



THE COUNTY ASSEMBLY OF BOMET

**REPORT OF THE COMMITTEE ON COUNTY PETITIONS ON PETITION No.4 OF
2025 ON THE OPERATIONS OF BOMET WATER AND SANITATION COMPANY
(BOMWASCO)**

PRESENTED BY MR. STANLEY ORWASA NG'ENO

FEBRUARY, 2026

10/12/25
for tabling
24/2/26

Approved
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[Signature]
24/02/2026

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1. CHAPTER 1

1.1 PREFACE

The Committee on County Petitions is one of the select committees established under the Standing Order 200(1) of the County assembly Standing orders.

1.2 Committee Membership

The Committee on County Petitions comprises of the following Honourable Members: -

- | | |
|--------------------------|-------------------|
| 1. Hon. Josphat Kipkirui | -Chairperson |
| 2. Hon. Emily Cheruiyot | -Vice Chairperson |
| 3. Hon. Peter Rono | -Member |
| 4. Hon. Japhet Cheruiyot | -Member |
| 5. Hon. Joseah Samoei | -Member |
| 6. Hon. Chemutai Naomi | -Member |
| 7. Hon. Nathan Kibet | -Member |

1.3 Mandate of the Committee

The Select Committee on County Petitions derives its mandate from provisions of Standing order 200(3) of the County assembly standing orders which provides that the committee shall consider and report on all public petitions presented to the Assembly.

1.4 Petition No.2 of 2025

Pursuant to Standing order 200(3) of the County assembly standing orders, the County Petitions Committee shall consider and report on all public petitions presented to the Assembly.

The Committee on County Petitions formally received a petition from Mr. Stanley Orwasa Ng'eno on the operations of the Bomet Water and Sanitation Company (BOMWASCO).

The main issue in the petition relates to the operations of BOMWASCO in its provision of water to the residents of Bomet. The petitioner is deeply concerned that despite water being a basic human right under Article 43(1) (d) of the Constitution of Kenya, BOMWASCO has failed to provide a steady supply of the utility to the residents of Bomet. He avers that water is a devolved function whose resources have equally been devolved. He further avers that the County government of Bomet through its entities has failed to provide safe, adequate clean water to its

residents. He alleges that even instances where water is provided, the same is not fit for human consumption.

Therefore the petitioner among others prays that the County Government of Bomet do urgently put effort to ensure that its residents access clean and safe water in adequate quantities in full compliance with the provisions of Article 43(1) (d) of the Constitution.

In dealing with the matter, the committee held a number of sittings during which the committee was able to engage the petitioner, Bomet Water and Sanitation Company (BOMWASCO) and the County Executive Committee Member for Water, Sanitation, Environment, Natural Resources and Climate Change.

Upon deliberations in the said sittings and based on the submissions from the petitioner, the County Executive Committee Member for Water, Sanitation, Environment, Natural Resources and Climate Change, BOMWASCO and its own investigations, the committee came up with a report in response to the petition as provided for under the Standing Order 213 (2) of the County Assembly Standing Orders.

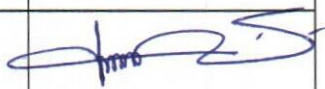
It is therefore my pleasant duty and privilege, on behalf of the Committee on County Petitions to table this report on the Petition.

SIGNED Date 8/12/2016

HON. JOSPHAT KIPKIRUI
CHAIRPERSON, COMMITTEE ON COUNTY PETITIONS

1.5 ADOPTION OF THE REPORT

We, the Hon. Members of Committee on County Petitions do hereby append our signatures to this report to affirm our approval and confirm its accuracy, validity and authenticity: -

No.	Name	Designation	Signature
1.	Hon. Josphat Kipkirui	Chairperson	
2.	Hon. Emily Cheruiyot	Vice-Chairperson	
3.	Hon. Peter Rono	Member	
4.	Hon. Japhet Cheruiyot	Member	
5.	Hon. Joseah Samoei	Member	
6.	Hon. Chemutai Naomi	Member	
7.	Hon. Nathan Kibet	Member	

1.5.1 Background

Petition No.4 of 2025 was tabled and committed to the Committee on County Petitions on 11th March, 2025. In the petition, the petitioner sought to draw the attention of the County Assembly to the following:

1. **THAT** pursuant to Article 43(1) (d) (Economic and Social rights) of the Constitution, every person has a right to clean and safe water in adequate quantities;
2. **THAT** Water and Sanitation Services are devolved functions whose financial resources have also been fully devolved.

