

REPUBLIC OF KENYA



GOVERNMENT OF MAKUENI COUNTY



**PERFORMANCE CONTRACT BETWEEN THE GOVERNOR OF
MAKUENI COUNTY**

AND

**COUNTY EXECUTIVE COMMITTEE MEMBER
DEPARTMENT OF TRADE, INDUSTRY, TOURISM AND CO-OPERATIVES**

FOR THE PERIOD 1ST JULY 2018 TO 30TH JUNE 2019

PERFORMANCE CONTRACT

This Performance Contract (hereinafter referred to as “Contract”) is entered into between the Government of Makueni County (hereinafter referred to as (“GMC”) represented by **H.E. the Governor, of P.O. Box 78-90300, Makueni** (together with its assignees and successors) of the one part, and the County Department of Trade, Industry, Tourism and Cooperatives(hereinafter referred to as the “Department”), represented by the County Executive Committee Member (together with its assignees and successors) of **P.O. Box 78-90300** on the other part.

WHEREAS;

The County Government is committed to ensuring that public offices are well managed and they are cost effective in delivering quality service to the public in line with provisions of the Constitution of Kenya;

The County Government recognizes that Departments hold a vital key in the implementation of County priority programmes and projects, other national priorities including the “Big Four” initiatives in order to improve the quality of lives of the people of Makueni County and make the County competitive;

The purpose of this performance contract is to establish the basis for ensuring that efficient and effective services are delivered to the people of Makueni County in line with the provisions of the Constitution and by requiring Departments to adapt systems that enable innovativeness and adaptability of public services to the needs of users.

This Performance Contract therefore represents a basis for continuous performance improvement that meets the needs and expectations of the county residents.

NOW THEREFORE, the parties hereto agree as follows:

Part I: Statement of Responsibility by the Executive Committee Member

It is my responsibility to provide the required leadership in designing suitable plans and strategies that will contribute to high and sustainable socio- economic development. It is my undertaking to ensure that the Department has a credible strategic plan and performance contract that will deliver the desired goals.

It is my undertaking that I will to perform my responsibilities diligently and to the best of my abilities to support the achievement of the agreed performance targets.

Part II: Vision Statement, Mission Statement, Departmental mandate and Strategic Objectives

Vision of the Department

A leader in facilitating sustainable wealth creation

Mission of the Department

To promote, coordinate and implement integrated economic policies and programs for a rapidly industrializing economy.

Mandate of the Department

- i) Co-operative Financing Policy
- ii) Private Sector Development Strategy
- iii) Fair Trade Practices and Consumer Protection
- iv) Promotion of Retail and Wholesale Markets
- v) Trade development and regulations
- vi) Quality Control including Industrial Standards
- vii) Development of market as well as Micro and Small Enterprise Policy
- viii) Special Economic Zones
- ix) Co-operative Legislation, Support Services Co-operative Education and Training
- x) Co-operative Savings, Credit and Other Financial Services Policy
- xi) Trade Development industrialization policies
- xii) Co-operative Governance policy development and implementation
- xiii) Formulate strategies for effective tourism product development and promote and encourage the development of diverse tourism products across the supply chain focusing on value addition.
- xiv) Promote modern and cost effective uptake of eco-tourism as well as undertake tourism marketing intelligence research and market analysis to inform marketing and development policies and strategies
- xv) Produce, document and disseminate tourism products and services information
- xvi) Establish Tourism Information Centers and signages.

Strategic Objectives of the Department

- 1.) To promote marketing of agricultural produce, agro based products and other products
- 2.) To promote fair Trade Practices and facilitate growth and development of business infrastructure
- 3.) To create a conducive environment for growth and development of business enterprises
- 4.) To promote innovation and industrial development
- 5.) To create a conducive environment for growth and development of tourism infrastructure towards increased tourist numbers
- 6.) To promote tourism activities within the county
- 7.) To strengthen and develop the co-operative movement

Part III: Statement of Strategic Intent by the Executive Committee Member

In carrying out my duties, I intend to put all my efforts towards contributing effectively and efficiently to the achievement of the county development agenda as espoused in the Makueni County Vision 2025, the Kenya Vision 2030 and CIDP 2018 - 2022, keeping in mind the specific priorities of the Department.

