAT** the re-advertising of the project is solely meant to siphon the County coffers and unnecessarily burden the tax payers in the County.

12. THAT the Chief Officer of Health Services and all the other relevant officers in the County who are responsible for the subject project have never responded to the letters done by the Petitioner seeking that they expedite payment as per the payment schedule hence the filing of the instant Petition.

13. THAT the Petitioner never breached the terms of the contract governing the project and that the delay, if any, in completing the project was solely occasioned by the acts complained of on the Chief Officer.

14. THAT we have made all efforts to have the matter addressed by the relevant body, but the same has failed to give any response or a satisfactory response. *(attached herewith and now marked ROK-06 a-d are copies of correspondences attesting to the same)*

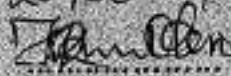
15. THAT none of these issues raised in this Petition is pending in any court of Law, Constitutional or any other legal body.

16. THAT, I swear this affidavit in support of this instant petition.

17. THAT, all what is deposed herein is true to the best of my knowledge, information and belief save and except where stated otherwise.

SWORN at KISII by the said

ROBERT ODERO KASERA

] 20766039  
] 

DEPONENT

This...24<sup>TH</sup>... day of... FEBRUARY, 2022 ]

BEFORE ME ]

**CHRISTINE R. SAGWA**  
Advocate &  
Commissioner for Oaths  
P.O. Box 2264 - 40200, KISII  
COMMISSIONER FOR OATHS ]



# Jomoraja E.A & G. Contractors L.t.d.

**HEAD OFFICE**

Co - Operative Hse, 10th Floor  
TEL : 0727 - 515020  
P.O. BOX 30079 - 00200  
NAIROBI

VAT NO. 0172465T

PIN NO. A003705581E

**BRANCH OFFICE**

TEL : 0727 - 515020  
SUNA

Date

07/05/22

**REAL ESTATE , QUANTITY SURVEY, PROPERTY MANAGEMENT, & E. T. C**

## REPORT AND VALUATION



**REGISTRATION NO. CPR / 2012 / 71542**



# Jomoraja E.A & G. Contractors L.t.d.

## HEAD OFFICE

Co-operative Hse, 10th Floor  
TEL : 0727—515020  
P.O. BOX 30079—00200  
NAIROBI

VAT NO. 0172465T

PIN NO. A003705581E

## BRANCH OFFICE

TEL : 0727—515020  
SUNA

Date

*[Handwritten signature]*  
Date *9th/12/25*

**REAL ESTATE , QUANTITY SURVEY, PROPERTY MANAGEMENT, & E.T.C**

## TERMS OF REFERENCE

Following instructions received from **ROBERT ODERO KASERA** of Id No: 20766039 of Box No: 100 **KISUMU** , we have identified , inspected and valued the above property with a view to advise ;on open market value for court processes

**Hereunder is the inspection report and value of the same.**



# Jomoraja E.A & G. Contractors L.t.d.

## HEAD OFFICE

Co-operative Hse, 10th Floor  
TEL : 0727—515020  
P.O. BOX 30079—00200  
NAIROBI

VAT NO. 0172465T  
PIN NO. A003705581E

## BRANCH OFFICE

TEL : 0727—515020  
SUNA

Date: *7th/05/22*

**REAL ESTATE , QUANTITY SURVEY, PROPERTY MANAGEMENT, & E. T. C**

## REPORT AND VALUATION

**REGISTRATION NO. CPR / 2012 / 71542**

### Limitation Conditions

This property Report and valuation is subject to the following Limiting conditions:-

1. Neither the whole nor any part of this report and valuation or any reference to it may be included in an published document , secular or statement nor published in any way without the prior written approval of the company of the form and context in which it appears.
2. The responsibility of this report and valuation is limited to the client to whom the report is addressed .
3. While due care is taken to note significant defects in the cause of inspection, this is a report and valuation and not a structural survey and no guarantee is given in this respect of the rot, termite or pest infection or other defects whether exposed or unexposed.
4. Where market value are assets they reflect the full market value and no account is taken of any liability to taxation fees of stuff duty on sale or purchase or of the cost involved in affecting a sale or purchase.
5. The value assessed In this report is for the subject property and any allocation of value between parts of property apply only in the term of and for the purpose of this report, the value assessed should not be used in conjunction in any other assessment as they may prove to be incorrect if so used.
6. Where it is stated in this report that information has been supplied in the company by another party, this information is believed to be liable and correct but the company can accept no responsibility if this should prove not to be so.



# Jomoraja E.A & G. Contractors L.t.d.

## HEAD OFFICE

Co-operative Hsc, 10th Floor  
TEL : 0727—515020  
P.O. BOX 30079—00200  
NAIROBI

VAT NO. 0172465T

PIN NO. A003705581E

## BRANCH OFFICE

TEL : 0727—515020  
SUNA

Date: 

**REAL ESTATE , QUANTITY SURVEY, PROPERTY MANAGEMENT, & E.T.C**

---

7. Unless otherwise stated the value assessed in the report are not to be used for insurance purposes and where the value assessed are given within a particular terms of reference they should no be used outside such terms of reference.
9. The valuation does not reflect any encumbrance that may be registered against the companies.
10. It is the responsibility of the addressee to verify all legal aspects with the lawyers.
11. This valuation report is invalid unless it is signed by a party and bares the official company seal on all pages.