3. **THAT** the County Government of Bomet through its established entities has failed to provide safe, adequate and clean water to residents. It should be noted that by 2022, 23% of Bomet households accessed water, but at the present it has dropped to a single digit.

4. **THAT** in the past year major towns including the County Headquarters and market centres have been faced with acute water shortages which has necessitated sale of raw water by persons engaging in water supply businesses. This constitute a major health risk and taint the image of the County in terms of attracting investments.

5. **THAT** in instances where water is supplied, the safety and quality is questionable and not fit for consumption.

6. **THAT** Bomet County is endowed with numerous water resources and there are no justifiable reasons as to why the county residents continue to lack water and sanitation services ten years after the advent of devolution.

7. **THAT** County Public Investment Committee undertook an inquiry into the operations of Bomet Water and Sanitation Company (BOMWASCO) in 2024 and prepared a comprehensive report whose recommendations to date have not been acted upon by the County Government.

8. **THAT** as a former BOMWASCO Chairman he had submitted a report covering Sept. 2019 - Sept. 2022 on the issues to be addressed and also that he gave his submissions during County Public Investment and Accounts committee inquiry into issues ailing the BOMWASCO and suggested actionable recommendations

1.6 LEGAL BASIS FOR PETITIONS

The Legal Framework

Petitions

The right of citizens to petition public authorities is enshrined in the Constitution. **Article 37 of the Constitution** provides that; *‘Every person has a right, peaceably and unarmed, to assemble, to demonstrate, to picket and to present petitions to public authorities’*

Section 15(1) of the County Governments Act, 2012 makes a provision for citizens’ right to petition the County assembly. The said section provides that; *“A person has a right to petition a county assembly to consider any matter within its authority, including enacting, amending or repealing any of its legislation.”*

The Standing Order 213(1) of the County Assembly Standing Orders provides that every Petition presented or reported pursuant to this Part, shall stand committed to the County Petitions Committee.

Standing Order 213(2) further provides that whenever a Petition is committed, the Committee shall, in not more than sixty calendar days from the time of reading the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid on the Table of the County Assembly and no debate on or in relation to the report shall be allowed, but the Speaker may, in exceptional circumstances, allow comments or observations in relation to the Petitions for not more than twenty Minutes.

2. CHAPTER 2

2.1 CONSIDERATION OF PETITION

2.1.1 Specific Prayers of the Petitioner

The specific prayers of the petitioner to the County Assembly was to implore/request the County Assembly to:-

- 1) Require the County Government to urgently make demonstrable efforts to ensure full implementation of Article 43 (1) (d) to ensure that county residents' access clean and safe water in adequate quantities.
- 2) Compel the County Government of Bomet to implement all the recommendations made by the County Public Investment/Accounts Committee (PIC/PAC) in its report on inquiry into the operations of BOMWASCO, 2024 within three months.
- 3) Ensure that as a matter of urgency, the residents of Bomet especially those in the urban areas get safe, clean and adequate water on regularly basis.
- 4) Compel the county departments to pay all pending departments' water Bills and all pending subsidies owed to BOMWASCO by July, 2025.
- 5) Make a reduction of KES. 200 million during budget making from the County Department of Water and allocate the same to BOMWASCO for three consecutive Annual Budgets.
- 6) Establish why several water projects have never been completed by the County Government and make necessary recommendations thereof.

2.2 Approach taken by the committee

(1) In considering the petition, the committee observed that it would be important to verify the facts alleged in the petition. The committee therefore resolved to conduct an inquiry on the issues raised in the petition.

(2) In this regard the committee received the petition on 11th March, 2025 after being tabled and committed to it.

(3) The committee invited the petitioner on 1st July, 2025 to clarify the issues raised in the petition.

