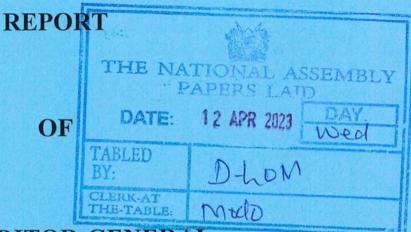




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Enhancing Accountability



THE AUDITOR-GENERAL

ON

KENOL-SAGANA-MARUA HIGHWAY IMPROVEMENT PROJECT (P-KE-DBO-037) CREDIT NOs.5050200000901 AND 2000200004504

FOR THE YEAR ENDED 30 JUNE, 2022

KENYA NATIONAL HIGHWAYS AUTHORITY 



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



Project Name - KENOL - SAGANA - MARUA HIGHWAY IMPROVEMENT PROJECT

Implementing Entity - KENYA NATIONAL HIGHWAYS AUTHORITY - (KeNHA)

PROJECT ID: -ADB LOAN ID P-KE-DB0-O37
PROJECT CREDIT Nos. 5050200000901 & 2000200004504.

ANNUAL REPORT AND FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED JUNE 30, 2022

KENOL - SAGANA - MARUA HIGHWAY IMPROVEMENT PROJECT Annual Report and Financial Statements for the financial year ended June 30, 2022

Annual Report and Financial Statements for the financial year ended June 30, 2022

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Annual Report and Financial Statements for the financial year ended June 30, 2022

1. PROJECT INFORMATION AND OVERALL PERFORMANCE

1.1 Name and registered office

Project Name	Kenol - Sagana - Marua Highway Improvement Project
Project Objectives	 a) To enhance movement of goods/ services (trade) and people between the counties in Central, Eastern Kenya and the capital city, Nairobi and also links with Ethiopia b) Contribute to the social and economic development efforts by providing more efficient and effective transport system.

Project Registered	The project headquarters offices are at Barabara Plaza, Jomo Kenyatta	i
	International Airport, Nairobi, Off Mazao Road (Opposite KCAA	
Location:	Headquarters)	

Project Address	P.O. Box 49712-00100 Nairobi	
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Contacts:	Telephone: 020-8013842; Email dg@kenha.co.ke; Website www.kenha.co.ke	
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1.2 Project Information

Project Start Date:	9 th January, 2020
Project End Date:	31st December, 2023
Project Manager:	Eng. C. Obuon – Director, Development
	Eng. D. Cherono – Project Engineer.
Project Sponsor:	African Development Bank (AfDB)/ Africa Growing Together Fund (AGTF) Government of Kenya

Annual Report and Financial Statements for the financial year ended June 30, 2022

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 and Public Works.			
Project number	P-KE-DB0-O37			
Strategic goals of the Project Other important background information of the project	growth and the improvement in living standards. (ii) To promote trade and regional integration. (iii) To improve road transport services by reducing travel time a vehicle operating cost mportant background PROJECT COMPONENTS AND COSTS - LOAN			
miormanon or me project		Foreign Exchange	Total Cost	
25		Cost		
		Euro	Euro	
	A. Civil Works			
	ADB	178,020,000	178,020,000	
	AGTF	31,150,000	31,150,000	
	Government of Kenya	48,510,000	48,510,000	
	TOTAL	257,680,000	257,680,000	
	The total cost of the Project is Elfinanced by the Bank Group (69) (12%) and Government of Keny period is 5 years (2020 – 2025). PROJECT BACKGROUND: The project road is part of the Highway, TAH4 (Cairo to Cape) project road also links the Capit commercially and agriculturally Ethiopia through the Moyale I dualling of 84 km of the Kenol separated junctions, road complementary initiatives. The purpose of the such as training of unemployed ymonitoring and evaluation; planting, among others.	e Kenyan section (19%). The over the Kenyan section (19%), through Nairobi al City Nairobi to rich Mt Kenya reporder. The Proje — Sagana — Marus safety intervention (1964) institutional	ing Together Fund all implementation of Trans-Africa on to Moyale. The some of the major egion as well as to ct consists of the a Road with grade ons and social es soft components capacity building;	

Annual Report and Financial Statements for the financial year ended June 30, 2022

	LOCATION AND EXTENT OF WORKS The proposed new dual carriageway is a Class A International Trunk Road, approximately 84 kms long. The project area in Central and upper Eastern region of Kenya covers five counties of Muranga, Machakos, Embu, Kirinyaga and Nyeri.
Current situation that the project was formed to intervene	The existing road is a two-way single carriageway of bitumen standard, which is congested with high accident rate making transport costly and a threat for life. The road therefore is proposed for upgrading to dual carriageway to reduce travel cost and improve road safety.
Project duration	The project started on 9 th January 2020 and is expected to run until 31 st December 2023.