# Jomoraja E.A & G. Contractors L.t.d.

## HEAD OFFICE

Co-operative Hse, 10th Floor

TEL : 0727—515020

P.O. BOX 30079—00200

NAIROBI

VAT NO. 0172465T

PIN NO. A003705581E

## BRANCH OFFICE

TEL : 0727—515020

SUNA

Date: *9/5/22*

**REAL ESTATE , QUANTITY SURVEY, PROPERTY MANAGEMENT, & E. T. C**

## REPORT AND VALUATION

**REGISTRATION NO** : **CPR / 2012 / 71542**

**DATE OF INSPECTION** : **07 / MAY / 2022**

**PURPOSE** : Subject to Negotiation process

**SITUATION** : The property herein is situated in Migori Level IV Hospital ,  
Suna Central Location in Wasweta I Sub-Location,  
Suna East , Sub - County within Migori County.  
Near Muslim Primary School

**REGISTRATION DETAILS** : Registered Owner  
: **ROBERT ODERO KASERA** of ID No: **20766039**

**ENCUMBRANCES** : All dues paid as per the Migori County Government Revenue Department

**IMPROVEMENT** : The property herein is developed from the foundation to the lintol,  
Columns are herein fitted as per the engineers approval



# Jomoraja E.A & G. Contractors L.t.d.

## HEAD OFFICE

Co-operative Hse, 10th Floor

TEL : 0727 - 515020

P.O. BOX 30079 - 00200

NAIROBI

VAT NO. 0172465T

PIN NO. A003705581E

## BRANCH OFFICE

TEL : 0727 - 515020

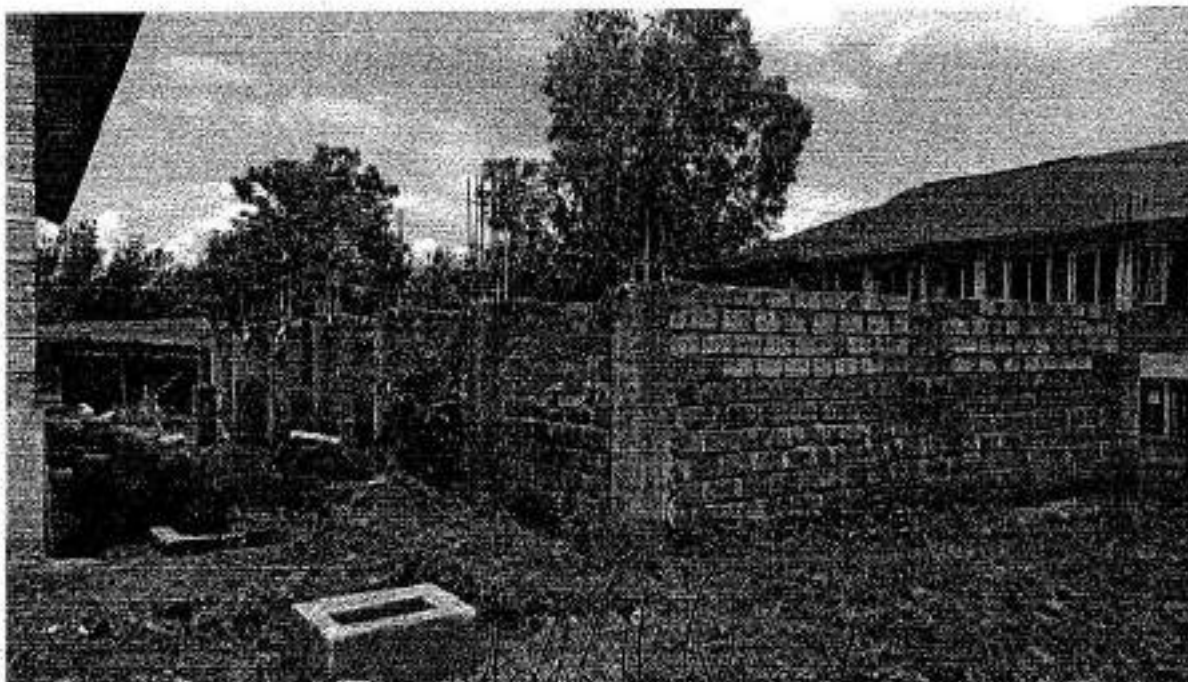
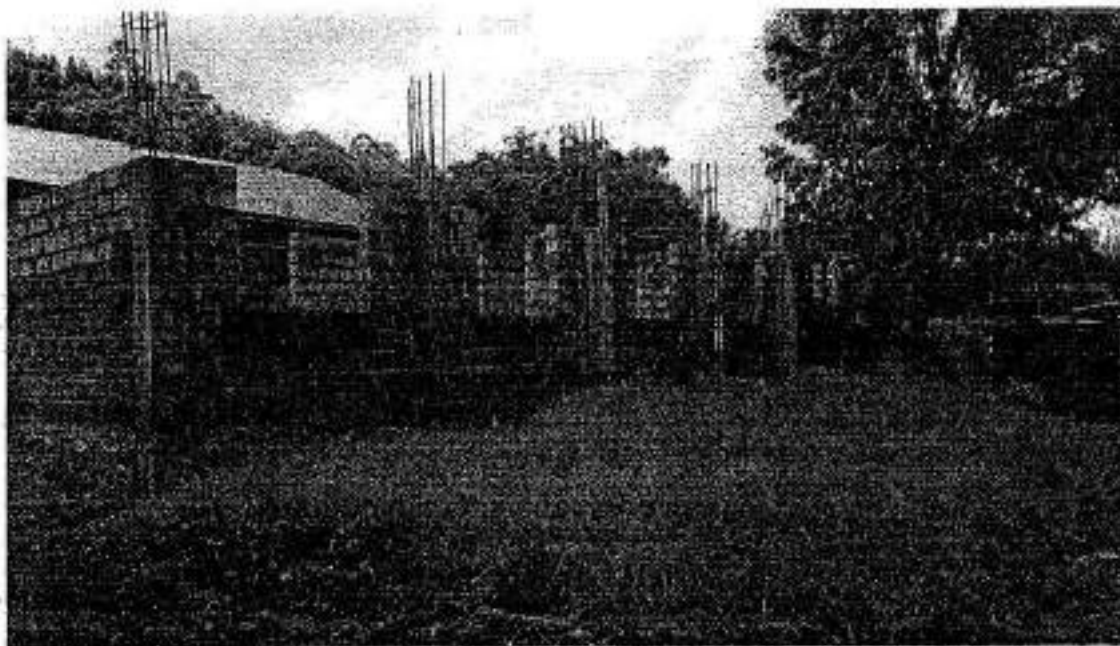
SUNA

Date: 7/05/22

**REAL ESTATE , QUANTITY SURVEY, PROPERTY MANAGEMENT, & E.T.C**

## PICTURES OF THE STRUCTURE

**REGISTRATION NO. CPR / 2012 / 71542**



[Signature] / 07/05/22



# Jomoraja E.A & G. Contractors L.t.d.

## HEAD OFFICE

Co-operative Hse, 10th Floor  
TEL : 0727 - 515020  
P.O. BOX 30079 - 00200  
NAIROBI

VAT NO. 0172465T  
PIN NO. A003705581E

## BRANCH OFFICE

TEL : 0727 - 515020  
SUNA

Date : .....

