


REPUBLIC OF KENYA



*Enhancing Accountability*

## REPORT

 <b>OF THE NATIONAL ASSEMBLY PAPERS LAID</b>	
DATE: 08 MAR 2023	DAY: _____
<b>THE AUDITOR-GENERAL</b>	
TABLED BY:	Hon. Dwen Baya, UES, MP
CLERK AT THE TABLE:	Deputy Majority Leader Christine Nduritu ON

### NORTHERN CORRIDOR REHABILITATION PROGRAMME PHASE III

FOR THE YEAR ENDED  
30 JUNE, 2022

KENYA NATIONAL HIGHWAYS  
AUTHORITY





**MINISTRY OF TRANSPORT, INFRASTRUCTURE, HOUSING, URBAN DEVELOPMENT AND  
PUBLIC WORKS**



**Kenya National Highways Authority**

**Quality Highways, Better Connections**

**PROJECT NAME: NORTHERN CORRIDOR REHABILITATION PROGRAMME – PHASE III  
(ELDORET-TURBO-WEBUYE-MALABA ROAD IMPROVEMENT PROJECT)**

**IMPLEMENTING ENTITY: KENYA NATIONAL HIGHWAYS AUTHORITY**

**FINANCING AGREEMENT NO. 9774KE**

**PROJECT IDENTIFICATION NO. KE/004/07**

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**ANNUAL REPORT AND FINANCIAL STATEMENTS**

**FOR THE FINANCIAL YEAR ENDED  
JUNE 30, 2022**

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## **1. PROJECT INFORMATION AND OVERALL PERFORMANCE**

### **1.1 Name and registered office**

Project Name	Northern Corridor Rehabilitation Programme – Phase III (Eldoret-Turbo-Webuye-Malaba Road Improvement Project)
Project Objectives	<p>(a) The Agreement’s objectives are in conformity with GOK/EC 2003-2007 CSP, which identifies road infrastructure as one of its main sectors, setting at its principal aim the sustainable contribution by the roads infrastructure sector poverty reduction, and economic and social development in Kenya</p> <p>(b) Consequently, the overall objective of Northern Corridor Rehabilitation Programme Phase III is to contribute to the economic growth, the improvement of living standards and higher regional integration between Kenya and the neighbouring land locked countries through a sustainable and safe national road network of which the Northern Corridor (from the part of Mombasa through to the Uganda Border at Malaba) constitutes its backbone.</p>
Project Registered Office and Physical Location:	The project headquarters offices are at Barabara Plaza, Jomo Kenyatta International Airport, Nairobi, Off Mazao Road (Opposite KCAA Headquarters)
Project Address	P.O. Box 49712-00100 Nairobi
Contacts:	Telephone: 020-8013842; Email dg@kenha.co.ke; Website www.kenha.co.ke

### **1.2 Project Information**

Project Start Date:	The project start date is:
Eldoret - Webuye - Lot 1	26 November 2010
Webuye - Malaba Lot 2	11 November 2010
Project End Date:	The project end date is:
Eldoret - Webuye - Lot 1	31 October 2015
Webuye - Malaba Lot 2	13 August 2015
Project Manager:	Eng. George Amingh
Project Sponsor:	The project sponsor is The European Union-EU

### 1.3 Project Overview

Line Ministry/State Department of the project	The project is under the supervision of the Ministry of Transport, Infrastructure, Housing, Urban Development & Public Works
Project number	Finance Agreement 9774KE & Project Identification No. KE/004/07
Strategic goals of the Project	Traffic conditions on the Northern Corridor between Eldoret and Malaba are improved with better road safety, lower operating and journey costs and substantial time savings.
Other important background information of the project	The project which is being implemented in two stages situated within the Rift Valley Province and Western Province, thus from Eldoret – Turbo – Webuye Road (A 104) approximately about 41 Kms and Webuye – Bungoma approximately about 50 Kms whose activities include construction works and construction of roadside socio-economic infrastructure and services.
	<b>The sections proposed are as follows:-</b>
	LOT 1 - Eldoret – Turbo – Webuye Road Project -Length 41 Kms
	LOT 2 - Webuye – Malaba - Length 50 Kms
	The project is financed jointly by Government of Kenya at a rate of 22.08 % plus taxes and excluding taxes by European Union at 77.92%.
Project duration	Lot 1 of the project started on 26th November 2010 and was expected to run until 31 October 2015 while lot II started on 11th November 2010 and was expected to end on 13th August 2015

### 1.4 Bankers

Co-operative Bank of Kenya Ltd  
 Upper Hill Branch,  
 Nairobi  
 Account Number: '01141160979900

### 1.5 Auditors

Auditor General  
 Office of the Auditor - General  
 P.O. Box 30084 – 00100 GPO  
 Nairobi

### 1.6 Roles and Responsibilities

Names	Title designation	Key qualification	Responsibilities
Eng. Charles Obuon	Director, Development	Engineer	Project Implementing Team Leader
Eng. George Amingh	Project Engineer	Engineer	Project Implementing Engineer

### 1.7 Funding summary

The Project funding is for duration of ten years from 2007 to 2016 with an approved grant of EURO 83,759,992 Million equivalent to Kshs 8,662,458,403 as highlighted in the table below:

Below is the funding summary:

#### A. Source of Funds

Source of funds	Donor Commitment		Amount received to 30th June 2022		Undrawn balance to 30th June 2022	
	<i>Donor currency</i>	<i>Kshs</i>	<i>Donor currency</i>	<i>Kshs</i>	<i>Donor currency</i>	<i>Kshs</i>
	(A)	(A')	(B)	(B')	(A)-(B)	(A')-(B')
<b>(i) Grant</b>	<b>EURO</b>					
European Union	81,000,000	8,373,786,000	80,319,598	8,306,652,819	-	-
<b>(ii)Counterpart funds</b>						
Government of Kenya		5,617,201,287		5,617,201,287	-	-
<b>Total</b>	<b>81,000,000</b>	<b>13,990,987,287</b>	<b>80,319,598</b>	<b>13,923,854,106</b>	<b>-</b>	<b>-</b>