1.4 Bankers

Co-operative Bank of Kenya Ltd

Upper Hill Branch, Nairobi

1.5 Auditors

Auditor General

Office Of the Auditor - General P.O. Box 30084 - 00100 GPO

Nairobi

1.6 Roles and Responsibilities

Name	Designation
Eng Charles Obuon	Director, Development
Eng.D. Cherono	PIU Team Leader/Manager
Mr. W. Nyatwanga	D. Director, (Environmental & Social)
Ms N. Odingo	CS/DD, Legal Services -Administration Staff (Legal)
Mr. R. Kilel	AD – Supply Chain Services -Administration Staff (Procurement)
Mr. Chanje Kera	D. Director - Finance & Accounts - Administration Staff (Finance)
Ms M. Mwangi	AD – Human Resource-Administration Staff (Human Resources)
Ms R. Oloo	AD - Environment/RAP Team (Sociologist)

Annual Report and Financial Statements for the financial year ended June 30, 2022

1.7 Funding summary

The project is for duration of five years with an approved budget of EURO 257,680,000 equivalent to Kshs. 29,463,131,200 as highlighted in the table below:

A. Source of Funds

Source of funds	Donor Commitments		Amount received to date (30th June 2022)		Undrawn balance to date (30th June 2022)	
	EURO	Kshs	EURO	Kshs	EURO	Kshs
	(A)	(A')	(B)	(B')	(A)-(B)	(A') - (B')
(i) Loan						
AfDB	178,020,000	20,354,806,800	59,095,647	6,756,996,306	118,924,353	13,597,810,494
AGTF	31,150,000	3,561,691,000	11,389,325	1,302,255,470	19,760,675	2,259,435,530
(ii) Counterpart Funds	48,510,000	5,546,633,400	-	3,933,274,641	-	1,613,358,759
Total	257,680,000	29,463,131,200	70,484,972	11,992,526,417	138,685,028	17,470,604,783

NOTE: Contract exchange rate- Kshs. 114.34

B. Application of Funds

Application of funds	Amount received to date- (30th June 2022)		Cumulative Amount paid to date-(30th June 2022)		Unutilised balance to date	
	Donor currency	Kshs	Donor currency	Kshs	Donor currency	Kshs
	(A)	(A')	(B)	(B')	(A)-(B)	(A') – (B') Kshs
	EURO	Kshs	EURO	Kshs	EURO	
i) Loan						
AfDB	59,095,647	6,756,996,306	59,095,647	6,756,996,306	-	-
AGTF	11,389,325	1,302,255,470	11,389,325	1,302,255,470	-	-
(ii) Counterpart Funds			40			
Government of Kenya	_	3,933,274,641	-	3,933,274,641	-	12
Total	70,484,972	11,992,526,417	70,484,972	11,992,526,417	-	-

Annual Report and Financial Statements for the financial year ended June 30, 2022

1.8 Summary of Overall Project Performance:

Budget performance against actual amounts for current year: -

	2020/2021				
	Actual	Budget	%		
Counterpart Funds - Gok	2,168,858,374	270,000,000	100%		
Loan from External Development Partners	6,141,142,368	6,540,000,000	94%		
Total	8,310,000,742	6,810,000,000	100%		

The physical progress as at 30th June, 2022 is 52%.

Comment on value-for-money achievements.

- > The authority (KeNHA) has put in place adequate checks & balances on appointment of the works consultant supervision who oversees the project implementation on daily basis on consultation and subsequent approvals from the employer and the bank.
- > In addition to works supervision, the consultant undertakes design review before commencement of roads construction works to reduce uncertainties.
- Regular auditing of the project by Internal Auditors, External Auditors and Quality Assurance Departments.
- Monthly site meetings that involve the employer, the consultant and the contractor.

1.9 Summary of Project compliance: -

Significant cases of non-compliance with applicable laws and regulations, and essential external financing agreements/covenants involve delayed payments that attract interest.

Annual Report and Financial Statements for the financial year ended June 30, 2022

2. STATEMENT OF PERFORMANCE AGAINST PROJECT'S PREDETERMINED OBJECTIVES

Introduction

Section 81 (2) (f) of the Public Finance Management Act, 2012 requires that, at the end of each financial year, the Accounting Officer when preparing financial statements of each National Government entity in accordance with the standards and formats prescribed by the Public Sector Accounting Standards Board includes a statement of the national government entity's performance against predetermined objectives.

The key development objectives of the project are to:

- Improve road transport services along the corridor by reducing travel time and vehicle operating costs.
- b) Mitigating traffic congestion and associated emissions.
- c) Improving road safety along the road.

Progress on attainment of Strategic development objectives

For purposes of implementing and cascading the above development objectives to specific sectors, all the development objectives were made specific, measurable, achievable, realistic and timebund (SMART) and converted into development outcomes. Attendant indicators were identified for reasons of tracking progress and performance measurement: Below we provide the progress on attaining the stated objectives:

Objective	Outcome	Indicator	Performance
Improve road	Increased	Reduction in travel time	The projects progress is at 52%.
transport services	efficiency in	and vehicle operating	
along the corridor	transportation	costs	
by reducing travel	within the		
time and vehicle	counties in		
operating costs;	Central, Eastern,		*
	Nairobi city and		
	linkage with		
27	Ethiopia.		
Mitigating traffic	Reduced traffic	Better traffic movements	The projects progress is at 52%.
congestion and	congestion and	and less emission.	
associated	associated		1
emissions;	emissions.		
Improving road	Better road safety	Reduction in the number	The projects progress is at 52%.
safety along the	and reduction in	of accidents.	Connector Activists where consumption
road.	accidents		

Annual Report and Financial Statements for the financial year ended June 30, 2022

3. ENVIRONMENTAL AND SUSTAINABILITY REPORTING

Kenol – Sagana - Marua Highway Improvement Project 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.

3.1. 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

Annual Report and Financial Statements for the financial year ended June 30, 2022

ENVIRONMENTAL AND SUSTAINABILITY REPORTING (Continued)

3.2. 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.

3.3. 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.

3.4. 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.

3.5. 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.