Bearing in mind the imperative of inclusivity, I will implement the following Strategic Intentions during the Financial Year:

1. Ensuring that systems are established for equality for all users of public services;
2. Ensuring impartiality and fairness in the process of delivery of public services;
3. Ensuring promotion of National Cohesion and National Values;
4. Ensuring continuity of public services under all circumstances;
5. Establishing systems to enable innovativeness and adaptability of public services to the needs of users;
6. Ensuring professionalism and ethics in Public Service is achieved and maintained;
7. Establishing systems to ensure promotion and protection of rights of users of public services and public servants as enshrined in the Bill of Rights;
8. Institutionalizing a culture of accountability, integrity, transparency and promotion of values and principles of public service;
9. Ensuring a corruption free public service
10. Ensuring effective, efficient and responsible use of public resources; and
11. Ensuring responsiveness by public servants in delivery of public services.

Part IV: Commitments and Obligations of the County Government

1. Develop County Integrated Development Plan, which should be anchored on National and County policies, SPS and national plans such as Vision 2030 Medium Term Plan III;
2. Establish and operationalize service delivery, financial and related management systems for the county;
3. Establish a culture of service and accountability in the county public service, including working styles, attitudes and work ethics
4. Ensure that appropriate measures are instituted to mitigate against corrupt practices in the county public service.
5. Ensure timely approval of departmental requests.
6. Ensure timely availability/provision of necessary resources based on approved budget.

Part V: Reporting Requirements

The County Executive Committee Member shall submit quarterly and annual performance reports in the prescribed format to the County Performance Management Coordination Committee for monitoring progress and evaluation of performance.

Part VI: Duration of the Performance Contract

The Performance Contract will run for one financial year, from 1st July 2018 to 30th June 2019.

Part VII: Signatories to the Performance Contract

For and on behalf of the County Department of Trade, Industry, Tourism and Cooperatives

Signature..... Kariro Date..... 10/9/2018

Rosemary Maundu
County Executive Committee Member
DEPARTMENT OF TRADE, INDUSTRY, TOURISM AND COOPERATIVES

Witnessed by:

Signature..... [Signature] Date..... 10/9/2018

Diana N Muli
CHIEF OFFICER,
DEPARTMENT OF TRADE, INDUSTRY, TOURISM AND COOPERATIVES

For and on behalf of the Government of Makueni County

Signature..... [Signature] Date..... 10/9/2018

H.E. Kivutha Kibwana,
GOVERNOR, MAKUENI COUNTY

Witnessed by:

Signature..... [Signature] Date..... 10-9-2018

H.E. Adelina Mwau,
DEPUTY GOVERNOR, MAKUENI COUNTY

PERFORMANCE CONTRACT MATRICES

	CRITERIA CATEGORY	UNIT OF MEASURE	WEIGHT	CURRENT STATUS FY 2017/18	TARGET FY 2018/19
A	FINANCIAL STEWARDSHIP AND DISCIPLINE				
	Absorption of Allocated Funds	%	4	64.12	100
	Development Index	%	2	62.66	65
	A-in-A	Ksh		N/A	N/A
	Asset Management	%	2	-	100
	Pending bills	%	2	1.04	≤ 1
	Weight Sub Total		10		
	SERVICE DELIVERY				
	Development and Implementation of Citizens' Service Delivery Charter	%	2	N/A	100
	Customer Satisfaction	Report	2	N/A	1
	Application of service delivery Innovations	No.	2	Specs for online portal	1
	Resolution of Public Complaints	Report	2	N/A	1
	Automation	Report	2	N/A	1
	Weight Sub Total		10		
C	INSTITUTIONAL TRANSFORMATION				
	Development of County Planning Framework	%	3	N/A	100
	Youth Internships/ Industrial Attachments/Apprenticeships	No	1	7	6
	Access to Government Procurement Opportunities (AGPO)	Ksh.	2	26,005,000	7,139,640
	Promotion of Local Content	No.	1.5	N/A	4
	Competence Development	Report	2	N/A	4
	Knowledge Management	Report	2	N/A	1
	Work Environment	Report	1	N/A	1
	Safety and Security Measures	Report	1	N/A	1
	Cascading of Performance Contracts	%	1.5	40%	100
	Weight Sub Total		15		