#### B. Application of Funds

Application of funds	Amount received to 30th June 2022		Cumulative Amount paid to 30th June 2022		Unutilised balance to 30th June 2022	
	<i>Donor currency</i>	<i>Kshs</i>	<i>Donor currency</i>	<i>Kshs</i>	<i>Donor currency</i>	<i>Kshs</i>
	(A)	(A')	(B)	(B')	(A)-(B)	(A')-(B')
<b>(i) Grant</b>	<b>EURO</b>					
European Union	80,319,598	8,306,652,819	80,319,598	8,306,652,819	-	-
<b>(ii)Loan</b>						
<b>(ii)Counterpart funds</b>						
Government of Kenya	-	5,617,201,287		5,617,201,287	-	-
<b>Total</b>	<b>80,319,598</b>	<b>13,923,854,106</b>	<b>80,319,598</b>	<b>13,923,854,106</b>	<b>-</b>	<b>-</b>



### **1.8 Summary of Overall Project Performance:**

Budget performance against actual amounts for current year

Receipts/Payments Item	FY 2021/2022		
	Budget	Actual	%
<b>COUNTERPART FUNDS - GOK</b>			
Acquisition of non-financial assets	-	-	-
Purchase of goods & services	-	-	-
<b>GRANTS FROM DEVELOPMENT PARTNERS</b>			
Acquisition of non-financial assets	-	-	-
<b>Total Payments</b>	-	-	

Physical progress based on outputs, outcomes and impacts since project commencement:

Both Lots are substantially complete and has been taken over by the Employer

### **1.9 Summary of Project Compliance:**

There were no cases of non-compliance with the applicable laws and regulations, and essential external financing agreements/covenants

## 2. STATEMENT OF PERFORMANCE AGAINST PROJECT'S PREDETERMINED OBJECTIVES

Below is a summary of the Project's performance against the predetermined objectives:

Objective	Outcome	Indicator	Performance
Contribute to the economic growth, the improvement of living standards and higher regional integration between Kenya and the neighbouring land locked countries through a sustainable and safe national road network of which the Northern Corridor (from the part of Mombasa through to the Uganda Border at Malaba) constitutes its backbone.	Traffic conditions on the Northern Corridor between Eldoret and Malaba are improved with better road safety, lower operating and journey costs and substantial time savings.	Improved Road Safety	Project is completed and opened to the public hence improving on road safety
		Operating & journey Costs	Project is completed and opened to the public hence reducing operating & journey costs
		Travel Time	Project is completed and opened to the public hence reducing travel time

### **3. ENVIRONMENTAL AND SUSTAINABILITY REPORTING**

The Northern Corridor Rehabilitation Programme – Phase III exists to transform lives. This is our purpose; the driving force behind everything we do. It's what guides us to deliver our strategy. Below is a brief highlight of our activities that drive towards sustainability.

#### **1. Sustainability strategy and profile**

Sustainable Development Goals (SDGs) 2015-2030 provides a plan of action for the people and prosperity. Five out of the seventeen goals are pertinent to management of projects being undertaken by the Authority. These are being addressed through the following initiatives;

- a) *Good health and well-being (SDG 3)*: The Authority strives to undertake Road Safety Audits to identify accident black spots, implement intervention measures and provide road safety education to reduce accidents;
- b) *Gender Equality (SDG 5)*: The Authority encourages mainstreaming of gender equality in project and programmes by incorporating compliance to one third gender rule in procurement and recruitment;
- c) *Industry, innovation and infrastructure (SDG 9)*: The Authority develops quality, reliable, sustainable and resilient infrastructure including regional and trans-border infrastructure to support economic development and human wellbeing with a focus on affordable and equitable access for all;
- d) *Sustainable cities and communities (SDG 11)*: The Authority endeavours to extend the paved road network to hitherto underserved areas in the region to improve nationwide access to high speed and all – weather connectivity; and
- e) *Climate action (SDG 13)*: The Authority endeavours to combat negative impacts of road development through environmental mitigation, climate change measures and compliance with National Environment Management Authority (NEMA) requirements in all development projects.

#### **2. Environmental performance**

The Authority is working towards ensuring environmental sustainability in projects by undertaking tree planting exercises, implementation of road beautification programs, enforce reinstatement of quarries and borrow pits after construction works, undertakes regular Environmental Impact Assessment (EIA) Audits, carries out M&E on Environment and Social

Management Plan (ESMPs) as well as Environmental Social Impact Assessment (ESIA) on projects.

## **ENVIRONMENTAL AND SUSTAINABILITY REPORTING (continued)**

### **3. Employee welfare**

In all its staff appointments, the Authority takes deliberate actions to embrace Equal Employment Opportunity policies, gender mainstreaming, addresses concerns around Persons Living with Disabilities (PWDs) and takes affirmative action in line with prevailing Government Policy guidelines. The Authority prioritizes training to develop technical capacity of staff in the fields of Value Engineering, Project Financing, Project, Contract Management, Performance Based Maintenance and Safety.

### **4. Market place practices**

The Authority strives to ensure responsible competition practices through undertaking annual governance audits in projects, monitoring the implementation of policies and further promotes ethical conduct in projects. The Authority equally sensitizes staff on corruption and integrity. The Authority undertakes to be actively involved in the negotiations during budget sector hearings in order to increase budgetary allocations for projects thus honouring contracts by paying its liabilities on time.

### **5. Community Engagements**

During the implementation of the Project, the Authority is committed to remaining a responsible corporate citizen by being accountable for its actions through engaging in Public Participation. The Project's goal in terms of community engagement is to ensure that the projects foster long-term relationships with stakeholders and communities around the project. The aim is not just to build roads that foster development but to ensure collaboration with the local communities to achieve sustainable development. The project staff is also encouraged to give back to society by participating in the Authority's corporate social responsibility projects.