Annual Report and Financial Statements for the financial year ended June 30, 2022

ENVIRONMENTAL AND SUSTAINABILITY REPORTING (Continued)

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 crosscutting issues

The Project is still in procurement stage but community engagements to be implemented include training of unemployed youth, institutional capacity building, monitoring and evaluation, sensitization and awareness and tree planting.

Annual Report and Financial Statements for the financial year ended June 30, 2022

4. STATEMENT OF PROJECT MANAGEMENT RESPONSIBILITIES

The Director General, KeNHA and the Project Management for Kenol - Sagana - Marua Highway Improvement 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, KeNHA and the Project Management for Kenol - Sagana - Marua Highway Improvement 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 the International Public Sector Accounting Standards.

The Director General, KeNHA and Project Management for Kenol - Sagana - Marua Highway Improvement Projecare of the opinion that the Project financial statements give a true and fair view of the state of the Project's transactions during the financial year ended June, 30, 2022 and the Project's financial position as at that date.

The Director General, KeNHA and the Project Implementation Team Leader for Kenol - Sagana - Marua Highway Improvement Project further confirm that 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 on the adequacy of the systems of internal financial control.

The Director General, KeNHA and the Project Implementation Team Leader for Kenol - Sagana - Marua Highway Improvement 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 are 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, KeNHA and Project for Kenol Sagana Marua Highway Improvement

......2022 and signed by them.

Eng. Kungu Ndungu **Director General**

Eng. Charles Obuon Director, Development

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

CPA Chanje Kera

REPUBLIC OF KENYA

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NAIROBI

Enhancing Accountability

REPORT OF THE AUDITOR-GENERAL ON KENOL-SAGANA-MARUA HIGHWAY IMPROVEMENT PROJECT (P-KE-DBO-037) CREDIT NOs.5050200000901 AND 2000200004504 FOR THE YEAR ENDED 30 JUNE, 2022 – KENYA NATIONAL HIGHWAYS AUTHORITY

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, gazetted 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 Kenol-Sagana-Marua Highway Improvement Project (P-KE-DBO-037) set out on pages 1 to 17, which comprise of the statement of financial assets as at 30 June, 2022, and the statement of receipts and payments, statement of cash flows and the statement of comparison of budget and actual amounts for the year then 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 effect of the matters described in the Basis for Qualified Opinion section of my report, the financial statements present fairly, in all material respects, the financial position of Kenol-Sagana-Marua Highway Improvement Project (P-KE-DBO-037) 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 Agreements Credit No.5050200000901 and No.2000200004504 dated 9 January, 2020 between Republic of Kenya and the African Development Bank and the Public Finance Management Act, 2012.

Basis for Qualified Opinion

1. Lack of a Project Bank Account

The statement of receipts and payment reflects transfer from Government entities amount of Kshs.2,168,858,374 and total payments controlled by the entity of Kshs.2,168,858,374 under the components of purchase of goods and services (Kshs.29,090,675) and acquisition of non-financial assets (Kshs.2,139,767,699). However, review of records revealed that the Kenol-Sagana-Marua Highway Improvement project does not have a project bank account with the Central Bank of Kenya as required by the law. The Management uses the Co-operative Bank of Kenya account which is the account for the Kenya National Highways Authority (KENHA). This makes it difficult to trace specific transactions (receipts and payments) that relate to amounts controlled by the Project or Government counterpart funds.

In the circumstances, it may not be possible to trace the receipts and payments made for the purposes of implementation of the project.

2. Non-Disclosure of Accounts Payable- Retention

The statement of financial assets reflects a nil balance under payables-retentions and as disclosed in Note 11.5 to the financial statements. However, Notes 12.2, 12.3 and Annex 5 to the financial statements indicate that during the year under review, the accounts

payables – retentions account had an opening balance of Kshs.49,834,635 brought forward from financial year 2020/2021 and there was an addition of retentions during the year of Kshs.374,992,286 resulting to a closing balance of Kshs.424,826,921. No explanation was provided for the failure to disclose the accounts payables – retentions balance of Kshs.424,826,921 in the statement of financial assets.

In the circumstances, the accuracy and completeness of the accounts payable - retentions nil balance could not be confirmed.

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the Kenol-Sagana-Marua Highway Improvement Project (P-KE-DBO-037) 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 our 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. Pending Bills

Note 12.1 of the financial statements reflects pending accounts payable balance of Kshs.1,360,045,476, as disclosed in Annex 3 to the financial statements which comprises of Kshs.108,751,146 under road construction and Kshs.1,251,294,330 under acquisition of land. Although Management has committed to liaise with the line Ministry and the National Treasury for adequate budgetary allocation and timely exchequer releases for prompt payments in the subsequent financial year, the Project is at risk of incurring unquantified significant interest costs and penalties with the continued delay in making payments for invoiced bills.

Failure to clear pending bills in the year to which they relate distorts the budget of the following year as they constitute a first charge on that budget.

2. Lack of an Itemized Project Budget

The statement of comparison of budget and actual amounts reflects a final budgeted expenditure of Kshs.6,810,000,000 and actual expenditure of Kshs.8,277,234,749 which comprised of purchase of goods and services expenditure of Kshs.33,463,606 and acquisition of non-financial assets expenditure of Kshs.8,277,234,749. However, Management did not provide an itemized budget showing the detailed budget items for which the expenditure was intended.

In the circumstances, the completeness of the budgeted expenditure of Kshs.6,810,000,000 could not be confirmed.