D	CORE MANDATE				
	Construction of Market Sheds	%	4	85%	100
	Jua Kali Sheds	%	4	60%	100
	Trade Promotion and Marketing	%	4	Mapped cottage industries in the county	100
	Fair Trade Practices	Report	4	Verified 5414 equipment	1
	ENE Micro Finance	Report	4	Achieved mobilization target- Kshs 73,000,000	1
	Tourism Promotion	Report	10	2 cultural sites and 1 tourism site developed to 80%	1
	Implement the Makueni County Cooperative Societies Act, 2017	No.	4	Printed 100 copies of the act	100
	Governance, Compliance and Performance of Cooperatives	No.	4	30 societies audited	100
	Capacity development for the Cooperative Movement	No.	4	800 members trained	100
	SMEs Development	Report	4	Loaned 11,600,000 to SMEs	1
	Trade and Industry Policy	No	4	N/A	1
	Revenue Collection	Ksh.	4	1,699,208	800,000
	Ease of Doing Business	No.	2	Developed specs for online portal	1
	Compliance With Statutory Obligations	%	2	100%	100
	Project Completion Rate	%	2	62.9%	100
	Weight Sub Total		60		
E	CROSS-CUTTING ISSUES				
	Prevention of Alcohol and Drug Abuse	Report	0.5	N/A	1
	Prevention of HIV Infections	Report	0.5	N/A	1
	Engagement with Development Partners	Report	0.5		
	Environmental Sustainability	No.	1	N/A	2
	Disability Mainstreaming	Report	0.5	N/A	1
	Corruption Prevention	Report	1	Established a complaints box	1
	National Cohesion and Values	Report	1	N/A	1
Weight Sub Total		5			
OVERALL TOTAL WEIGHT		100			

EXPLANATORY NOTES

	CRITERIA CATEGORY	NOTES
A	FINANCE STEWARDSHIP AND DISCIPLINE:	
1	Absorption of allocated funds	Total allocated budget Kshs 148,327, 636.60. The department commits to absorb 100% of the allocated budget.
2	Development Index	The total allocated budget is Kshs 148,327, 636.60. Development budget is Kshs. 97,764,453.90 which equals to 65%.
3	A in A	N/A
4	Asset management	The department commits to: -Introduce one asset register (30%) -Update the asset register (70%)
5	Pending bills	The department commits to clear up to 70% of the pending bills (100%)
B	SERVICE DELIVERY	
1	Implementation of Citizens' Service Delivery Charter	The department commits to: - Map charter processes (20%) -develop a departmental service charter (30%) - Prominently display copies of the service charter (20%) - Monitor compliance to the service charter (30%)
2	Customer Satisfaction	The department commits to: -Design an internal and external customer survey tool (10%) -Administer customer satisfaction survey tool (30%) -Analyse and prepare a report with recommendations (30%) - Prepare action plan for implementation of recommendations (30%)
3	Application of service delivery Innovations	The department commits to: - Develop and operationalize the trade marketing online portal (100%)
4	Resolution of Public Complaints	The department commits to: - Develop and document a complains handling procedure (50%) - Map the nature of complains (30%) - Action plan (20%)
5	Automation	The department commits to: -Automate two services– Weights & Measures and Cooperatives Audit fees collections (30%) - Implement the automation (70%)