The Contractor has been involved in various CSR activities geared towards providing the local residents through construction of water kiosks along the project road, improvement of access roads and enhancing learning and playing environment in schools along the project road. To enhance social safeguards in projects, the Authority undertakes Resettlement Action Plan (RAP) studies and implements its recommendations, carries out Social Impact Assessments (SIA), undertakes gender mainstreaming and conduct stakeholders' forum to sensitize the public in several cross cutting issues.

#### **4. STATEMENT OF PROJECT MANAGEMENT RESPONSIBILITIES**

The Director General for the Kenya National Highways Authority and the Project Management for Northern Corridor Rehabilitation Programme – Phase III Project are responsible for the preparation and presentation of the Project's financial statements, which give a true and fair view of the state of affairs of the Project for and as at the end of the financial year ended on June 30, 2022. This responsibility includes: (i) maintaining adequate financial management arrangement and ensuring that these continue to be effective throughout the reporting period; (ii) maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of the Project; (iii) designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statement, and ensuring that they are free from material misstatements, whether due to error or fraud; (iv) safeguarding the assets of the Project; (v) selecting and applying appropriate accounting policies; and (vi) making accounting estimates that are reasonable in the circumstances.


The Director General for the Kenya National Highways Authority and the Project Management for Northern Corridor Rehabilitation Programme – Phase III Project accept responsibility for the Project's financial statements, which have been prepared on the Cash Basis Method of Financial Reporting, using appropriate accounting policies in accordance with International Public Sector Accounting Standards.

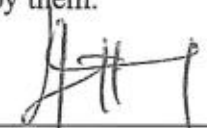
The Director General for the Kenya National Highways Authority and the Project Management for Northern Corridor Rehabilitation Programme – Phase III Project are of the opinion that the Project's financial statements give a true and fair view of the state of Project's transactions during the financial year ended June 30, 2022, and of the Project's financial position as at that date. The Director General for the Kenya National Highways Authority and the Project Management for Northern Corridor Rehabilitation Programme – Phase III Project further confirm the completeness of the accounting records maintained for the Project, which have been relied upon in the preparation of the Project financial statements as well as the adequacy of the systems of internal financial control.


The Director General for the Kenya National Highways Authority and the Project Management for Northern Corridor Rehabilitation Programme – Phase III Project confirm that the Project has complied fully with applicable Government Regulations and the terms of external financing covenants, and that Project funds received during the financial year under audit were used for the eligible purposes for which they were intended and were properly accounted for.

#### **Approval of the Project financial statements**

The Project financial statements were approved by the Director General and the Project Management for Northern Corridor Rehabilitation Programme – Phase III Project on 30 AUG 2022 and signed by them.

  
Eng. Kungu Ndungu  
Director General

  
Eng. Charles Obuon  
Director, Development

  
CPA Chanje Kera  
Deputy Director (F&A)  
ICPAK Member No: 8279





# REPUBLIC OF KENYA

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## **REPORT OF THE AUDITOR-GENERAL ON NORTHERN CORRIDOR REHABILITATION PROGRAMME PHASE III FOR THE YEAR ENDED 30 JUNE, 2022 - KENYA NATIONAL HIGHWAYS AUTHORITY**

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### **PREAMBLE**

I draw your attention to the contents of my report, which is in three parts: -

- A. Report on the Financial Statements that considers whether the financial statements are fairly presented in accordance with the applicable financial reporting framework, accounting standards and the relevant laws and regulations that have a direct effect on the financial statements.
- B. Report on Lawfulness and Effectiveness in Use of Public Resources which considers compliance with applicable laws, regulations, policies, gazette notices, circulars, guidelines and manuals and whether public resources are applied in a prudent, efficient, economic, transparent and accountable manner to ensure Government achieves value for money and that such funds are applied for intended purpose.
- C. Report on Effectiveness of Internal Controls, Risk Management and Governance which considers how the entity has instituted checks and balances to guide internal operations. This responds to the effectiveness of the governance structure, the risk management environment and the internal controls, developed and implemented by those charged with governance for orderly, efficient and effective operations of the entity.

An unmodified opinion does not necessarily mean that an entity has complied with all relevant laws and regulations, and that its internal controls, risk management and governance systems are properly designed and were working effectively in the financial year under review.

The three parts of the report are aimed at addressing the statutory roles and responsibilities of the Auditor-General as provided by Article 229 of the Constitution, the Public Finance Management Act, 2012 and the Public Audit Act, 2015. The three parts of the report, when read together constitute the report of the Auditor-General.

### **REPORT ON THE FINANCIAL STATEMENTS**

#### **Qualified Opinion**

I have audited the accompanying financial statements of Northern Corridor Rehabilitation Programme Phase III set out on pages 1 to 16, which comprise the statement of financial



assets as at 30 June, 2022, and the statement of receipts and payments, statement of cash flows and statement of comparison of budget and actuals amounts for the year ended, and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit.

In my opinion, except for the effects of the matter described in the Basis for Qualified Opinion Section of my report, the financial statements present fairly, in all material respects, the financial position of Northern Corridor Rehabilitation Programme Phase III as at 30 June, 2022 and of its financial performance and its cash flows for the year then ended, in accordance with International Public Sector Accounting Standards (Cash Basis) and comply with the Financing Agreement 9774KE dated 23 November, 2007 between the European Commission and the Republic of Kenya and the Public Finance Management Act, 2012.

### **Basis for Qualified Opinion**

#### **Cash and Cash Equivalents**

The statement of financial assets reflects nil cash and cash equivalents balance. However, Management did not provide bank statements, bank balance certificate and board of survey certificate to support the balance.

In the circumstances, it was not possible to confirm the accuracy of the nil cash and cash equivalents balance.