3. Budgetary Control and Performance

The statement of comparison of budget and actual amounts reflects final receipts budget and actual on comparable basis of Kshs.6,810,000,000 and Kshs.8,310,698,355 respectively resulting to an over-funding of Kshs.1,500,698,355 or 22% of the budget. Similarly, the Project spent Kshs.8,310,698,355 against an approved budget of Kshs.6,810,000,000 resulting to an over-expenditure of Kshs.1,500,698,355 or 22% of the budget. Management has explained that the over-funding and over-expenditure was as a result of funds budgeted for in the prior year being received and expensed in the current financial year. However, it was not clear why the budgeted receipts and expenditure, although included in the previous year's budget, were not included in the financial year 2021/2022 budget as would be expected.

In the circumstances, the over-funding and over-expenditure was not budgeted for and thus not supported by way of a budget as required by the Regulations.

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

Irregularities in Project Implementation

a) Lot 1-Dualling of Kenol-Sagana (A2) Road - 48 Km

The Government of Kenya awarded a contract of kshs.8,496,537,823 to an international Contractor on 05 August, 2020 for the dualling of Kenol-Sagana (A2) road (48km) vide contract No.KeNHA/CS/D/3023/2020 for a period of thirty-six (36) months. The commencement date of the contract was 07 October, 2020 with an expected completion date 06 October, 2023.

According to the monthly progress report for October, 2022 the percentage of weighted overall work completed (physical progress) stood at 64% against the programmed or planned physical progress of 63%. Further the amount certified to date for the contract was Kshs.6,429,082,437 while the amount paid to date was Kshs.6,004,418,257 (or 71% of the contract sum). In addition, the time elapsed was 24.8 months (69% of the

completion period). Based on the analysis, it was noted that the contract was ahead of the programmed or planned physical progress by 0.87%.

The project's scope of work included the following: -

- i. Provision of accommodation facilities to the Engineers representatives, maintenance of the existing roads, site clearance, milling of the existing bituminous layers, preparation of the sub grade including improved subgrade in some sections to receive the pavement layers as per the standard specifications, provision of 150 mm thick cement stabilized crushed stone sub base, provision of 125-150 mm thick dense bitumen macadam base and provision of 50 mm thick asphalt concrete surfacing to carriageway and 35mm to shoulders.
- ii. Provision of single surface dressing 10/14mm pre-coated chippings to carriageway, provision of vehicular access and access culverts from road side properties, provision of installation of road furniture as specified, construction of new box/pipe culverts with appropriate inlet and outlet structures scour protection works, installation of erosion control and erosion protection works, construction of new bridges in reinforced concrete and structural steel works and rehabilitation of existing ones and construction of grade separated junction (interchange) at Makutano area as per drawings and construction of access roads, service roads and other selected social amenities in selected town sections.
- iii. Installation of street lights along main towns, construction of footbridges at selected sections, provision of road safety campaigns, accident prevention and training, HIV/ AIDS awareness campaigns, onsite and offsite Environmental management and monitoring and maintenance works during construction and a 12 months' defect liability period.

However, the audit inspection exercise carried out in the month of November, 2022 revealed that the unit designs and estimates for 29 No. motorcycle (bodaboda) sheds and 5 No. modern market sheds were completed in November, 2021 and submitted to the Project Management. The locations for the market and bodaboda sheds had already been identified but no works on the sheds had commenced.

Further, twenty-four (24) No. of access roads totaling to approximately 23.7 km have been identified for construction. The feeder roads were proposed through stakeholder engagements by the consultant and Management during project implementation. The contractor had been furnished with instructions for commencement of works on Mitiini-Santamore, Makuyu Girls and Ciumbu centre access roads. However, no works on these roads were observed to have commenced.

In addition, one (1) No. 50 meters long foot bridge at Kenol centre (0+123 KM) had not been completed although the geotechnical survey had been completed and the setting out done. The detailed designs and the bills of quantities for the Sagana trauma centre had been completed but the works on the same were yet to commence.

b) Lot 2: Dualling of the Sagana-Marua (A2) Road Section - 36KM

The Government of Kenya awarded a contract to an international contractor on 30 July, 2020 for the dualling of Sagana-Marua (A2) road (36km) at total sum of kshs.6,115,038,571 vide contract No. KeNHA/RD/D3022/2020 for a period of thirty-six (36) months. The commencement date was 19 October, 2020 with an expected completion date being 18 October, 2023.

According to the quarterly progress report for July to September, 2022 the percentage of weighted overall work completed (physical progress) stood at 59% against the programmed or planned physical progress of 61%. Further the amount certified to date for the contract was Kshs.4,196,928,957 while the amount paid to date was Kshs.3,991,067,773 (or 65% of the contract sum). In addition, the time elapsed was 23.36 months (65% of the completion period). Based on the analysis, it was noted that the contract was behind schedule of the programmed or planned physical progress by 2.69%.

The project's scope of work included the following: -

- i. Construction of thirty-six (36) km dual carriageway, construction of one (1) No. interchange at Marua area, construction of two (2) No. roundabouts at Karatina, construction of nine (9) No. box culverts and sixty-eight (68) No. pipe culverts.
- Construction of a modern bus park and special school at Karatina and construction of market sheds, construction of access roads and construction of motor-cycle (boda- boda) sheds.