**REAL ESTATE , QUANTITY SURVEY, PROPERTY MANAGEMENT, & E.T.C**

## VALUATION

**VALUATION:** Having considered all the relevant factors and our terms of reference, we are of the opinion that the current open market value for litigation purposes in **CPR / 2012 / 71542** can be slated in the sum Kshs. Seven million Five hundred thousand Current open market value Kshs. 7,500,000 (Read Kenya Shillings Seven million Five hundred thousand Only). On the basis of the forgoing particulars our terms of reference and relevant factors it is our considered opinion that the absolute interest in property No: **CPR / 2012 / 71542** Free of any encumbrances whatsoever as at the date of inspection an open market value point is Kshs. Seven million Five hundred thousand only

( 7,500,000)

07 / May / 2022.

*Yours faithfully*

For and on behalf of Jomoraja E.A & General Contractors Limited

N.J OTEINO

B.A (LAND ECONOMICS)

HORNS NBI, M.I.S.K

REGISTERED AND PRACTICING VALUER

Original

REPUBLIC OF KENYA



ISK  
INSTITUTION OF  
SURVEYORS OF KENYA

ANNUAL PRACTICING CERTIFICATE

This is to certify that:-

Nyamboni Joseph Othman

Is authorized to practice as a

VALUER

For the period

1<sup>st</sup> July 2021 to 31<sup>st</sup> June 2022

In accordance with the Valuers Act, 1984.

Registrar

Date

[Signature]  
1<sup>st</sup> July 2021

0001979

PROOF  
 IN MAY 2021  
 JOHNSON & JOHNSON PRESS  
 NAIROBI



# THE KENYA GAZETTE

Published by Authority of the Republic of Kenya  
 (Registered as a Newspaper at the G.P.O.)

Vol. CXXIII—No. 80

NAIROBI, 23rd April, 2021

Price Sh. 60

GAZETTE NOTICES	PAGE
The Statutory Instruments Act—Regulatory and Statutory Instruments	1766-1767
County Governments Notices	1766-1767, 1792
The Legal Aid Act—Appointment	1767
The Land Regulation Act—Issue of Provisional Certificates, etc.	1768-1776, 1802-1804
The Engineering Technology Act—Engineering Technology Professions	1776-1789
The Valuers Act—Advertisements	1789-1790
The Unclaimed Funds Act—Notice	1790-1791
The Crops Act—Proposed Grant of Licences	1792-1793
The Companies Act—Intended Resolutions, etc.	1793-1794
The Co-operative Societies Act—Public Notices, etc.	1794
The Labour Relations Act—Amendment of the Conditions and Hours	1795
The Physical and Land Use Planning Act—Cancellation of Development Plans	1795
The Environmental Management and Co-ordination Act— Environmental Impact Assessment Study Report	1795-1799
Disposal of Unclaimed Goods	1799-1800
Change of Name	1800-1802

## CONTENTS

GAZETTE NOTICES—(Contd.)	PAGE
The Land Act—Corrigendum and Addendum, etc.	1804-1805
SUPPLEMENT Nos. 59 and 60 <i>Legislative Supplements, 2021</i>	
LEGAL NOTICES	PAGE
46—The Public Order (State Curfew) Order No. 2 of 2021	305
47—The Public Order (Nairobi City County, Kajiado, Machakos, Kiambu and Nakuru Counties Curfew) Order, 2021	307
48—The Public Health (Covid-19 Religious Gatherings) (Amendment) Rules, 2021	309
49—The Public Health (Covid-19 Restrictions of Movement of Persons and Related Measures) (Nairobi City County, Kajiado, Machakos, Kiambu and Nakuru Counties) Order, 2021	309
50—The Public Health (Covid-19 General Public Safety) Rules, 2021	312
SUPPLEMENT Nos. 61, 62 and 63 <i>Senate Bills, 2021</i>	
The Heritage and Museums Bill, 2021	481
The Sign Language Training and Interpreters for the Deaf Bill, 2021	537
The Co-operative Societies Bill, 2021	

Reg. Number	Name	Gender	Field
KPT/0/ETN/00231	Jubus Nzumu Mwangi, B.Sc. Techn	Male	Water Engineering

Dated the 24th March, 2021.

MR/66744

REGISTER, REGISTRATION AND CONTROL DIVISION  
MINISTRY OF LANDS AND PHYSICAL PLANNING

GART/16 NOTICE NO. 3729

## THE VALUERS ACT

(Cap. 332)

## REGISTERED PRACTISING VALUERS

ANNOUNCEMENT

IN ACCORDANCE with sections 8 and 22 of the Valuers Act, it is notified for the general information that the following Registered Valuers are licensed to practise valuation in the year 2021.