	CRITERIA CATEGORY	NOTES
C	INSTITUTIONAL TRANSFORMATION	
1	Development of County Planning Framework	The department commits to: -Develop a departmental work plan (20%) -Develop a draft departmental strategic plan (40%) -Validate the draft strategic plan (40%)
2	Youth Internships/ Industrial Attachments/Apprenticeships	The department commits to: -Provide opportunity for 4 interns and two attachees (100%)
3	Access to Government Procurement Opportunities (AGPO)	The department commits to: -reserve at least 30% in her procurement plan for AGPO (30%)- The total amount to be procured is Ksh. 23,798,801.5 so 30% will be Ksh. 7,139,640.50. -Procure AGPO contractors (70%)
4	Promotion of Local Content	The department commits to: - Identify 2 groups dealing in local products and support them with a marketing tool (50%) - Identify 2 groups in the Jua-kali sector and support them to exhibit in the annual Makueni agricultural and trade fair. (50%)
5	Competence Development	The department commits to: - - Map the departmental competencies (skills and attributes) needs (20%) -Undertake one staff training needs assessment (20%) -facilitate 4 members of staff to work related/Promotional training (60%)
6	Knowledge Management	The department commits to: - Identify sources of our information (10%) - Develop a strategy for passing on acquired knowledge and documenting (10%) - Monthly Directorates meetings, bi- weekly briefing meetings for Directors, CO, and ECM and quarterly departmental meetings (30%) - Back to office reports after trainings and seminars (10%) - Ensure attendance by technical to staff to relevant meetings. (10%)
7	Work Environment	The department commits to: - carry out departmental survey on basic working

	CRITERIA CATEGORY	NOTES
		tools for all employees (40%) - Develop an action plan for addressing the gaps /needs identified (40%) - Organize 1 departmental team building exercise (20%)
8	Safety and Security Measures	The department commits to: -Facilitate 5 departmental staff in the various units for training on safety and security measures (50%) -Establish a secure filing system for departments' confidential files with restricted access (50%).
9	Cascading of Performance Contracts	-The department commits to cascade performance contracts to all staff by 15 th September, 2018 (30%) -Evaluate all the staff at the end of the contract period (70%)
D	CORE MANDATE	
1	Construction of market sheds	The department commits to: -Complete and operationalize Nziu market shed - by completing construction as per the designs and BQs and having green grocers using the market shed)- (30%) - Complete and operationalize Sultan Hamud open air market by completing construction as per the designs and BQs and having green grocers using the market shed- (40%) -Upgrade Kithumani market shed (30%)- providing 24hour lighting by Installing Solar lighting (30%)
2	Construction of Jua kali sheds	The Department commits to: - -Complete construction of Wote Jua Kali shed - by doing 3 phase wiring, rain water harvesting, construction of a modified modern toilet to include MPESA and maintenance office-(60%) - Audit all the existing Jua Kali Sheds in the County and make a report- (40%)
5	Trade promotion and marketing	The department commits to promote trade and marketing through: - Development of the marketing portal (30%) - Stakeholder validation meeting for the online marketing tool (20%) - Operationalize the online marketing portal (30%) - Auditing of all the existing market sheds and do a report- (20%)