The audit inspection exercise carried out in the month of November, 2022, revealed that the construction of 1No. interchange at Marua, construction of 2No. roundabouts at Karatina, construction of market sheds, construction of access roads and the construction of motor-cycle (boda- boda) sheds had all not commenced. Further, the following challenges were noted;

- Delayed payment of money for acquisition of affected land and property on some sections of the road have resulted to delayed relocation of affected water pipelines and power lines affecting progress of works. The affected road sections in total was 7.6 km.
- ii. Delay in making payments to the contractor for some IPCs has caused a cash flow challenge resulting in a slow rate of progress of work.
- iii. Lack of sufficient aggregates especially for construction of DBM and AC layers has immensely affected the project's progress. The Contractor has adopted shift (day and night) working in order to increase production of aggregates
- iv. Frequent breakdowns of Asphalt Concrete mixing plant, with the most recent one having been from 01 September, 2022 to 27 September, 2022.

In the circumstances, the delay in implementation of the various project works will contribute to delay in the delivery of the overall project by the two contractors.

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

Conclusion

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 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 controls, 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 African Development Bank (ADB), except for the effects of the matter described under the Basis for Qualified opinion section of my report, I report based on my audit, that:

- 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, 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 controls 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 controls, risk management and overall governance.

In preparing the financial statements, Management is responsible for assessing the Project's ability to continue to sustain 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 to 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 Management 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 review 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 Project's 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 controls 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

Nairobi

07 December, 2022

KENOL - SAGANA - MARUA HIGHWAY IMPROVEMENT PROJECT Annual Report and Financial Statements for the financial year ended June 30, 2022

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

		2021/22	1/22		2020/21	0/21		
5	Note	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	Cumulative to date
		Kshs.	Kshs.	Kshs.	Kshs.	Kshs.	Kshs.	Kshs.
RECEIPTS								
Transfer from Government entities	11.1	2,168,858,374	•	- 2,168,858,374 1,736,443,300	1,736,443,300		- 1.736.443.300	3.933.274.641
Loan from external Development Partners	11.2	1	6,141,142,368 6,141,142,368	6,141,142,368	ı	1,918,109,408 1,918,109,408	1,918,109,408	8,059,251,776
TOTAL RECEIPTS		2,168,858,374	6,141,142,368	6,141,142,368 8,310,000,742 1,736,443,300	1,736,443,300	1,918,109,408	$\overline{}$	11,992,526,417
PAYMENTS								
Purchase of Goods & Services	11.3	29,090,675	3,675,318	32,765,993	260,771,033	20,930,594	281,701,627	323,083,303
Acquisition of non- financial assets	11.4	2,139,767,699	6,137,467,050	6,137,467,050 8,277,234,749 1,475,672,267	1,475,672,267	1,897,178,814	3,372,851,081	1,897,178,814 3,372,851,081 11,669,443,114
TOTAL PAYMENTS		2,168,858,374	6,141,142,368	6,141,142,368 8,310,000,742 1,736,443,300	1,736,443,300	1,918,109,408	3,654,552,708	1,918,109,408 3,654,552,708 11,992,526,417
		•	1	1	1	1	1	

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

Eng. Kungu Ndungu Director General

Date

Director, Development Eng. Charles Obuon

3.0 AUG 2022

Date

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

30 AUG 2022

Dat

Annual Report and Financial Statements for the financial year ended June 30, 2022

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

	Note	2021/22	2020/21
		Kshs	Kshs
FINANCIAL ASSETS			
Cash and Cash Equivalents			
Bank Balances		-	-
TOTAL FINANCIAL ASSETS		-	
FINANCIAL LIABILITIES			
Payables-Retentions	11.5	-	
NET ASSETS		-	
		8	
REPRESENTED BY:			
Cash and cash equivalents b/fwd		-	-
Surplus/Deficit for the year		40	
NET FINANCIAL POSITION		-	

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The financial statements were approved on 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

Annual Report and Financial Statements for the financial year ended June 30, 2022

8. STATEMENT OF CASHFLOW FOR THE PERIOD 30TH JUNE 2022

	Notes	2021/22	2020/21
		Kshs.	Kshs.
RECEIPTS			
Receipts for operating income			
Transfers from Government entities	11.1	2,168,858,374	1,736,443,300
Net Receipts for operating income		2,168,858,374	1,736,443,300
Payment for operating expenses			
Purchase of Goods and Services	11.3	(32,765,993)	(281,701,627)
Net Payments for operating expenses		(32,765,993)	(281,701,627)
Net cash flow from operating activities		2,136,092,381	1,454,741,673
CASHFLOW FROM INVESTING ACTIVITIES			
Acquisition of road assets	11.4	(8,277,234,749)	(3,372,851,081)
Net cash flows from Investing Activities		(8,277,234,749)	(3,372,851,081)
CASHFLOW FROM BORROWING ACTIVITIES			
Proceeds from Foreign Borrowings		6,141,142,368	1,918,109,408
Net cash flow from financing activities		6,141,142,368	1,918,109,408
NET INCREASE IN CASH AND CASH EQUIVALENT		-	-
Cash and cash equivalent at Beginning of the year		-	-
Cash and cash equivalent at End of the year		-	-

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 2077 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

Annual Report and Financial Statements for the financial year ended June 30, 2022

9. STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS FOR THE YEAR ENDED 30^{TH} JUNE 2022

Receipts/Payments	Original Budget	Adjustments	Final Budget	Actual on Comparable Basis	Variance	% Var
rtem	a	b	c=a+b	d	e=c-d	f=d/c %
Receipts						
Transfers from Government entities	300,000,000	(30,000,000)	270,000,000	2,168,858,374	(1,898,858,374)	100%
Proceeds from foreign borrowings	5,040,000,000	1,500,000,000	6,540,000,000	6,141,142,368	398,857,632	94%
Total Receipts	5,340,000,000	1,470,000,000	6,810,000,000	8,310,000,742	(1,500,000,742)	100%
Payments						
Purchase of goods and services	5 240 000 000	1 470 000 000	6,810,000,000	32,765,993	(1,500,000,742)	100%
Acquisition of non- financial assets	5,340,000,000	1,470,000,000		8,277,234,749		
Total Payments	5,340,000,000	1,470,000,000	6,810,000,000	8,310,000,742	(1,500,000,742)	100%
Surplus or Deficit	-	-	-	-	-	-

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 Eng. Charles Obuon
Director, Development

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

3 0 AUG 2022

Date

3 0 AUG 2022

Date

3 0 AUG 2022

Date

Annual Report and Financial Statements for the financial year ended June 30, 2022

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 Kenol - Sagana - Marua Highway Improvement 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.