(4) The Committee then later invited the County Executive Committee Member for Water, Sanitation, Environment, Natural Resources and Climate Change to respond to the issues raised in the petition.

(5) On 30th July, 2025, the County Executive Committee Member for Water, Sanitation, Environment, Natural Resources and Climate Change together with the A.g Managing Director BOMWASCO appeared before the committee to respond to the issues raised in the petition.

2.3 SUBMISSIONS FROM THE PETITIONER

The Petitioner appeared before the Committee on Tuesday 1st July, 2025 and stated under oath as follows:-

1. **THAT** his petition was grounded on Articles 35, 42, 43, 176 & 183 of the Constitution of Kenya.
2. **THAT** the citizens of Bomet County were entitled to the right to water in their taps but the right had been denied over the last 10 years.
3. **THAT** he faults the County Assembly for not asking for regular reports on BOMWASCO stating that when he was the Chairman Board of BOMWASCO in 2019-2022, he was never asked to make and submit any report, an aspect that spoke to a non-existent synergy between the County Executive and the County Assembly.
4. **THAT** human body is composed of 75% water and that water is a devolved function pursuant to schedule 4 of the Constitution
5. **THAT** every year, the County department of Water is appropriated millions of funds but there was nothing significant to show for it, challenging the County Assembly to play its rightful place

in Oversight, reminding the Committee of its powers to summon witnesses espoused in Article 195 of the Constitution.

SIGOR WATER PROJECT

6. **THAT** the project was started in 1977, picked up in the year 2002 with the entrance of CDF that enabled operationalization and thereby running of the project.

7. **THAT** unfortunately, recently the pipes went dry disposing resident to the times pre-1977.

8. **THAT** patients in Sigor and Longisa Hospitals Maternity carry water for use in jerry cans which he termed as indignity and dehumanizing.

9. **THAT** the county Assembly PIC/PAC committee that he was part of as a witness made important recommendations on the resuscitation of BOMWASCO but they were yet to be operationalized.

10. **THAT** funds allocated to BOMWASCO kept being misappropriated.

11. **THAT** the immediate former CECM Finance was impeached by the Assembly partly due to issues ensuing from the department of Water.

12. **THAT** he wrote a letter on March, 2022 to H.E the Governor on the state of BOMWASCO as the Chairperson BOMWASCO Board.

BOMWASCO MANAGEMENT STRUCTURE

13. **THAT** BOMWASCO management structure is as follows:

Board-Management- Heads of Departments

14. **THAT** the position of the Chairperson of the Board was advertised with no explanation of what happened to the former Chairperson and Director.

15. **THAT** the County Executive has always interfered with the running of BOMWASCO

16. **THAT** the Companies Act does not anticipate vacancies in the Boards

EMPLOYMENT OF EMPLOYEES

17. **THAT** Directors appoint the Managing Director (MD) with a tenure of 5 years.

18. **THAT** the HOD's are also employed by the Board while the rest of the human resource through consultation between the Board and the Management.

QUESTIONS ARISING

19. **THAT** why did the Management find it plausible to appoint a Managing Director (MD).

20. **THAT** a Mr. Rutto was imposed as an MD yet he was an employee of Water Department.

21. **THAT** why was the Board disallowed from employing the MD.

22. **THAT** the former MD before proceeding on leave wrote to the Board asking that one Mr. Rono acts as MD during his absentia, instead one Mr. Rutto was brought in.

23. **THAT** the Chief Officer Mr. Philemon Rutto then wrote a letter sending the then MD on a 30-day compulsory leave which prompted him as the Board Chairperson to go to the CECM Water protesting the action since the MD was an employee of the Board and not the Department of Water.

24. **THAT** the said MD went to the Court of Law and was awarded KES 9 Million in damages which is a huge loss to the taxpayers.

25. **THAT** there was a lukewarm performance by the shareholders- the Governor, CECM Water, & CECM Finance.

26. **THAT** the said stakeholders never attended a meeting he called during his tenure as the Board Chairperson

27. **THAT** BOMWASCO is plagued by micromanagement and interference by the County Executive contrary to the Companies Act CAP 285 Laws of Kenya.