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the Northern Corridor Rehabilitation Programme Phase III Management in accordance with ISSAI 130 on Code of Ethics. I have fulfilled other ethical responsibilities in accordance with the ISSAI and in accordance with other ethical requirements applicable to performing audits of financial statements in Kenya. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my qualified opinion.

### **Key Audit Matters**

Key audit matters are those matters that, in my professional judgment, are of most significance in the audit of the financial statements. There were no key audit matters to report in the year under review.

### **Other Matter**

#### **1. Budgetary Control and Performance**

The statement of comparison of budget and actual amounts revealed that the project did not have any budgetary provisions for both revenue and expenditure despite the



outstanding pending bills. Project Management did not explain why there was no provision in the budget to cater for the outstanding pending bills.

Failure to make provision for settlement of pending bills may expose the project to unnecessary costs and delay in closure of the projects.

## **2. Project Closure Report**

As disclosed under paragraph 1.2 of Project Information and Overall Performance, the Project commenced on 26 November, 2010 with a closure date of 31 October, 2015. That the project closure report was not provided for audit review. Management did not provide an explanation for the failure to close the project, seven (7) year after the closure date.

## **REPORT ON LAWFULNESS AND EFFECTIVENESS IN USE OF PUBLIC RESOURCES**

### **Conclusion**

As required by Article 229(6) of the Constitution, based on the audit procedures performed, except for the matter described in the Basis for conclusion on Lawfulness and Effectiveness in Use of Public Resources section of my report, I confirm that, nothing else has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

### **Basis for Conclusion**

#### **Pending Bills**

Note 12.1 to the financial statements reflects pending bills balance of Kshs.4,101,454 as at 30 June, 2022. Management attributed the non-payment to the failure by the consultant to pay withholding taxes and provide compliance certificates. However, there was no evidence to prove that the Management requested the consultant for the required information and whether adequate budgetary allocation was sought from the National Treasury for settlement of the bills in the subsequent financial year considering that the project was expected to end on 13 August, 2015 contrary to the National Treasury Circular No. 10/2020 of 16 June, 2020 which requires pending bills to be settled during the 1<sup>st</sup> Quarter of the subsequent year.

In the circumstances, Management was in breach of the law.

The audit was conducted in accordance with ISSAI 4000. The standard requires that I comply with ethical requirements and plan and perform the audit to obtain assurance about whether the activities, financial transactions and information reflected in the financial statements are in compliance, in all material respects, with the authorities that govern them. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

## REPORT ON EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE

As required by Section 7(1)(a) of the Public Audit Act, 2015, based on the audit procedures performed, I confirm that, nothing has come to my attention to cause me to believe that internal controls, risk management and overall governance were not effective.

### **Basis for Conclusion**

The audit was conducted in accordance with ISSAI 2315 and ISSAI 2330. The standards require that I plan and perform the audit to obtain assurance about whether effective processes and systems of internal control, risk management and overall governance were operating effectively, in all material respects. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

## REPORT ON OTHER LEGAL AND REGULATORY REQUIREMENTS

As required by the Financing Agreement, I report based on my audit, that:

- i. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit;
- ii. In my opinion, adequate accounting records have been kept by the Project Management, so far as appears from the examination of those records; and
- iii. The Project's financial statements are in agreement with the accounting records and returns.

### **Responsibilities of Management and those Charged with Governance**

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Cash Basis) and for maintaining effective internal control as Management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error and for its assessment of the effectiveness of internal control, risk management and governance.

In preparing the financial statements, Management is responsible for assessing the Project's ability to continue to sustain its services, disclosing as applicable, matters related to sustainability of services and using the applicable basis of accounting unless Management is aware of the intention to terminate the Project or cease operations.

Management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 47 of the Public Audit Act, 2015.

In addition to the responsibility for the preparation and presentation of the financial statements described above, Management is also responsible for ensuring that the activities, financial transactions and information reflected in the financial statements are



in-compliance with the authorities which govern them, and that public resources are applied in an effective way.

Those charged with governance are responsible for overseeing the Project's financial reporting process, reviewing the effectiveness of how the Programme monitors compliance with relevant legislative and regulatory requirements, ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to governance and risk management, and ensuring the adequacy and effectiveness of the control environment.

### **Auditor-General's Responsibilities for the Audit**

The audit objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion in accordance with the provisions of Section 48 of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement and weakness when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

In addition to the audit of the financial statements, a compliance audit is planned and performed to express a conclusion about whether, in all material respects, the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities that govern them and that public resources are applied in an effective way, in accordance with the provisions of Article 229(6) of the Constitution and submit the audit report in compliance with Article 229(7) of the Constitution.

Further, in planning and performing the audit of the financial statements and audit of compliance, I consider internal control in order to give an assurance on the effectiveness of internal controls, risk management and governance processes and systems in accordance with the provisions of Section 7(1)(a) of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. My consideration of the internal control would not necessarily disclose all matters in the internal control that might be material weaknesses under the ISSAIs. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions.

Because of its inherent limitations, internal control may not prevent or detect misstatements and instances of non-compliance. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies and procedures may deteriorate.

As part of an audit conducted in accordance with ISSAIs, I exercise professional judgement and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Management.
- Conclude on the appropriateness of the Management's use of the applicable basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Project's ability to continue to sustain its services. If I conclude that a material uncertainty exists, I am required to draw attention in the auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my audit report. However, future events or conditions may cause the Project to cease to continue to sustain its services.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information and business activities of the Project to express an opinion on the financial statements.
- Perform such other procedures as I consider necessary in the circumstances.

I communicate with the Management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that are identified during the audit.

I also provide Management with a statement that I have complied with relevant ethical requirements regarding independence and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence and where applicable, related safeguards.