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.

Annual Report and Financial Statements for the financial year ended June 30, 2022

SIGNIFICANT ACCOUNTING POLICIES (Continued)

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 recognised 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.

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.

vi. 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.

iii. Interest on borrowing

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

SIGNIFICANT ACCOUNTING POLICIES (Continued)

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.

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.

Annual Report and Financial Statements for the financial year ended June 30, 2022

SIGNIFICANT ACCOUNTING POLICIES (Continued)

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.

10.10. Contingent Liabilities

A contingent liability is:

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

A present obligation that arises from past events but is not recognised because:

It is not probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; or

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.

10.11. Contingent Assets

Kenol – Sagana - Marua Highway Improvement 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 Kenol – Sagana - Marua Highway Improvement 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.

Annual Report and Financial Statements for the financial year ended June 30, 2022

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 interentity 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 KSh 6,141,142,368 being loan disbursements were received in form of direct payments from third parties.

Annual Report and Financial Statements for the financial year ended June 30, 2022

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 as at June, 30,2022.

Annual Report and Financial Statements for the financial year ended June 30, 2022

11. NOTES TO THE FINANCIAL STATEMENT

11.1. TRANSFERS FROM GOVERNMENT ENTITIES

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

	2021/22	2020/21	Cumulative	
	Kshs	Kshs	to-date	
Counterpart funds Quarter 1	194,013,522	4,802,800	199,685,722	
Counterpart funds Quarter 2	831,851,397	7,401,693	843,456,990	
Counterpart funds Quarter 3	615,133,774	64,467,162	682,805,670	
Counterpart funds Quarter 4	527,859,681	1,659,771,645	2,207,326,259	
TOTAL	2,168,858,374	1,736,443,300	3,933,274,641	

11.2. LOAN FROM EXTERNAL DEVELOPMENT PARTNERS

During the 12 months to 30 June 2022, we received loans from donor(s) as detailed in the table below;

Name of Donor	Date Received	Loans Received as Direct payments	Direct Total amounts in Kshs	
			FY 2021/22	FY 2020/21
		Kshs	Kshs	Kshs
Loans Received from Multilateral Donors				
African Development Bank (AfDB)	2021/22	5,083,620,820	5,083,620,820	1,673,375,486
Africa Growing Together Fund (AGTF)	2021/22	1,057,521,548	1,057,521,548	244,733,922
Total		6,141,142,368	6,141,142,368	1,918,109,408

Annual Report and Financial Statements for the financial year ended June 30, 2022

NOTES TO THE FINANCIAL STATEMENT(Continued)

11.3. PURCHASE OF GOODS AND SERVICES

		FY 2021/22		FY 2020/21	
	Receipts and payments controlled by the entity	narties	Total Payments	Total Payments	Cumulative
	Kshs	Kshs	Kshs	Kshs	Kshs
Domestic travel and subsistence	27,400,355		27,400,355	34,245,985	67,720,486
Advertising and services	1,099,920	-	1,099,920	1,367,350	4,598,295
Hospitality Services	590,400	-	590,400	1,379,386	2,380,298
Utilities	-	-	-	223,778,312	223,778,312
Training	-	3,675,318	3,675,318	20,930,594	24,605,912
Total	29,090,675	3,675,318	32,765,993	281,701,627	323,083,303

11.4. ACQUISITION OF NON-FINANCIAL ASSETS

		FY 2021/22		FY 2020/21		
	Receipts and payments controlled by the entity	Payments made by third parties	Total Payments	Total Payments	Cumulative	
	Kshs	Kshs	Kshs	Kshs	Kshs	
Construction of roads	1,376,756,218	5,899,353,455	7,276,109,673	2,016,258,329.00	9,292,368,002	
Consultancy Services		238,113,595	238,113,595	124,715,650	382,186,529	
Acquisition of land	763,011,481	· ·	763,011,481	1,231,877,102.00	1,994,888,583	
Total	2,139,767,699	6,137,467,050	8,277,234,749	3,372,851,081	11,669,443,114	

Annual Report and Financial Statements for the financial year ended June 30, 2022

NOTES TO THE FINANCIAL STATEMENT(Continued)

11.5. ACCOUNTS PAYABLES- RETENTIONS

Description	FY 2021/22	FY 2020/21	
	Kshs	Kshs	
Retention controlled by the entity	-	-	
Total	-	-	

11.6. CHANGES IN ACCOUNTS PAYABLE –RETENTIONS CONTROLLED BY THE ENTITY

Description	FY 2021/22	FY 2020/21
Retention as at 1st July 2022 (A)	7-	-
Retention held during the year (B)	33,818,006	-
Retention paid during the year (C)	(33,818,006)	
Net changes in accounts payables D=A+B-C	-	* -

Annual Report and Financial Statements for the financial year ended June 30, 2022