28. **THAT** BOMWASCO ought to pump 17 000cm³ of water per day

29. **THAT** Itare water scheme was supposed to supply 6 000cm³ of water to Bomet and Kericho Counties a day respectively

30. **THAT** Itare scheme water pipes were destroyed during road construction and are yet to be repaired and that its water is the safest for human consumption as compared to all other schemes

31. **THAT** Kericho County Government is supposed to pay 2.5M to Bomet County Government a month which it does not do, and that by the time he left office, Kericho County Government had

accumulated 15 Months unpaid dues and that the subsidy from the department of Water Bomet County Government had 22 months unremitted subsidy.

32. **THAT** currently, the said department owes BOMWASCO KES 80M

33. **THAT** an allocation of KES 200M from the County Government budget can offset all the bills accrued by BOMWASCO and thereby restoration of its functionality.

34. **THAT** BOMWASCO staff collusion with water customers to avoid payment of water bills was one of the major challenges.

WATER-BORNE DISEASES

35. **THAT** Cholera, Typhoid and other water borne diseases cost of treatment was high and implored the Committee the invite the Health department officials to provide statistics on the County cumulative estimated cost of treatment.

36. **THAT** the County Government water bowsers that used to supply water without a fee disappeared and private bowsers are currently supplying the residents with water at exorbitant prices and ought to be controlled.

37. **THAT** Amalo, Nyangores, Kipsonoi & Itare rivers are highly polluted by soils that are eroded carry along farm chemicals.

38. **THAT** BOMWASCO's poor performance was enabling the pollution.

39. **THAT** BOMWASCO incorporated 7 irrigation schemes carrying a baggage of 13 Million in terms of liabilities.

40. **THAT** BOMWASCO collects KES 6 Million a month.

41. **THAT** irregular on-boarding of other community water projects in the year 2019-2020 increased BOMWASCO's operations and maintenance costs from 4.7M to 8.7M. .

(k) **THAT** none of the issues raised in the petition is pending in any court of law, constitutional body or other quasi-judicial organ.

SUBMISSIONS FROM THE COUNTY EXECUTIVE COMMITTEE MEMBER FOR
WATER, SANITATION, ENVIRONMENT, NATURAL RESOURCES AND CLIMATE
CHANGE AND THE Ag.MANAGING DIRECTOR BOMWASCO

The County Executive Committee Member for Water, Sanitation, Environment, Natural Resources and Climate Change and the Ag. Managing Director appeared before the committee on 30th July, 2025 and responded as follows:

Petition S/No.	Petitioner's grievances	Responses from the CECM and BOMWASCO
1.	THAT the pursuant to Article 43(Economic and social rights) of the constitution, every person has to clean and safe water in adequate quantities;	THAT it is true that under article 43 (d) of the constitution of Kenya 2010 , every individual has a right to clean and safe water in adequate quantities. This right is therefore vested upon County Government since water is a fully devolved function under County Government Act (2012) and Urban Areas and Cities Act (2011).
2.	THAT water and Sanitation Service are devolved functions whose financial resources have also been fully devolved.	THAT Water and Sanitation services are constitutionally devolved functions in Kenya. The Constitution of Kenya 2010 recognizes access to clean water and reasonable sanitation as a basic human right (Article 43d), and assigns the responsibility for delivering these services to the county governments. Legal & Institutional Framework • County Government Act (2012) and Urban Areas and Cities Act (2011) laid the groundwork for devolution. • The Water Act 2016 aligned water sector governance with the Constitution, formally transferring service provision to counties.