  
**CPA Nancy Gathungu, CBS**  
**AUDITOR-GENERAL**

**Nairobi**

**18 November, 2022**

**NORTHERN CORRIDOR REHABILITATION PROGRAMME – PHASE III**  
**Annual Report and Financial Statements for the financial year ended June 30, 2022**

**6. STATEMENT OF RECEIPTS AND PAYMENTS FOR THE YEAR ENDED 30TH JUNE 2022**

	Note	FY 2021/22			FY 2020/21			Cumulative to date
		Receipts and payments controlled by the entity	Payments made by third parties	Total	Receipts and payments controlled by the entity	Payments made by third parties	Total	
		Kshs	Kshs	Kshs	Kshs	Kshs	Kshs	
<b>RECEIPTS</b>								
Transfer from Government entities	1	-	-	-	5,356,613	-	5,356,613	5,617,201,287
Proceeds from domestic and foreign grants	2	-	-	-	-	-	-	8,306,652,819
<b>Total receipts</b>		-	-	-	<b>5,356,613</b>	-	<b>5,356,613</b>	<b>13,923,854,106</b>
<b>PAYMENTS</b>								
Purchase of goods and services	3	-	-	-	-	-	-	4,912,150
Acquisition of non-financial assets	4	-	-	-	5,356,613	-	5,356,613	13,918,941,956
<b>Total Payments</b>		-	-	-	<b>5,356,613</b>	-	<b>5,356,613</b>	<b>13,923,854,106</b>
<b>SURPLUS/DEFICIT</b>		-	-	-	-	-	-	-

The accounting policies and explanatory notes to these financial statements are an integral part of the financial statements.

  
**Eng. Kungu Ndungu**  
 Director General


30 AUG 2022

Date

  
**Eng. Charles Obuon**  
 Director, Development

30 AUG 2022

Date

  
**CPA Chanje Kera**  
 Deputy Director (F&A)  
 ICPAK Member No: 8279

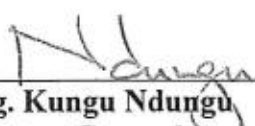
30 AUG 2022

Date

**7. STATEMENT OF FINANCIAL ASSETS AS AT 30TH JUNE 2022**

	Note	2021/22 Kshs.	2020/21 Kshs.
<b>FINANCIAL ASSETS</b>			
Cash and Cash Balances		-	-
<b>TOTAL FINANCIAL ASSETS</b>		-	-
<b>FINANCIAL LIABILITIES</b>			
Payables - Retentions		-	-
<b>NET ASSETS</b>		-	-
<b>REPRESENTED BY:-</b>			
Surplus/Deficit for the year		-	-
Fund balance b/fwd		-	-
<b>NET FINANCIAL POSITION</b>		-	-

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The financial statements were approved on 30 AUG 2022 and signed by:

  
**Eng. Kungu Ndungu**  
 Director General

  
**Eng. Charles Obuon**  
 Director, Development


  
**CPA Chanje Kera**  
 Deputy Director (F&A)  
 ICPAK Member No: 8279

**8. STATEMENT OF CASHFLOW FOR THE PERIOD 30<sup>TH</sup> JUNE 2022**

	Note	2022 Kshs	2021 Kshs
<b>Receipts</b>			
Transfer from Government entities	1	-	5,356,613
Proceeds from domestic and foreign grants	2	-	-
<b>Payments</b>			
Purchase of goods and services	3	-	-
<b>Net cash flow from operating activities</b>		-	5,356,613
<b>Cashflow From Investing Activities</b>			
Acquisition of non financial Assets	4	-	(5,356,613)
<b>Net cash flows from Investing Activities</b>		-	(5,356,613)
<b>Cashflow From Borrowing Activities</b>			
Proceeds from Foreign Borrowings		-	-
<b>Net cash flow from financing activities</b>		-	-
<b>Net Increase In Cash And Cash Equivalent</b>		-	-
<b>Cash and cash equivalent at Beginning of the year</b>		-	-
<b>Cash and cash equivalent at End of the year</b>		-	-

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The entity financial statements were approved on 30 AUG 2022 and signed by:

  
**Eng. Kungu Ndungu**  
**Director General**

  
**Eng. Charles Obuon**  
**Director, Development**


  
**CPA Chanje Kera**  
**Deputy Director (F&A)**  
**ICPAK Member No: 8279**



**9. STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS FOR THE YEAR ENDED 30<sup>TH</sup> JUNE 2022**

Receipts/Payments Item	Original Budget	Adjustments	Final Budget	Actual on Comparable Basis	Variance	% Var.
	a	b	c=a+b	d	e=c-d	f=d/c %
<b>Receipts</b>						
Transfer from Government entities	-	-	-	-	-	-
Proceeds from domestic and foreign grants	-	-	-	-	-	-
<b>Total Receipts</b>	-	-	-	-	-	
<b>Payments</b>						
Purchase of goods and services	-	-	-	-	-	-
Acquisition of non-financial assets	-	-	-	-	-	-
<b>Total Payments</b>	-	-	-	-	-	

Note: The significant budget utilisation/performance differences in the last column are explained in **Annex 1** to these financial statements.

  
**Eng. Kungu Ndungu**  
**Director General**

30 AUG 2022  
 Date

  
**Eng. Charles Obuon**  
**Director, Development**

30 AUG 2022  
 Date

  
**CPA Chanje Kera**  
**Deputy Director (F&A)**  
**ICPAK Member No: 8279**

30 AUG 2022  
 Date

## **10. SIGNIFICANT ACCOUNTING POLICIES**

The principal accounting policies adopted in the preparation of these financial statements are set out below:

### **10.1 Statement of compliance and basis of preparation**

The financial statements have been prepared in accordance with Cash-basis IPSAS financial reporting under the cash basis of accounting, as prescribed by the PSASB and set out in the accounting policy note below. This cash basis of accounting has been supplemented with accounting for; a) receivables that include imprests and salary advances and b) payables that include deposits and retentions. The financial statements comply with and conform to the form of presentation prescribed by the PSASB.