12. OTHER IMPORTANT DISCLOSURES

12.1. PENDING ACCOUNTS PAYABLE (See Annex 3)

	Balance b/f FY 2021/2022	Additions for the period	Paid during the year	Balance c/f FY 2021/2022
Description	Kshs	Kshs	Kshs	Kshs
Construction of Roads	42,161,578	7,342,699,241	7,276,109,673	108,751,146
Acquisition of Land	-	2,014,305,811	763,011,481	1,251,294,330
Supply of Services	-	270,879,588	270,879,588	-
Total	42,161,578	9,627,884,640	8,310,000,742	1,360,045,476

12.2. ACCOUNTS PAYABLES- RETENTIONS (See Annex 5)

Description	FY 2021/22	FY 2020/21	
	Kshs	Kshs	
Retention controlled by the Third parties	424,826,921	49,834,635	
Total	424,826,921	49,834,635	

12.3. CHANGES IN ACCOUNT PAYABLE -RETENTIONS CONTROLLED BY THIRD PARTIES

Description	FY 2021/22	FY 2020/21
Deposit and Retentions as at 1st July 2021	49,834,635	
Closing accounts payables as at 30th June 2022	424,826,921	49,834,635
Change in payables	374,992,286	49,834,635

12.4. EXTERNAL ASSISTANCE

a) External assistance relating to loans and grants

	FY 2021/2022	FY 2020/2021
Description	Kshs	Kshs
External assistance received as loans	6,141,142,368	1,918,109,408
Total	6,141,142,368	1,918,109,408

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OTHER IMPORTANT DISCLOSURES (Continued)

b) Undrawn external assistance

	Purpose for which the undrawn external assistance may be used	FY 2021/2022	FY 2020/2021
Description		Kshs	Kshs
Undrawn external assistance - loans	Road works & consultancy services	15,857,246,024	21,998,388,392
Total		15,857,246,024	21,998,388,392

c) Classes of providers of external assistance

	FY 2021/2022	FY 2020/2021
Description	Kshs	Kshs
Multilateral donors	6,141,142,368	1,918,109,408
Total	6,141,142,368	1,918,109,408

External assistance for road rehabilitation works, studies, design & supervision consultancy services.

d) Non-monetary external assistance

	FY 2021/2022	FY 2020/2021
Description	Kshs	Kshs
Goods	-	-
Services	-	-
Total	-	

e) Purpose and use of external assistance

	FY 2021/2022	FY 2020/2021
Description	Kshs	Kshs
Acquisition of Assets	6,141,142,368	1,918,109,408
Total	6,141,142,368	1,918,109,408

f) External Assistance paid by Third Parties on behalf of the Entity by Source

This relates to external assistance paid directly by third parties to settle obligations on behalf of the entity

	FY 2021/2022	FY 2020/2021
Description	Kshs	Kshs
Multilateral donors	6,141,142,368	1,918,109,408
Total	6,141,142,368	1,918,109,408

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13. PRIOR YEAR AUDITOR-GENERAL'S RECOMMENDATIONS

Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	Other Matters			
	Pending bills	*		
	Note 12.1 to the financial statements reflects pending bills amounting to			***************************************
	the M	We agree with the observation, that the project had an accumulated pending bill amounting to Kehs 42 161 578	Resolved	Continuous
	and the National Treasury for adequate budgetary allocation and timely exchequer	These bills have however been settled in full in the Financial year 2021/2022		
	releases for prompt payments in the			i
	at Risk of incurring significant interest			
	costs and penalties with the continued			
	Lack of Project Budget	The overall project had a total budget of Kshs 7,470,000,000. However, by nature and		
	g the year under review, the Proj	practice, appropriation by The National		
2	had an approved budget of Kshs.3,654,552,708. However, the	Assembly to the project is on a specific line by line individual project. This is the form in	Resolved	Continuous
	Management did not provide an itemized	which the project budgets are uploaded onto		
	budget showing the detailed budget items for which the expenditure was intended	IFMIS and availed for expenditure. As		
	Consequently, it was not possible to	availed during the audit. However, for		

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Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	conduct budget performance analysis on	conduct budget performance analysis on purposes of presentation in the financial		
	budgeted and actual amounts	statements, the requirement is not to present		
		them per project as in IFMIS but by the		
		nature of expenditure. As indicated in the		
		Statement of comparative budget versus		
		actual, the expenses for the project did not		
		exceed the amounts appropriated hence full		
		compliance with provisions of the PFM Act		202
		2012 and its attendant regulations.		

Eng. Charles Obuon Director, Development

> Eng. Kungu Ndungu Director General

Date

30 AUG 2022

Date

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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
	а	q	c=a-p	d=b/a %	
RECEIPTS DURING THE YEAR/PERIOD	THE YEAR/PER	IOD			
Government of Kenya	270,000,000	2,168,858,374	(1,898,858,374)	100%	Funds budgeted for in the prior year but expensed in the current financial year.
External financing	6,540,000,000	6,141,142,368	398,857,632	94%	
Total receipts	6,810,000,000	8,310,000,742	(1,500,000,742)	100%	
PAYMENTS DURING THE YEAR/PERIOD	G THE YEAR/PE	RIOD			
Purchase of goods and services	000 000 010 3	32,765,993	2000 000 17	,000	Funds budgeted for in the prior year but expensed in the current
Acquisition of non- financial assets	0,810,000,000	8,277,234,749	(1,500,000,742)	100%	financial year.
Total Payments	6,810,000,000	8,310,000,742	(1,500,000,742)	100%	