	CRITERIA CATEGORY	NOTES
6	Fair Trade Practices	The department commits to: - - verify 5500 weighing and measuring equipment (100%)
7	ENE Micro finance	The department commits to facilitate the process of incorporation of ENE MICROFINANCE BANK LTD - Engagement with Central Bank of Kenya (Meetings and Emails) - (50%) - Incorporation of Ene Microfinance Bank Ltd(50%)
8	Tourism promotion	The department commits to: -Participate in 2 tourism expos (10%) -Capacity build 18 tourism providers in the county (10%) -Map tourist hotels in 4 sub counties and develop a marketing brochure. (15%) -Engage 14 tour operators in a tourist site familiarization guided tour (20%) -Organise one tourism investor's forum (15%) -Organize one county cultural tourism fair (15%) -Complete construction of Mukamba and Iviani cultural centres (10%) - Upload the tourist guide from the mapping report to the county website (5%)
9	Implement the Makueni County Cooperative Societies Act, 2017	The department commits to: -Publish the Makueni County Cooperative Societies Regulations, 2018 (50%) -Develop model by laws for Saccos and Marketing co-operatives (30%) -supervise amendment of 30 cooperatives by laws to conform to new law (10%) -replace registration certificates for 30 cooperatives (10%)
10	Governance, Compliance and Performance of Cooperatives	The department commits to: - Undertake a baseline survey for co-operative societies (20%) -Carry out 10 cooperative inspections (20%) -Support 1 Cooperative in value addition (10%) - oversee wealth declaration for 20 cooperatives (10%) -Audit 40 cooperatives (30%) -hold 1 county cooperative leaders meeting (10%)

	CRITERIA CATEGORY	NOTES
11	Capacity development for the Cooperative Movement	The department commits to: -Carry out training needs assessment for co-operative management / supervisory committees for 50 co-operatives (20%) -carry out trainings for cooperative movements (40%). - Promotion and registration of new societies (20%) - Hold Ushirika day celebrations (20%)
12	SMEs Development	The department commits to capacity build 210 small traders with entrepreneurial skills- 7 from each ward (100%).
13	Trade and Industry Policy	The department commits to draft one Trade and Industry Policy (100%).
14	Revenue collection	The department commits to collect Ksh 800,000.00 in revenue. Directorate of Trade and Industry commits to collect Kshs. 600,000 under the Weights and measures unit. Directorate of co-operatives commits to collect Kshs 200,000 in revenue
15	Ease of doing business	The Department commits to continue lighting of market sheds- in the FY 2018/2019 the department will light Nziu, Kithumani and Kathonzweni Market Sheds.
16	Compliance with the statutory obligations.	The department commits to comply with statutory obligations by ensuring compliance to the following: - Cap 513 laws of Kenya weights and measures Act by carrying out verification of weighing and measuring equipment in 6 sub counties, (60%) - Makueni County Co-operative Act, 2017 facilitate amendment of 30 cooperatives to amend their bylaws (40%) - Public Procurement and Disposal Act - Public Finance Management Act
17	Project Completion Rate	The department commits to complete all projects/activities to the planned % of completion (100%)
E	CROSS-CUTTING ISSUES	
1	Prevention of Alcohol and Drug Abuse	The department commits to: -hold one sensitization/ awareness meeting on drug abuse for the staff (100%)
2	Prevention of HIV Infections	The department commits to hold one sensitization/ awareness seminar on HIV aids for the staff (100%)
3	Engagement of Development Partners	The Department commits to engage at least three (3) development partners- (100%)

	CRITERIA CATEGORY	NOTES
4	Environmental Sustainability	The department commits to promote environmental sustainability by: -Installation of solar lighting(use of green energy) for 2 market sheds Kithumani Market Shed and Kathonzweni Market Shed (100%)
5	Disability Mainstreaming	The department commits to: - Have PWDs represented in our PMCs (at least in 30% of our committees) and in our meetings participants (50%). -Incorporate disability friendly designs in 2 of our construction works (50%).
6	Corruption Prevention	The department commits to: -Hold one-day departmental sensitization forum on corruption eradication (50%) - Provide a mechanism for whistle blowing(50%)
7	National Cohesion and Values	The Department commits to sensitize employees on national values and national cohesion by: - Holding a one-day sensitization meeting (50%) - Equal opportunities to all staff regardless of their ethnicity. E.g. in trainings (50%)