		County Responsibilities Counties are now in charge of: • Planning and implementing water and sanitation projects • Managing local water utilities • Expanding access, especially in underserved areas • Ensuring sustainability and financial viability of services National Government Responsibilities National Government Role Still plays a part in: • Policy formulation • Regulation through bodies like WASREB (Water Services Regulatory Board) • Technical support and capacity building for counties Challenges & Opportunities Counties face hurdles like limited technical capacity, aging infrastructure, and financing gaps. But devolution also opens doors for localized solutions, community engagement, and tailored service delivery.
3.	THAT the County Government of Bomet through its established entities has failed to provide safe, adequate and clean water to residents, it should be noted that by 2022, 23% of Bomet households were beneficiary to	THAT, it is true that Bomet county water coverage is still low and currently stands at 12% as per latest WASREB impact report number 17 issued on June 25, 2025 against National level of 70%. This is attributed to the following factors; • Inadequate Infrastructure: Many rural and peri-urban areas lack

	water, but at the present it has dropped to single digit.	proper water supply systems. Aging pipes, limited treatment facilities, and poor maintenance reduce efficiency and reliability. • High Non-Revenue Water (NRW): A significant portion of water produced is lost due to leaks, theft, or poor metering. Our current NRW levels is 57 %, which strains financial sustainability. • Climate Change & Water Scarcity: Frequent droughts and erratic rainfall patterns reduce surface and groundwater availability, especially in arid and semi-arid regions. • Rapid Urbanization: Population growth and rural-urban migration outpace infrastructure development, leading to overstretched services in cities and informal settlements. • Limited Funding & Investment: underinvestment in water infrastructure hampers expansion and modernization efforts. Small and medium water service providers often rely on subsidies to operate. • Governance & Regulation Issues: Fragmented oversight, weak enforcement of standards, and limited capacity at county levels hinder effective service delivery.
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		Opportunities for Improvement • Smart Metering & Tech Adoption: Modern billing systems and leak detection tools can reduce losses and improve efficiency that will translate to wider service coverage. • Community-Led Initiatives: Empowering local groups to manage water points and sanitation facilities can boost sustainability and accountability. • Public-Private Partnerships: Collaborations can unlock funding and expertise for infrastructure projects. • Education & Awareness Campaigns: Promoting hygiene and water conservation can reduce disease and improve resource use.
4.	THAT in the past year major towns including the County Headquarters and market centers have been faced with acute water shortages which has necessitated sale of raw water by persons engaging in water supply businesses. This constitutes a major health risk and taints the image of the county in terms of attracting investments.	THAT, it is true some of the major towns including headquarters and market Centres were faced by acute water shortage due to power disconnection by KPLC caused by unpaid electricity bills. To address future power disconnections, the County Government through Department of water need to enhanced electricity budget adequate to cover the entire financial year. Currently, our average monthly electricity bills when operating at 100% production is Kshs 9M translating to yearly amount of Kshs 108M. Other measures

		including solarization of major water extraction points has been undertaken by County through Department of water to reduce reliance of electricity.
5.	THAT in instances where water is supplied, the safety and quality is questionable and not fit for consumption.	THAT, to ensure our customers get quality water services, Bomet Water continues to tests water quality regularly prior and after treatment to ensure water meets standards both internally and externally. Hon Chair, all testing is done with accredited laboratories (LVSWWDA and KeBs). The results of testing are published. All the tests carried out during the period passed the minimum threshold of the national water quality standards. Hon Chair, the only challenge is when power is disconnected, residence finds alternative ways of accessing water which does not pass through regulatory tests which now become health hazard.
6.	THAT Bomet County is endowed with numerous water resources and there are no justifiable reasons as to why the county residents continue to lack water and sanitation services ten years after the advent of devolution.	THAT, it is true that Bomet county is endowed with numerous water resources enough to serve the entire population. To achieve this, the County Government need to improve budget allocation to Department of Water to tap on availability of water sources spread across the County. In addition, the County Government need to lobby for more major gravity water projects from National Government and Development partners since the investment

		required in water infrastructure is huge and cannot be met alone by the counties budget.
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7. **THAT** below is progress report on the implementation of **PIC/PAC** recommendations on the inquiry into the operations and performance of BOMWASCO. She indicated that currently 60% of the recommendations have been acted upon whereas the remainder is work in progress since part of recommendations requires budgetary allocations which is progressive.