ANNEX 2: RECONCILIATION OF INTER-ENTITY TRANSFERS

	PROJECT NAME:	KENOL - SAGANA - PROJECT	MARUA HIGHV	WAY IMPROVEMENT
	Breakdown o	f Transfers from the Sta	te Department of	Infrastructure
a.	Government	Counterpart Funding		
		Bank Statement Date	Amount (KShs)	FY to which the amounts relate
	Quarter 1	08-Jul-21	194,013,522	FY 2021/22
	Quarter 2	18-Aug-21	831,851,397	FY 2021/22
	Quarter 3	30-Dec-21	615,133,774	FY 2021/22
	Quarter 4	20-Mar-22	527,859,681	FY 2021/22
		Total	2,168,858,374	

Eng. Kungu Ndungu Director General

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

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ANNEX 3 - ANALYSIS OF PENDING BILLS

Supplier of Goods or Services	Original Amount	Date Contracted	Amount Paid To-Date	Outstanding Balance 2022	Outstanding Balance 2021	Comments
	а	þ	c	d=a-c		
Land Compensation						
Commissioner of lands	2,014,305,811 16/06/2022	16/06/2022	763,011,481	763,011,481 1,251,294,330		
Sub-Total				1,251,294,330		
Construction of roads						
China Wu Yi	235,989,101	17/06/2021	235,989,101	1	42,161,578	-
Jiangxi Transportation	455,208,067	16/06/2022	445,333,021	9,875,046	•	16
Aarvee Associates	11,057,501	15/06/2022		11,057,501	1	21
China Wu Yi	212,363,851 13/06/2022	13/06/2022	132,768,415	79,595,436		15
Aquaclean Services Limited	3,951,750	3,951,750 03/06/2022	-	3,951,750	1	-
Intercontinental Consultant & Technocrats (ICT)	3,848,497	13/06/2022	1	3,848,497	•	_
Francis Allen Consulting Ltd	3,066,144	30/11/2021	2,643,228	422,916		1
Sub-Total				108,751,146		
Grand Total	2,939,790,722		1,579,745,246	1,579,745,246 1,360,045,476	42,161,578	

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ANNEX 4 - SUMMARY OF FIXED ASSET REGISTER

		Purchases/Additions in the Year	Disposals in the	
Asset class	Opening Cost (KShs) 2021/22	(KShs) 2021/22	(KShs) 2021/22	Closing Cost (KShs) 2021/22
	(a)	(p)	(3)	(d)=(a)+(b)-(c)
Construction of Roads	2,016,258,329	7,276,109,673		9,292,368,002
Consultancy Services	144,072,934	238,113,595		382,186,529
Land	1,231,877,102	763,011,481		1,994,888,583
Total	3,392,208,365	8,277,234,749		11,669,443,114

ANNEX 5 - SUMMARY OF RETENTION CONTROLLED BY THIRD PARTIES

DATE	NAME OF CONTRACTOR	CERTIFICATE NO.	AMOUNT
24/06/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	IPC 2 Euro	8,371,276
24/06/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	IPC 2 Euro	2,514,648
24/06/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	IPC 2 Kshs	4,665,396
08/06/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	IPC 3 Euro	8,020,973
08/06/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	IPC 3 Euro	2,409,421
08/06/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	IPC 3 Kshs	4,470,169
04/08/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 4(AGTF Euro RET)	5,128,362
04/08/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 4 (AfDB Euro RET)	17,072,341
04/08/2021	04/08/2021 JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 4 (AfDB Kshs RET)	9,514,587
01/09/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 5(AGTF EUR Ret)	3,873,052
01/09/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 5(AfDB EUR Ret)	12,893,408
01/09/2021	01/09/2021 JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 5(AfDB Kshs Ret)	7,185,626
21/10/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 6	6,350,620
21/10/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 6	21.141.242
21/10/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 6	11.782.226

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dunum ne		20, 2022	
29/10/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 7	20,059,277
29/10/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 7	6,025,609
29/10/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 7	11,179,237
30/11/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol - Sagana IPC8	5,293,202
30/11/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol - Sagana IPC8	9,820,442
30/11/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol - Sagana IPC8	17,621,092
15/12/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana -Marua 10	8,483,166
15/12/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana -Marua 10	15,221,628
15/12/2021	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana -Marua 10	4,572,426
17/02/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 11(AGTF Eur Ret)	5,115,151
17/02/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 11(AfDB Kshs Ret)	9,490,077
17/02/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 11(AfDB Eur Ret)	17,028,361
18/03/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana IPC 12 RET	12,782,570
18/03/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana IPC 12 RET	6,889,805
18/03/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana IPC 12 RET	22,936,191
12/04/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana IPC13 ADB KSHS RET	9,179,877
12/04/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana IPC13 AGTF EURO RET	4,947,954
12/04/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana IPC13 ADB EURO RET	16,471,760
20/05/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 14 RET	9,801,887
20/05/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 14 RET	17,587,853
20/05/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 14 RET	5,283,217
08/06/2022		Kenol-Sagana 59	5,266,234
09/06/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 15	9,770,378
09/06/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 15	17,531,315
28/06/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 16(AfDB Euro Ret)	16,727,600
28/06/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 16(AGTF Euro Ret)	5,024,806
28/06/2022	JIANGXI TRANSPORTATION ENGINEERING GROUP LTD	Kenol-Sagana 16(AfDB Kshs Ret)	9,322,460
	Total		424,826,922