Name	Reg. No.	Address	Qualifications
Jessie O. Omoko	382	P.O. Box 30121-00100, Nairobi	BA (Land Econ) Hons, MISK
Peter Githinji Mwanai	441	P.O. Box 17100-00200, Nairobi	BA (Land Econ) HONS, MISK
Lilian Njeri Njehin	243	P.O. Box 14902-00100, Nairobi	BA (Land Econ) Hons, MISK
Holly Nyakio Muregi	467	P.O. Box 17100-00200, Nairobi	BA (Land Econ) Hons, MISK
Rebecca Wangari Kiruthi	494	P.O. Box 42093-00100, Nairobi	BA (Land Econ) Hons, MISK
Ayub Odanya Njeri	642	P.O. Box 28272-00200, Nairobi	B. Real Estate Hons, MISK, Property Mgt
Lilian M. Muijido	294	P.O. Box 377-00515, Nairobi	BA (Land Econ) Hons, MISK
Paul Gidhu Ngatso	152	P.O. Box 1870-00906, Nairobi	BA (Land Econ) Hons, LL.M (London), MISK, FISK, MRICS
Moses Kanyeki	691	P.O. Box 35062-00100, Nairobi	BA (Land Econ) Hons, MISK, Post Graduate Human Resource Services
Agnes Kitendo Ndambu	519	P.O. Box 88451-80100, Mombasa	BA (Land Econ) Hons, MISK
Danson Muthoni Muri	486	P.O. Box 2350-00100, Nairobi	BA (Land Econ) Hons, MISK
Cathy Oculas Mbari	323	P.O. Box 826-00521, Nairobi	BA (Land Econ) Hons
Sarah Njiria Mwangi	572	P.O. Box 1700-01000, Thika	BA (Land Econ) Hons, MISK
Catherine Waluma Njiru	784	P.O. Box 56399-00200, Nairobi	BA (Land Econ) Hons, MSC (Real Estate), MRICS, MISK
Edward Owaro Akello	318	P.O. Box 40015-0100, Nairobi	BA (Land Econ) Hons, MISK
Peter Karume Otieno	215	P.O. Box 1819-10400, Nairobi	BA (Land Econ) Hons, MISK
Kenneth Mirang'a Kimani	8053	P.O. Box 2350-00100, Nairobi	BA (Land Econ) Hons, MISK
Anthony Mutua Mhigeli	531	P.O. Box 43077-00100, Nairobi	BA (Land Econ) Hons, M.A. (Val and Property Management), MRCK
Nathan Joseph Odene	572	P.O. Box 483-30405, Mombasa	BA (Land Econ) Hons, MISK
Lawrence Oculas Gilhe	591	P.O. Box 19627-00200, Nairobi	BA (Land Econ) Hons, MISK
Nancy Sior Jeruo	302	P.O. Box 10696-00100, Nairobi	BA (Land Econ) Hons, MISK
Anthony Ngandu Njiru	680	P.O. Box 59566-00200, Nairobi	BA (Land Econ) Hons, MISK
Jacqueline W. Oando	263	P.O. Box 98060-80100, Mombasa	BA (Land Econ) Hons, MISK
Moses Ndlovu Chasela	440	P.O. Box 30599-00100, Nairobi	BA (Land Econ) Hons, MISK
Janet T. Githiga	103	P.O. Box 38993-00100, Nairobi	BA (Land Econ) Hons, MISK
Cyrus Kazuki Kanyi	35	P.O. Box 341-01000, Thika	BA (Land Econ) Hons, MISK
Catherine Karaki	201	P.O. Box 64108-00620, Nairobi	BA (Land Econ) Hons, Housing Administration
Joseph Kiboi	227	P.O. Box 50404-00200, Nairobi	BA (Land Econ) Hons, MISK
Lucy Catherine Wangari Githinji	222	P.O. Box 14805-00800, Nairobi	BA (Land Econ) Hons, MISK
Daniel Madegwa	265	P.O. Box 7940-40100, Nairobi	BA (Land Econ) Hons, MISK
Kennedy Wainia Wokete	468	P.O. Box 40228-00100, Nairobi	BA (Land Econ) Hons, MISK
Mark Okayo Xiro	525	P.O. Box 2667-30100, Eldoret	BA (Land Econ) Hons, MISK
Justus Munene Mwangi	384	P.O. Box 12543-00100, Nairobi	BA (Land Econ) Hons, MISK
Samuel N. Mwangi	188	P.O. Box 87514-80100, Mombasa	BA (Land Econ) Hons, MISK
Charles Ndlovu Wagon	242	P.O. Box 4396-00100, Nairobi	BA (Land Econ) Hons, MISK
Lucy Mathangi Njeri	347	P.O. Box 870-00200, Ngong Hills	BA (Land Econ) Hons, MISK
Patrick Izaguirre	702	P.O. Box 6171-00200, Nairobi	BA (Land Econ) HONS, MISK
Mary Wangari Kiruthi	450	P.O. Box 2659-00100, Nairobi	BA (Land Econ) Hons, MISK
Fredrick R. Muthoni	552	P.O. Box 45848-00100, Nairobi	BA (Land Econ) Hons, MISK
Said Saleh Yekoo (PHD)	213	P.O. Box 14657-00300, Nairobi	BA (Land Econ) Hons, MISK
Thomas Mwakwani	287	P.O. Box 87509-80100, Mombasa	BA (Land Econ) HONS, MISK
David Munene Muriithi	273	P.O. Box 10421-00200, Nairobi	BA (Land Econ) Hons, MISK
Doreen Wanjiku Odene	604	P.O. Box 48231-00100, Nairobi	BA (Land Econ) Hons, MISK
Collins O.N. Kanyeki	414	P.O. Box 52494-00200, Nairobi	BA (Land Econ) Hons, MISK

Dated the 8th April, 2021.  
MR/666744N. OWING,  
Reg Director

GART/16 NOTICE NO. 3730

## THE VALUERS ACT

(Cap. 332)

## REGISTERED PRACTISING VALUERS





# MIGORI COUNTY GOVERNMENT RONGO SUB COUNTY

GRANTS

THIS

SINGLE BUSINESS PERMIT

TO

WIGWARA'S ENTERPRISES  
TO ENGAGE IN THE ACTIVITIES OF  
SMALL WORKSHOP (CONTRACTOR)

Having paid a single business permit fee  
of

Application fee Kshs: 1000

SBP Kshs: 5000

Total Kshs: 6000

Amount in words: SIX THOUSAND ONLY

For year 2021

Business under this permit shall be conducted at the address  
as indicated below.