S/N	Committee recommendations		Progress on committee recommendations	Status
1.	Human Resource Management and Remuneration	Comprehensive Staff Audit be undertaken by the management to rationalize, merge, and align human resource to avoid duplication, sabotage, conflict and under-performance and relevant remedial action including staff performance appraisal and review of academic qualifications be carried out within 30 days.	The exercise was done and staff rationalization was part of the recommendation. Total of 32 staff were released through VER at a total cost of Kshs 32.7M . The current workforce stands at 99 against a target of 77 staff to comply with WASREB staff productivity. The Company is awaiting County support to achieved desired staff numbers of 11 for every 1000 active connection.	Ongoing
		The management must put in place a clear strategy on how the existing salary arrears and unremitted statutory deduction	The management developed revenue collection enhancement strategy through RRI programs in all our schemes and adopted caretaker approach that will be used to settle current staff salaries. In addition, the Company requested CGOB for	Ongoing

		should be settled within sixty (60) Days	conditional grant to offset the outstanding arrears.	
		The management must put in place a clear recruitment policy and that all future recruitments and promotions must be in line with relevant policy guidelines.	The management reviewed Company's Human Resource Policy and was approved by the board in line with committee recommendations.	Done
		The management should put in place a practical and robust system to eliminate malpractices among the staffers and embrace utilization of ICT infrastructure.	The Company procured and fully implemented ERP system with robust HR management modules that ensured all processes are well secured and has audit trails	Done
		The management should put in place a clear plan on capacity building, training and benchmarking from other best performing water service providers which will boost staff morale	The Management together with the line supervisors carried out staff training need Assessment and is currently being implemented progressively through company own source revenues and development partners.	Done

		That the relevant agencies including Ethics and Anti-Corruptions Commission should commence investigation against any individual who participated in any illegal recruitment, improper procurement and other irregularities in the Company.	Training by representative from EACC Nakuru offices was carried out to pass information to all staff on the importance of maintaining high level of integrity in work place and consequences of breaching integrity provisions.	Ongoing
	2. Restructuring of the Company	Composition of the Board of Directors The appointment of Directors representing the County Government in the Board of Directors should adhere to the requirements of the WASREB Corporate Governance Guidelines for the Water Services Sector which require that two directors from the County Government where each shall be a professional officer	Board recruitment in the Company is as per WASREB recommendations on Board composition.	Done

		from county water department and from the county finance department		
		Memorandum and Articles of Association Memorandum and Articles of Association must be reviewed on aspects of qualification of the Members of the Board of Directors to be in line with WASREB Guidelines within sixty days upon adoption of this report	Review of AOA & MOA was carried out and was approved by the board as per WASREB guideline.	Done
		Board Succession Policies That two directors retire every year and that the Chairmanship be held for one-year period renewable once	Three Board members retired on rotation during FY 2024/2025 and replacement process was done as per WASREB guideline. Names for the interviewed candidates was forwarded to appointment authority for action.	Done
		The composition of the directors must consider membership of professional bodies as well as rich experience	Composition of the board was guided by WASREB guideline which include membership from the shareholders, professional body,	Done

		in relevant fields so as to add value to the management of the Company.	community water schemes and manufacturing sector.	
		The current Board be reconstituted to conform to the recommended threshold within 90 days.	The Exercise was done and awaiting appointment by the Governor in line with WASREB guideline and committee recommendations.	Done
3.	The management of the Company	The top management of the Company must be engaged on performance-based contract	The company has complied and management have signed yearly performance contract with the BOD.	Done
		The Managing Director be recruited on a three-year renewable contract (renewable once) subject to satisfactory performance	Recruitment of substantive managing director was put on hold due to court injunction. The exercise will be concluded once the injunction is lifted by the court. Currently, the County Government seconded County member of staff to oversee daily operations as the Company await to fill the position.	Done
		The Corporate Management Team (CMT) be engaged on three-year renewable contract subject to satisfactory performance.	The company has complied with committee recommendations and all CMTs are on 3-year contract basis. Renewal will be guided by individual performance.	Done