The accounting policies adopted have been consistently applied to all the years presented.

### **10.2 Reporting entity**

The financial statements are for the Northern Corridor Rehabilitation Programme – Phase III Project under National Government of Kenya. The financial statements encompass the reporting entity as specified in the relevant legislation PFM Act 2012 .

### **10.3 Reporting currency**

The financial statements are presented in Kenya Shillings (KShs), which is the functional and reporting currency of the Project and all values are rounded to the nearest Kenya Shilling.

**Significant Accounting Policies (Continued)**

**10.4 Recognition of receipts**

The Project recognises all receipts from the various sources when the event occurs, and the related cash has actually been received by the Government.

**i) Transfers from the Exchequer**

Transfer from Exchequer is be recognized in the books of accounts when cash is received. Cash is considered as received when payment instruction is issued to the bank and notified to the receiving entity.

**ii) External Assistance**

External assistance is received through grants and loans from multilateral and bilateral development partners.

**iii) Other receipts**

These include Appropriation-in-Aid and relates to receipts such as proceeds from disposal of assets and sale of tender documents. These are recognized in the financial statements the time associated cash is received.

**iv) Donations and grants**

Grants and donations shall be recognized in the books of accounts when cash is received. Cash is considered as received when a payment advice is received by the recipient entity or by the beneficiary. In case of grant/donation in kind, such grants are recorded upon receipt of the grant item and upon determination of the value. The date of the transaction is the value date indicated on the payment advice.

**Significant Accounting Policies (Continued)**

**v) Proceeds from borrowing**

Borrowing includes external loans acquired by the Project or any other debt the Project may take and will be treated on cash basis and recognized as a receipt during the year they were received.

**a) Undrawn external assistance**

These are loans and grants at reporting date as specified in a binding agreement and relate to funding for the Project currently under development where conditions have been satisfied or their ongoing satisfaction is highly likely and the project is anticipated to continue to completion. An analysis of the Project's undrawn external assistance is shown in the funding summary

**10.5 Recognition of payments**

The Project recognises all payments when the event occurs, and the related cash has actually been paid out by the Project.

**i) Compensation of employees**

Salaries and Wages, Allowances, Statutory Contribution for employees are recognized in the period when the compensation is paid.

**ii) Use of goods and services**

Goods and services are recognized as payments in the period when the goods/services are consumed and paid for. If not paid for during the period where goods/services are consumed, they shall be disclosed as pending bills.



**Significant Accounting Policies (Continued)**

**iii) Interest on borrowing**

Borrowing costs that include interest are recognized as payment in the period in which they incurred and paid for.

**iv) Repayment of borrowing (principal amount)**

The repayment of principal amount of borrowing is recognized as payment in the period in which the repayment is made. The stock of debt is disclosed as an annexure to the consolidated financial statements.

**v) Acquisition of fixed assets**

The payment on acquisition of property plant and equipment items is not capitalized. The cost of acquisition and proceeds from disposal of these items are treated as payments and receipts items respectively. Where an asset is acquired in a non-exchange transaction for nil or nominal consideration and the fair value of the asset can be reliably established, a contra transaction is recorded as receipt and as a payment.

A fixed asset register is maintained by each public entity and a summary provided for purposes of consolidation. This summary is disclosed as an annexure to the consolidated financial statements.

**10.6 In-kind donations**

In-kind contributions are donations that are made to the Project in the form of actual goods and/or services rather than in money or cash terms. These donations may include vehicles, equipment or personnel services. Where the financial value received for in-kind contributions can be reliably determined, the Project includes such value in the statement of receipts and payments both as receipts and as payments in equal and opposite amounts; otherwise, the contribution is not recorded.

**Significant Accounting Policies (Continued)**

**10.7 Cash and cash equivalents**

Cash and cash equivalents comprise cash on hand and cash at bank, short-term deposits on call and highly liquid investments with an original maturity of three months or less, which are readily convertible to known amounts of cash and are subject to insignificant risk of changes in value. Bank

account balances include amounts held at the Central Bank of Kenya and at various commercial banks at the end of the financial year. For the purposes of these financial statements, cash and cash equivalents also include short term cash imprests and advances to authorised public officers and/or institutions which were not surrendered or accounted for at the end of the financial year.

**10.8 Restriction on cash**

Restricted cash represents amounts that are limited/restricted from being used to settle a liability for at least twelve months after the reporting period. This cash is limited for direct use as required by stipulation. Amounts maintained in deposit bank accounts are restricted for use in refunding third part deposits.

**10.9 Imprests and Advances**

For the purposes of these financial statements, imprests and advances to authorised public officers and/or institutions which were not surrendered or accounted for at the end of the financial year is treated as receivables. This is in recognition of the government practice where the imprest payments are recognized as payments when fully accounted for by the imprest or AIE holders. This is an enhancement to the cash accounting policy. Other accounts receivables are disclosed in the financial statements.

**Significant Accounting Policies (Continued)**

**10.10 Contingent Liabilities**

A contingent liability is:

- a) A possible obligation that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity; or
- b) A present obligation that arises from past events but is not recognised because:
  - i) It is not probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; or
  - ii) The amount of the obligation cannot be measured with sufficient reliability.

Some of contingent liabilities may arise from: litigation in progress, guarantees, indemnities. Letters of comfort/ support, insurance, Public Private Partnerships,

The Entity does not recognize a contingent liability but discloses details of any contingencies in the notes to the financial statements unless the possibility of an outflow of resources embodying economic benefits or service potential is remote. There were no contingent liabilities in the year.