Plot No. 12230 3335 Tow. WONDO Plot No. 12230

valid until 31<sup>st</sup> December 2021

15/11/2021  
Date Issued

This permit does not exempt the business identified above from  
any regulations on Health and Safety as established by the Government of Kenya

ISSUED AND PROVIDED ON DEMAND



[www.kra.go.ke](http://www.kra.go.ke)

Taxpayer PIN : P051384797U

Name and Address :

LIGWARAS ENTERPRISES LIMITED

Rapog, KISUMU, Kisumu East District,

PO Box 100,

Postal Code 40003

Certificate Date:

05/04/2021

Certificate Number:

001218361021



**This is to confirm that LIGWARAS ENTERPRISES  
LIMITED,**

**Personal Identification Number P051384797U**

**has filed relevant tax returns and  
paid taxes due as provided by Law.**

**This Certificate will be valid for  
twelve (12) months up to 05/04/2022.**

**Caveat** This certificate is issued on the basis of information available with the authority as at the certificate date mentioned above. The Authority reserves the right to withdraw the certificate if new evidence materially alters the tax compliance status of the recipient.

**Disclaimer** : This certificate is system Generated and therefore does not require signature. You may confirm validity of this certificate on the ITax Portal by using the TCC Checker. This certificate confirms your compliance status for a period of five years preceding the date of issue. The certificate may however be with withdrawn on grounds of outstanding debt affecting periods prior to this.



No. CPR/2012/71542

## **CERTIFICATE OF INCORPORATION**

*I hereby CERTIFY, that -*

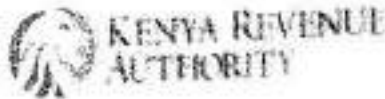
**LIGWARAS**

**SES LIMITED**

is this day Incorporated under the Companies Act (Cap. 486) and that  
the Company is **LIMITED**.

**GIVEN** under my hand at Nairobi this **16<sup>th</sup>** day of **April**  
**Two Thousand and Twelve**

  
**Registrar Of Companies**



www.kra.go.ke

# PIN Certificate

For General Tax Questions  
Contact KRA Call Centre  
Tel: +254 (020) 4999 999  
Call: +254(0771)999 999  
Email: callcentre@kra.go.ke

Certificate Date: 08/12/2014

Personal Identification Number

PIN: 138479712



This is one of the tax obligations that has been registered with the Kenya Revenue Authority.

## Taxpayer Information

Taxpayer Name	Ligwara Enterprises Limited
Email Address	ligwara@igwara.com

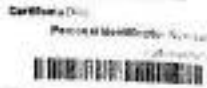
## Registered Address

L.R. Number :	Building : Rapogi
Street/Road : Rapogi Onia Road	City/Town : KISUMU
County : Migori	District : Uasin District
Tax Area : Uasin	Station : Kisumu
P. O. Box : 100	Postal Code : 40403

## Tax Obligation(s) Registration Details

Sr. No.	Tax Obligation(s)	Effective From Date	Effective Till Date	Status
1	Value Added Tax (VAT)	16/04/2012	N.A	Active
2	Income Tax - Company	16/04/2012	N.A	Active

The above PIN must appear on all your tax invoices and correspondences with Kenya Revenue Authority. Your accounting end month is April unless a change has been approved by the Commissioner-Domestic Taxes Department. The status of Tax Obligation(s) with 'Domestic' status will automatically change to 'Active' on date mentioned in "Effective Till Date" or any transaction done during the period. This certificate shall remain in force till further updated.



This is to certify that taxpayer shown herein has been registered with Kenya Revenue Authority

**Taxpayer Information**

<b>Taxpayer Name</b>	Ligwan Enterprises Limited
<b>Email Address</b>	ligwan@peho.com

**Registered Address**

<b>I.R. Number</b>	Building : Ropod
<b>Street/Road</b> : Ropod City Road	Area : KISUMU
<b>County</b> : Migori	Postal District
<b>Tax Area</b> : 0401	
<b>P. O. Box</b> : 100	Post Code : 40400

**Tax Obligation(s) Registration Details**

No.	Tax Obligation	Effective From Date	Effective Till Date	Status
1	Value Added Tax (VAT)	16/04/2012	N.A.	Active
2	Income Tax - Company	16/04/2012	N.A.	Active

The above information was supplied to the Kenya Revenue Authority by the taxpayer and is subject to verification. Your registration and tax obligations are subject to audit and verification by the Kenya Revenue Authority. Your registration and tax obligations are subject to audit and verification by the Kenya Revenue Authority. Your registration and tax obligations are subject to audit and verification by the Kenya Revenue Authority.

GOVERNMENT  
WORKS ROADS AND TRANSPORT

MIGORI COUNTY  
P.O. BOX 191-40400  
SINA NIGORI

Date: 7<sup>th</sup> December, 2022

EMERGENCY SERVICES LIMITED

CONSTRUCTION OF BLOOD BANK AT MIGORI COUNTY REFERRAL HOSPITAL

The contract was awarded to you on 15<sup>th</sup> June, 2017 and was due for completion in January, 2018 but you have not completed the works. Please state the reasons why you cannot complete the works.

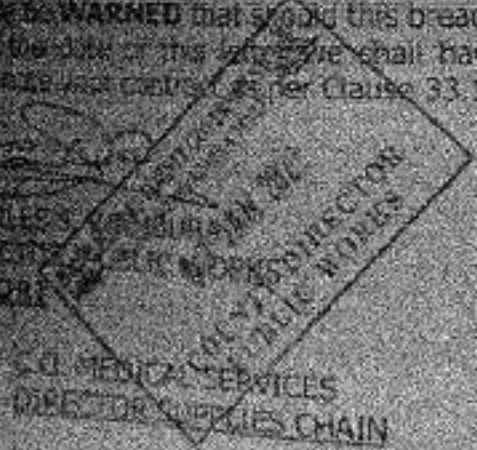
You have not started the works since the beginning of the year and up to now there is nothing to show for it.