4.	Revenue Collection	The management should put in place a clear plan and strategy on the collection of revenue as billed to customers within 30 days. Further, the following must be prioritized	The Company developed and fully implemented commercial policies and procedures guiding the entire commercial aspect on billing and revenue collections. The policy clearly stipulate that all customer must pay for the bills 14 days after receiving SMS billing. Failure to which will results to water and sewer disconnections and a penalty of KES 1,000 is charged.	Ongoing
		The County Government Departments and agencies must clear their respective water bills within three months from the date of adoption of this report	Efforts has been made by County departments and agencies to clear their bills. The company still appeal to County Government to have all their bills done centrally rather than being paid by individual ministry for efficiency revenues collection.	Ongoing
		The County Government must urgently engage Kericho County Government to ensure that all the pending payments for bulk water sales are cleared within three months.	The County Government of Bomet together with County Government of Kericho signed MOU with clear guide on quantity of water to be supplied to Kericho County and timeframe of settling outstanding payments.	Ongoing
		The Management should put in place Debt Collection Policy to	The Company has adopted an elaborate commercial policy with	Ongoing

		ensure compliance on billings and payment within three months of adoption of this report	clear procedures on debt collections procedures and timelines.	
		To further enhance revenue collection the company should adopt several strategies which should include availing multiple collection options for customers, using intelligent SMS platforms and charging reconnection fee whenever a customer is disconnected.	The Company has adopted ICT on billing and revenue collections. All payment is also done through MPESA and Company Bank accounts.	Done
		Customer relations (Complaints section) and outreach programs should be set up by the management to encourage customers	Customer Care Offices within all the 14 Water schemes was established to address customer complaints and timely responses to customers' queries.	Done
		The Water Company should improve on the quality of services being offered to the customers and increase the water supply hours to meet the threshold set by the regulator	The company improved on water supply hours from the current 12 hours to 15 hours to meet customer demand. Concerted efforts are also underway to increase water storage capacities.	Done

		To address the long outstanding debts, the management of the Company should set targets of collection which should be reflected in the company's annual budget and subsequently achieved	The Company has fully implemented debt collection policy that will guide in determination of debt recoverability and timeframe.	Done
5.	Tariff Structure Review	The Water Company Management, the County Government and WASREB should commence negotiation and conclude on the tariff structure within two months of adoption of this report both in the short term and long term.	The company applied and obtained new cost recovery tariff on 4th October 2024 vide Kenya gazette notice number 4064.the Tariff was operationalized on 1st November 2024 which will translate to an improved financial stability of the Company	Done
6.	Non-Revenue Water (NRW)- Non-Revenue Water currently stands at 62%- WASREB /66%- Auditor-General against the sector standard of a	A fully-fledged department on Non-Revenue Water to deal with illegal connection, malpractices, water leakages, metering be operationalized with a lean and competent staff within 30 days	Fully-fledged department on Non-Revenue Water was established headed by Non-Revenue water officer reporting to TSM. Revised organogram approved by the board	Done

	maximum of 25%. To address this issue	upon adoption of this report.		
		The County Government must urgently allocate sufficient resources for investment in acquisition of meters for the existing connections	The County Government through Department of water has factored in their budget an amount specifically for acquisition of 2000 water consumer meters. This is in addition to donations from Development partners through resource mobilization. Currently, City Tap Sass is installing 5,500 water meters at Itare water scheme. We have also received 3,100 meters from LVSWWDA that will boost our metering ration and reduction in NRW.	Ongoing
		An Audit of all serviceable lines must be carried out within 30 days to deal with illegal connections and necessary action undertaken.	The company through the support from LVSWWDA adopted the use of water protection police unit to address illegal collection challenge.	Ongoing
7.	Infrastructure Development and Expansion	Proper and constructive consultation should be undertaken between the County Government Water department and	The Department of water and Water Company IS currently working closely during budget making process to align their need and avoid duplication of projects.	Ongoing