**10.11 Contingent Assets**

The Northern Corridor Rehabilitation Programme – Phase III Project does not recognize a contingent asset, but discloses details of a possible asset whose existence is contingent on the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Northern Corridor Rehabilitation Programme – Phase III Project in the notes to the financial statements. Contingent assets are assessed continually to ensure that developments are appropriately reflected in the financial statements. If it has become virtually certain that an inflow of economic benefits or service potential will arise and the asset's value can be measured reliably, the asset and the related revenue are recognized in the financial statements of the period in which the change occurs.

**Significant Accounting Policies (Continued)**

**10.12 Pending bills**

Pending bills consist of unpaid liabilities at the end of the financial year arising from contracted goods or services during the year or in past years. As pending bills do not involve the payment of cash in the reporting period, they recorded as 'memorandum' or 'off-balance' items to provide a sense of the overall net cash position of the Project at the end of the year. When the pending bills are finally settled, such payments are included in the statement of receipts and payments in the year in which the payments are made.

**10.13 Budget**

The budget is developed on a comparable accounting basis (cash basis), the same accounts classification basis (except for accounts receivable - outstanding imprest and clearance accounts and accounts payable - deposits, which are accounted for on an accrual basis), and for the same period as the financial statements. The Project's budget was approved as required by Law and National Treasury Regulations, as well as by the participating development partners, as detailed in the Government of Kenya Budget Printed Estimates for the year. The Development Projects are budgeted for under the MDAs but receive budgeted funds as transfers and account for them separately. These transfers are recognised as inter-entity transfers and are eliminated upon consolidation. A high-level assessment of the Project's actual performance against the comparable budget for the financial year/period under review has been included in an annex to these financial statements.

**10.14 Third party payments**

Included in the receipts and payments, are payments made on its behalf by to third parties in form of loans and grants. These payments do not constitute cash receipts and payments and are disclosed in the payment to third parties column in the statement of receipts and payments.

During the year **Kshs NIL** being grants disbursements were received in form of direct payments from third parties.



**Significant Accounting Policies (Continued)**

**10.15 Exchange rate differences**

The accounting records are maintained in the functional currency of the primary economic environment in which the Project operates, Kenya Shillings. Transactions in foreign currencies during the year/period are converted into the functional currency using the exchange rates prevailing at the dates of the transactions. Any foreign exchange gains and losses resulting from

the settlement of such transactions and from the translation at year-end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in the statements of receipts and payments.

**10.16 Comparative figures**

Where necessary comparative figures for the previous financial year/period have been amended or reconfigured to conform to the required changes in financial statement presentation.

**10.17 Subsequent events**

There have been no events subsequent to the financial year/period end with a significant impact on the financial statements for the year ended June 30, 2022.

**10.18 Prior period adjustments**

Prior period adjustments relate to errors and other adjustments noted arising from previous year(s). There were no Prior year adjustments in the current financial year.

## **11. NOTES TO THE FINANCIAL STATEMENTS**

### **1. RECEIPTS FROM GOVERNMENT OF KENYA**

These represent counterpart funding and other receipts from government as follows:

	<b>2021/22 Kshs</b>	<b>2020/21 Kshs</b>	<b>Cumulative to-date</b>
Counterpart funds Quarter 1	-	5,356,613	1,103,914,490
Counterpart funds Quarter 2	-	-	1,233,492,916
Counterpart funds Quarter 3	-	-	956,643,878
Counterpart funds Quarter 4	-	-	2,323,150,003
<b>Total</b>	-	<b>5,356,613</b>	<b>5,617,201,287</b>

### **2. PROCEEDS FROM DOMESTIC AND FOREIGN GRANTS**

The Project's financing agreement lapsed on 13 August 2015 hence no funding from development partners was received in form of loans negotiated by the National Treasury in the current FY (FY 2020/21 Kshs Nil). An accumulative amount of Kshs 8.3 billion was however utilised in the project.

### **3. PURCHASE OF GOODS AND SERVICES**

	<b>2021/22</b>			<b>2020/21</b>	<b>Cummulative</b>
	<b>Payments controlled by the entity</b>	<b>Payments made by third parties</b>	<b>Total Payments</b>	<b>Total Payments</b>	
	<b>Kshs</b>	<b>Kshs</b>	<b>Kshs</b>	<b>Kshs</b>	<b>Kshs</b>
Domestic travel and subsistence	-	-	-	-	3,912,150
Other operating expenses-NEMA	-	-	-	-	1,000,000
<b>Total</b>	-	-	-	-	<b>4,912,150</b>

### **4. ACQUISITION OF NON-FINANCIAL ASSETS**

	<b>2021/22</b>			<b>2020/21</b>	<b>Cummulative</b>
	<b>Payments controlled by the entity</b>	<b>Payments made by third parties</b>	<b>Total Payments</b>	<b>Total Payments</b>	
	<b>Kshs</b>	<b>Kshs</b>	<b>Kshs</b>	<b>Kshs</b>	<b>Kshs</b>
Construction of roads	-	-	-	5,356,613	13,842,406,049
Acquisition of land	-	-	-	-	76,535,907
<b>Total</b>	-	-	-	<b>5,356,613</b>	<b>13,918,941,956</b>

## 12. OTHER IMPORTANT DISCLOSURES

### 12.1 PENDING ACCOUNTS PAYABLE (Annex 3)

	Balance c/f FY 2021/2022	Paid during the year	Balance c/f FY 2021/2022
Description	Kshs	Kshs	Kshs
Construction of civil works	4,101,454	-	4,101,454
<b>Total</b>	<b>4,101,454</b>	<b>-</b>	<b>4,101,454</b>

**NORTHERN CORRIDOR REHABILITATION PROGRAMME – PHASE III**  
**Annual Report and Financial Statements for financial year ended June 30, 2022**