You are in Breach of Contract because of the following:

- 1. Starting works without early warning to the Project Manager as per Clause 13.1 of the Contract.
- 2. You have failed to finish the works within the stipulated time.
- 3. You have not requested for any time extension as required.
- 4. You have ignored all communications from the Project Management team.

You are **WARNED** that should this breach continue for the ensuing fourteen (14) days from the date of this letter we shall have no alternative but to advise the client to terminate the Contract as per Clause 33.1 of Conditions of Contract.


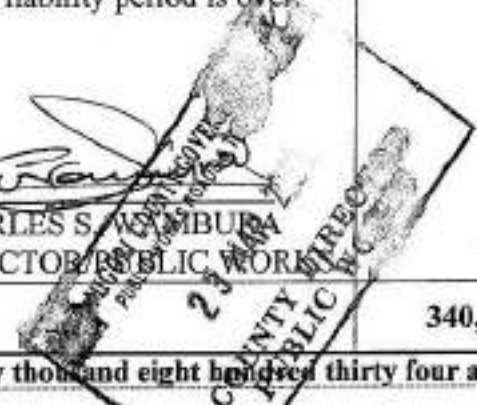
CHARLES  
SPECTOR  
MIGORI



CC: C.C. MEDICAL SERVICES  
DIRECTOR SERVICES CHAIN

REPUBLIC OF KENYA  
**PAYMENT VOUCHER**  
 (DEPOSIT AND SUSPENSE)

Payee's Name and Address **M/S: LIGWARAS ENTERPRISES LTD, P.O.BOX 2532, KISUMU**

Particulars: <b>CONSTRUCTION OF BLOOD BANK</b>	AMOUNT	
	Shs.	Cts
22/03/2023: To 2 <sup>nd</sup> payment on account in respect of the above Project No. <del>17/08/2016</del> 17/08/2016. Release retention as the projects liability period is over.	340,834	54
 		
	340,834	54

Amount payable (in words) **Kenya shillings Three hundred forty thousand eight hundred thirty four and fifty four cents only**

<b>EXAMINATION</b>	Internal Audit
Voucher Examine by _____	_____
<b>DEPOSITS AND SUSPENSE CERTIFICATE</b>	<b>AUTHORIZATION</b>
I Certify that the expenditure has been entered in the Vote Book and that adequate funds to cover it are available against the chargeable item as shown below. Approved Estimates/Allocation- Item No. _____ Kshs. _____  Less: Total expenditure plus commitments Kshs. _____  Balance Kshs. _____  Less: This ENTRY - Vch. No. _____ Kshs. _____  Balance Kshs. _____  Date _____ Signature _____ <i>Accountant i/c VBC</i>	I certify that the rate/price charged is/are according to regulations/contract, fair and reasonable that the expenditure has been incurred on proper authority and should be charged as under. Where appropriate certificate overleaf has been completed. I hereby <b>AUTHORIZE</b> payment of the amount shown above without any alteration.  Signature _____ <i>Accounting officer/District Accountant*</i>  Date _____

Vote		Head		Sub-Head		Item	
A.I.E.NO.	Account No.	Dept. Vch. No.	Station	CASH BOOK		AMOUNT	
				Vch. No.	Date	Sh.	Cts.
						340,834	54

**APPROPRIATE CERTIFICATE**

---

---

Signature .....

Designation .....

Date: .....

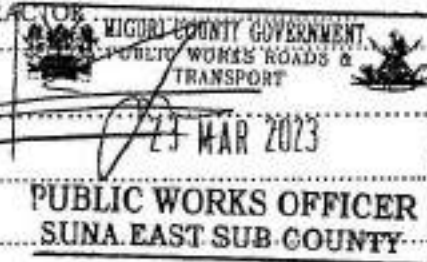
Receipt not required when payment is made by cheque with form of receipts on reverse

Received in payment of the account stated on the face hereof the sum of	
Sh. ....	Cts .....
(sh ..... )	cts ..... )
Witness .....	
Date ..... 20	Signature or Thumbprint .....

**SUMMARY OF  
STATEMENT FOR FINAL PAYMENT**

NAME OF WORK: **CONSTRUCTION OF BLOOD BANK**CONTRACT NO: **MC/17/08/2016-17**CERTIFICATE NO. **2**DATE: **22/3/23**the date of completion of the works under the contract is the 9<sup>th</sup> day of September, 2019

	Sh.	Cts.	Sh.	cts.
Amount of contract .....	3,408,345	00		
Net Addition on Account of variations .....				
Omission	NIL			
From page: .....				
*GROSS VALUE PAYABLE .....	3,408,345	00		
NET TOTAL			3,408,345	00
<i>Less previous payments on account as follows:</i>	Sh.	Cts.		
1 <sup>st</sup> Payment dated 9/09/2019 Vr. No.....			3,067,510	00
2 <sup>nd</sup> Payment dated ..... Vr. No.....				
3 <sup>rd</sup> Payment dated ..... Vr. No.....				
4 <sup>th</sup> Payment dated ..... Vr. No.....				
5 <sup>th</sup> Payment dated ..... Vr. No.....				
6 <sup>th</sup> Payment dated ..... Vr. No.....				
1 <sup>st</sup> - 13 <sup>th</sup> Payment on Account				
TOTAL PAYMENTS ON ACCOUNT .....		Sh.	3,067,510	00
BALANCE DUE TO CONTRACTOR .....		Sh.	3,067,510	00
Less retention money for N/A Months being N/A per cent of the Gross amount payable (as marked* above).....				
AMOUNT NOW DUE TO CONTRACTOR .....			340,834	50

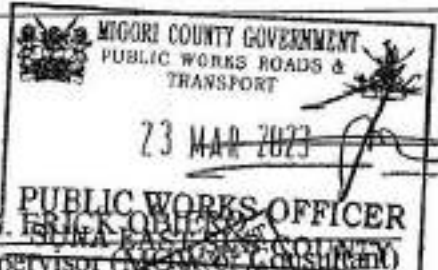


## CERTIFICATE OF PRACTICAL COMPLETION

From: PUBLIC WORKS DEPARTMENT  Ref: MC/17/08/2016-2017  Date: 22/03/23	<b>TO:</b> Chief Officer Ministry of Public Works, Roads, and Transport P.O. BOX 195-40400 <u>SUNA MIGORI</u>
--	--