		BOMWASCO to ensure that infrastructural investment is targeted.		
		Feasibility studies must be undertaken before any infrastructural development is undertaken to avoid instances of conflict, losses and litigation.	Feasibility studies has been made mandatory for every project to be done by the department.	Done
		County Water Department should work in concert with BOMWASCO to eliminate unplanned development of infrastructure leading to dry lines and sub-standard works	The County Water department is currently carrying out planned and joined infrastructure development with the Water Company.	Ongoing
		Planning and Budgeting by the Water Department ought to include BOMWASCO management so as to identify the necessary areas of concern	The Company and Water department is currently working closely in the budget making process to ensure priority and sustainable projects are implemented.	Ongoing
8.	Addressing litigation	The management should initiate out of court settlement to	The company has adopted committee recommendations on out of court settlement to cut down on future litigation costs.	Done

		reduce litigation costs and risks.		
9.	Community Water Projects	To avoid taking over of Community Projects which are commercially non-viable, a policy framework should be developed to address the issue of adoption community projects and those developed by the County Government (Department of Water) to curtail haphazard adoption of unsustainable projects. The same policy should be approved by the County Assembly to foster collaboration and public participation.	The Company together with Water department has made a mandatory to carry out feasibility study of community water projects prior to being taken/handed over to the Company.	Done
10.	Subsidy provision by the County Government	The County Government should take urgent steps to ensure that all the pending subsidy which is due to the Water Company be availed. However, disbursing the subsidy should be	The Company through the department of water is lobbying for an increase subsidy allocation from CGOB to address unremitted allocations in the previous financial year.	Ongoing

		conditional on implementation of the Committee recommendation. Further, the County Government should consider reducing the subsidy gradually and eventually wean the Company from reliance on subsidy		
11.	Setting up of a second entity	Further, the Committee recommends that the County Government should consider incorporation of another Water Company to address the coverage of water supply and sewerage services across the County.	The company in consultation with WASREB is weighing the option of having rural and urban water companies to address financial sustainability.	Ongoing
12.	Report on Implementation of the Recommendation	The report on implementation of the recommendations and resolution of the County Assembly should be submitted to the Assembly on quarterly basis by the management	Quarterly progress on the implementation of committee recommendations is submitted to the department of water.	Done

	AVERAGE SCORE			60%
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COMMITTEE OBSERVATIONS

Having considered the petition, the responses and submissions from the petitioner and the County Executive Committee Member for Water, Sanitation, Environment, Natural Resources and Climate Change and the Ag.Managing Director BOMWASCO and arising from its own investigations, the committee made the following observations:

- (1) **THAT** indeed there are a myriad of challenges affecting the Bomet Water and Sanitation Company(BOMWASCO) that hampers its provision of clean and adequate water on regular basis to the residents of Bomet.
- (2) **THAT** there are measures that the County Government of Bomet and BOMWASCO are taking to ensure that its residents access clean and adequate water for consumption.
- (3) **THAT** there is need for the County Government of Bomet to ensure that BOMWASCO is up and running by ensuring timely remittance of the subsidy and proper restructuring of its board of directors and the management.
- (4) **THAT** there is need to ensure that BOMWASCO remains a going concern which should stand on its own once the county government's subsidy is terminated.
- (5) **THAT** there is need to consider the viability of on-boarding of the various community projects that have greatly affected the cost of operations and maintenance in **BOMWASCO**.

COMMITTEE RECOMMENDATIONS

The committee having investigated the matter in accordance with its mandate under Standing order 200(3) of the County Assembly Standing orders and based on its observations recommends as follows:-

- (1) **THAT** in response to the petitioner's prayers No.1 and 3, the committee recommends that the County Government of Bomet and BOMWASCO put in place rapid measures to ensure that the residents of Bomet get access to clean, adequate and safe water.
- (2) **THAT** in response to prayer No.2, the Committee recommends that the County Government of Bomet puts in place measures to ensure that the recommendations of the PAC/PIC Committee

in its report on the inquiry into the operations and performance of BOMWASCO are fully implemented.

(3) **THAT** in response to prayer No.4, the Committee recommends that the County Government of Bomet puts in place measures to ensure that all the pending water bills and subsidies owed to BOMWASCO are paid to ensure continuity of service provision.

(4) **THAT** prayer No.5 can't be granted because of the effect on the planned activities of the department.

(5) **THAT** in response to prayer No.6, the County Government of Bomet, should put in place measures to ensure that all the stalled water projects are completed and operationalized.