**13. PRIOR YEAR AUDITOR-GENERAL'S RECOMMENDATIONS**

Ref No	Issue / Observations from Auditor	Management comments	Status:	Time frame:
	<p><b>OTHER MATTER</b></p> <p><b>Pending Bills</b></p> <p>Note 12.1 to the financial statements reflects pending bills amounting to Kshs 4,101,454 as at 30 June 2021. Although Management attributes the non-payment to the consultant's failure to pay withholding taxes and provide compliance certificates, there is need to liaise with the consultant for the required information, and the line ministry and National Treasury for adequate budgetary allocation and timely exchequer releases for prompt payments in the subsequent financial year considering that the Programme was expected to end on 13 August 2015.</p>	<p>The outstanding amounts relate to consultancy services fee notes which were not settled due to the following;</p> <p>1. On 11th December 2019, the National Treasury issued a circular No. 15/2019 (attached as appendix III) requiring consultants and contractors to pay Withholding taxes and provide tax compliance certificates prior to processing of payments payable by Development Partners, and to submit.</p> <p>2. The supervision consultant however did not provide the documents required by the referenced circular, hence the fee notes were not processed for payment</p> <p>We therefore wish to note that the above payments have not been processed as a result of fault on the part of consultant, hence the fee note shall not accrue any additional costs.</p>	Ongoing	Continuous
	<p><b>Budgetary Control &amp; Performance</b></p> <p>The statement of comparison of budget and actual amounts reflects equal final revenue budget and actual on comparable basis of Kshs 4,303,355 respectively and expended Kshs 5,356,613 resulting to an over</p>	<p>In FY 2019/20, the project's Budget amounted to Kshs 551,604,226 against expenditure of Kshs 519,466,731 resulting in a Budget balance of Kshs 32,137,495. In FY 2021/21, the Authority received an amount of</p>	Resolved	N/A




**NORTHERN CORRIDOR REHABILITATION PROGRAMME – PHASE III**  
**Annual Report and Financial Statements for the financial year ended June 30, 2022**

expenditure of Kshs 1,053,258 or 24% of the budget. Failure by management to observe the financial discipline may lead to the Programme not achieving desired objectives.	Kshs 5,356,613 against FY 2019/20 Budget and utilized the amounts to settle the outstanding amounts for IPC 60.		
<p><b>Program closure report</b></p> <p>As disclosed under Project information and overall performance 1.2, project information, the Project started on 26 November 2010, and it was to close on 31 October, 2015.</p> <p>The Project closure report was not presented for audit review 6 (six) years after the closure period.</p>	<p>The audit observation is noted. We wish to note that the project was completed and handed over to the employer and opened for public use. The taking over certificates and end of defects certificates which were availed to the auditors are also available for further review.</p>	Resolved	N/A

  
**Eng. Kungu Ndungu**  
**Director General**

30 AUG 2022

Date

  
**Eng. Charles Obuon**  
**Director, Development**

30 AUG 2022

Date

**NORTHERN CORRIDOR REHABILITATION PROGRAMME – PHASE III**  
*Annual Report and Financial Statements for the financial year ended June 30, 2022*

**14. ANNEXES**

**ANNEX 1 - VARIANCE EXPLANATIONS - COMPARATIVE BUDGET AND ACTUAL AMOUNTS FOR FY 2021/2022**

	Final Budget	Actual on Comparable Basis	Budget Utilisation Variance	% of Utilisation Variance to Final Budget	Comments on Variance
	a	b	c=a-b	d=b/a %	
<b>RECEIPTS DURING THE YEAR/PERIOD</b>					
Transfer from Government entities	-	-	-	-	
Proceeds from domestic and foreign grants	-	-	-	-	
<b>Total receipts</b>	-	-	-		
<b>PAYMENTS DURING THE YEAR/PERIOD</b>					
Acquisition of non-financial assets	-	-	-	-	
<b>Total payments</b>	-	-	-		

**NORTHERN CORRIDOR REHABILITATION PROGRAMME – PHASE III**  
**Annual Report and Financial Statements for the financial year ended June 30, 2022**

**ANNEX 2 - RECONCILIATION OF INTER-ENTITY TRANSFERS**

Break down of Transfers from the State Department of Infrastructure			
Government Counterpart Funding			
Quarter	Bank Statement Date	Amount (KShs)	Indicate the FY to which the amounts relate
Quarter 1	-	-	
Quarter 1	-	-	
	<b>TOTAL</b>	-	

  
**Eng. Kungu Ndingu**  
**Director General**

30 AUG 2022

Date



**CPA Chanje Kera**  
**Deputy Director (F&A)**  
**ICPAK Member No: 8279**

30 AUG 2022

Date

**NORTHERN CORRIDOR REHABILITATION PROGRAMME – PHASE III**  
**Annual Report and Financial Statements for the financial year ended June 30, 2022**

**ANNEX 3 - ANALYSIS OF PENDING BILLS**

Supplier of Goods or Services	IPC No	PROJECT	Original Amount	Date Contracted	Amount Paid To-Date (30.06.2022)	Outstanding Balance 2022	Outstanding Balance 2021
			a	b	c	d=a-c	d=a-c
<b>Construction of civil works</b>							
HYDROACH S.R.L	55	WEBUYE-MALABA	2,695,227	19-May-17	-	2,695,227	2,695,227
HYDROACH S.R.L	56	WEBUYE-MALABA	1,406,228	19-May-17	-	1,406,228	1,406,228
<b>Grand Total</b>			<b>4,101,454</b>		<b>-</b>	<b>4,101,454</b>	<b>4,101,454</b>

**ANNEX 4 – SUMMARY OF FIXED ASSET REGISTER**

Asset class	Opening Cost (KShs) 2021/22	Purchases/Additions in the Year (KShs) 2021/22	Disposals in the Year (KShs) 2021/22	Closing Cost (KShs) 2021/22
	(a)	(b)	(c)	(d)= (a)+ (b)-(c)
Construction of Roads	13,842,406,049	-	-	13,842,406,049
Land	76,535,907	-	-	76,535,907
<b>Total</b>	<b>13,918,941,956</b>	<b>-</b>	<b>-</b>	<b>13,918,941,956</b>