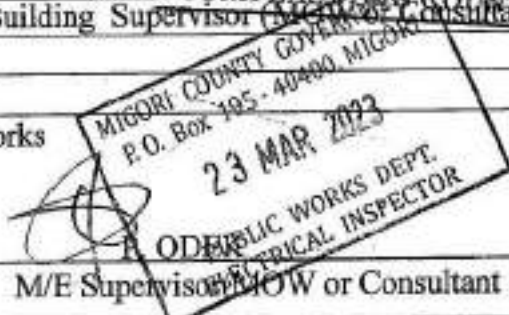
Details of works		
WP Item Number	Description of job	Ministry/Agency
D NY D01	<b>CONSTRUCTION OF BLOOD BANK</b>	<b>HEALTH</b>
VOTE PROV NO		
Contract Number <b>MC/17/08/2016-2017</b>	Name/ Address of contractor <b>M/S.LIGWARAS ENTERPRISES LTD, P.O.BOX 2532, KISUMU</b>	

Completion of Building Works
<p>(a) The contracts Works are now complete to my satisfaction, subject to the items noted overleaf and are ready to be handed over to the Client Ministry.</p> <p style="text-align: right;">Date: 22/03/23</p>




ENG. ERICK OBIERO  
Building Supervisor (M/E) or Consultant

Completion of Mechanical/ Electrical works
<p>The mechanical/ Electrical installation on the above works Have been completed and tested to my satisfaction</p> <p style="text-align: right;">Date: 22/03/23</p>



ENG. ERICK OBIERO  
M/E Supervisor (M/E) or Consultant

Release Of Retention and Surety Bond
<p>Att: Job QS and Contracts Register Office</p> <p>The first moiety of the retention and surety bond may now be released.</p> <p style="text-align: right;">Date: 22/03/23</p>




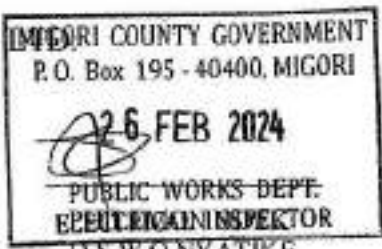
ENG. ERICK OBIERO  
PROJECT MANAGER

Copies: Building and M/E Supervisors  
Job QS and CRO

AL 10/77

PAYMENT VOUCHER  
(VOTED PROVISION)

Payee's Name and Address **PAY AS BELOW**

Particulars	LPO/LSO No.	Invoice No.	AMOUNT	
			Shs.	Cts
PROPOSED CONSTRUCTION OF BLOOD BANK.				
26/02/2024; To the 3 <sup>RD</sup> And final payment on A/C in respect of the above project No. <b>MC/17/08/2016-17</b> as per statements attached and records held in support thereof.				
1. M/S LIGWARAS ENTERPRISES			1,626,077	00
2. 3% WITHHOLDING			51,317	00
3. 2% VAT			33,185	00
 CHARLES WAMBURA DIRECTOR PUBLIC WORKS				
<b>Total</b>			<b>Sh. 1,710,580</b>	<b>00</b>

Amount payable (in words) **Kenya shillings One Million Seven Hundred And Ten Thousand Five Hundred Eighty Only.**

<b>EXAMINATION</b>	<b>Internal Audit</b>
Voucher Examined by _____ Date _____	_____
<b>VRC CERTIFICATE</b>	<b>AIE HOLDER CERTIFICATE</b>
I Certify that the expenditure has been entered in the Vote Book and that adequate funds to cover it are available against the chargeable item as shown below. Approved Estimates/Allocation- Item No. _____ Kshs. _____	I certify that the expenditure detailed above has been incurred for the authorized purpose and should be charged to the item shown here below. _____ Signature _____ Designation of AIE Holder _____ Date _____
Less: Total expenditure plus commitments Kshs. _____	
Balance Kshs. _____	
Less: This ENTRY - Vch. _____	
No. _____ Kshs. _____	
Balance Kshs. _____	
Date _____ Signature _____ <i>Accountant Vc VBC</i>	Signature _____ <i>Accounting officer/District Accountant*</i> Date _____

Vote		Head		Sub-Head		Item	
A.I.E NO.	Account No.	Dept. Vch. No.	Station	CASH BOOK		AMOUNT	
				Vch. No.	Date	Sh.	Cts.
						<b>1,710,580</b>	<b>00</b>

REPUBLIC OF KENYA



MIGORI COUNTY GOVERNMENT  
SUNA EAST SUB-COUNTY

Telegrams: "SUNA CENTRAL"  
Telephone: +254715239953  
Email "[sunacentral@gmail.com](mailto:sunacentral@gmail.com)"  
Web. [www.migoricounty.go.ke](http://www.migoricounty.go.ke)  
When replying please quote:

Office of the Ward Administrator  
Suna Central Ward  
P.O. Box 195-40400  
Migori

Ref.No: MC/17/08/2016-17/VOL.I

Date: 24<sup>TH</sup> MARCH 2023

The Chief Officer  
Finance and Economic Planning  
Migori County Government  
P.O Box 195 – 40400  
Suna Migori.

Dear Sir,

**RE: PROPOSED CONSTRUCTION OF BLOOD BANK AT MIGORI COUNTY  
REFERRAL HOSPITAL**

Reference is made on the above mentioned project of tender no. MC/17/08/2016-2017 done by M/S **LIGWARAS ENTERPRISES LTD** being release of retention money as the defects liability period is now over. Attached here in is an evaluation report from the Public Works department. Kindly accord the contractor any necessary assistance

OTIENO TYRUS

ADMINISTRATOR  
SUNA CENTRAL WARD  
P.O. Box 195-40400 SUNA MIGORI  
Date: 24/03/2023  
Sign:

WARD ADMINISTRATOR

SUNA CENTRAL

# LIGWARAS ENTERPRISES LIMITED

Construction & General Supplies

LIGWARAS ENTERPRISES LIMITED

The Director  
Public Procurement Regulatory Authority  
P.O, BOX58535-000200  
Nairobi, Kenya

18<sup>th</sup> March 2024.

Dear Sir,

## REQUEST FOR FORMAL INVESTIGATION INTO PROCUREMENT MALPRACTISE AT MIGORI COUNTY GOVERNMENT :

We write to request your able office to indulge and investigate our contract

**No: MC/17/08/2016-17. Name: proposed construction of Blood Bank at Migori county Referral Hospital.**

We state as follows:-

**That** County Government of Migori awarded us through a competitive process and a contract was signed.

**That** after mobilization to site, the Chief Officer decided to change the scope of work and ordered the works officer to do a new drawing for a storey building instead of a Bungalow that we were awarded, we agreed and he promised to document but later refuse to sign the changes.

**That** at a point we refused for 1<sup>st</sup> payment he paid only **Kshs.3, 400,000 in Sep 2019.**

**That** we delivered the work to their satisfaction we have been seeking the last part of our payment in vain, the money that has not been paid to us is **Kshs. 3,752,686.60.**

**That** the County refused to pay and to our surprise advertised awarded another sender and did the building with the same name and Bill of quantities that was changed and fully paid the sender despite our complaints even petition to the Assembly.

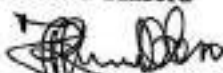
**That** the County has gone ahead and awarded another vendor and is working on our site without terminating our formal contract, payment or any information over the same.

**That** the County has gone ahead to write to us a payment voucher amounting to

**Kshs.1, 710,580 instead of kshs. 3,752,686** and even that is just on paper they are not committing when they shall pay.

We remain working forward to receiving a positive response.

Robert Kasera



Director.

## OFFICE OF THE CONTROLLER OF BUDGET



REPUBLIC OF KENYA

Bima House, 12th Floor  
Harbour Avenue  
P.O. Box 30610-00100  
Nairobi, Kenya

Ref: COB/MGR/005/3(13)



Tel: 020 221 1059/00160911-0709913000  
0116223222, 0738100721  
Web site: www.ocob.go.ke  
Email: [ocob@ocob.go.ke](mailto:ocob@ocob.go.ke) / [info@ocob.go.ke](mailto:info@ocob.go.ke)

8<sup>th</sup> April, 2024

Mr. Maurice Otunga  
Chief Officer - Finance and Economic Planning  
County Government of Migori  
MIGORI

Dear Sir,

### RE: FOLLOW UP OF COMPLAINT TOWARDS NON-PAYMENT OF PENDING BILLS BY THE COUNTY GOVERNMENT OF MIGORI

The above is on the subject matter referred.

The Office of the Controller of Budget received complaints from some suppliers who have alleged that you have not addressed their pending payments. They indicate that the County has perceptibly indicated that these bills are *under review* and that the current administration does not wish to pay for anything that was accrued during the former regime. The pending bills are as follows:

- Supply Max Agencies Systems - The outstanding pending bill resulted from the construction works in the Health Services (HS) Compound during the FY 2019/20 at a cost of Ksh. 919,530.00
- Shim Kanyo Limited - The outstanding pending bill resulted from the construction works in the Health Services Compound during the FY 2019/20 at a cost of Ksh. 99,978.00
- Alpe Mas Enterprises Limited - The outstanding pending bill resulted from the construction works in the Health Services Compound during the FY 2019/20 at a cost of Ksh. 7,285,571.00

Paragraph 55(2) of the Public Finance Management (County) (Amendment) Regulations 2015 stipulates that *the financial and signed contracts are published in the financial and project are considered to be complete after the County*

government entity". This therefore implies that the finalized and outstanding works or contracts should be budgeted as a first charge before any new projects are considered.

In light of the above, please provide the status of these pending bills and if available, a plan outlining when the outstanding payments will be settled, providing the response by 22<sup>nd</sup> April 2024 at the latest.

Yours,

**ROFAIDI MURARE NYAKANGI CBS**  
**CONTROLLER OF BUDGET**

Copy to: The Principal Secretary  
National Treasury & Planning  
**NAIROBI**

The County Secretary  
County Government of Migori  
**MIGORI**

Shirley Wany Aquino Systems  
P.O. Box 117 - 40405  
**SARILAWENDO**  
Cell: 0723397216

~~Kovras Enterprises Ltd  
P.O. Box 100 - 40405  
**SARILAWENDO**  
Email: kovras@yuhio.com  
Cell: 0722303886/070803947~~

Shirley Wany Aquino Systems  
P.O. Box 117 - 40405  
**SARILAWENDO**  
Cell: 0723397216/0732494072



3<sup>RD</sup> /MAY /2024

THE PRINCIPAL SECRETARY  
NATIONAL TREASURY & PLANNING  
P.O. BOX 30005-00100  
NAIROBI.

Dear Sir/ Madam

**RE: FOLLOW UP OF LETTER REF: COB/MGR/005/3(13)**

We the named company seek your advice on the above subject matter.

All our efforts to get payment from the County Government of Migori have failed and we registered our formal complaint with National Controller of budget and the letter attached here was copied to your office.

We remained expectant that we could receive a positive reply but in vain. If you could remember how Governors agitated for the release of pending bills, it took The President Dr. William Samoei Ruto to the National press and he announced release of pending Bill money to all Counties in the Republic.

As we seek your indulgence, please note that many of our Colleagues have taken their lives, lost property and others contracted Chronic Diseases.

The County Government of Migori is carrying out its business as usual paying vendors selectively even for works rolled out recently contrary to regulations of the budget as **highlighted** on the letter of the controller of budget.

If you can, rescue us from the hands of our fellow Citizens for we are considered second grade Citizens.

Thanks in Advance

Robert Kasera

Director

**CONTACT: 0722508886/07289894472**

**Email :ligwaras@yahoo.com**