

REPUBLIC OF KENYA



GOVERNMENT OF MAKUENI COUNTY



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

AND

**THE COUNTY SECRETARY, SECRETARY TO THE COUNTY EXECUTIVE
COMMITTEE AND HEAD OF COUNTY PUBLIC SERVICE**

FOR THE PERIOD FROM 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 his assignees and successors) of the one part, and the County Secretary and Head of County Public Service (hereinafter referred to as the “the CS), (together with his assignees and successors) of **P.O. Box 78 - 90300, Makueni** of 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 County Secretary

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 also my undertaking that I will 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 Statement

Effective Public Service delivery and Public Service Management

Mission

To provide leadership, coordination and capacity building for Public Service Management through policy innovations and strategy on Human Resource Management Development.

M a n d a t e

Coordination and management of the county public service including County Human Resources; Government communication, media and protocol services; Monitoring and evaluation of county projects and programmes.

Strategic Objectives of the D e p a r t m e n t

1. Coordination of government business including the county executive committee office.
2. Governance, Publicizing government projects and programs and Liaison services
3. Public service recruitment, retainance, training and development, motivation and transitional planning.
4. Performance management and contracting of the county public service.
5. Establishment and coordination of public service communication, good governance and leadership integrity.
6. Monitoring and evaluation policy
7. Intergovernmental relations
8. County legislation and Litigation;
9. Public service reforms including ISO certification
10. Knowledge management

Part III: Statement of Strategic Intent by the County Secretary

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 Kenya Vision 2030 and Makueni County Vision 2025 and the Makueni County CIDP 2018-2022, keeping in mind the specific priorities of the D e p a r t m e n t .

Bearing in mind the imperative of inclusivity, I/we 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

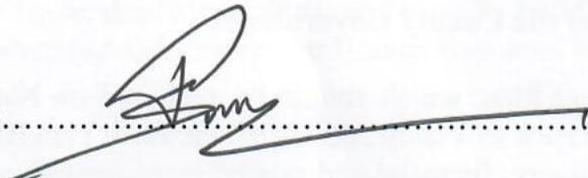
The County Secretary and Head of Public Service shall submit quarterly and annual performance reports in the prescribed format to the County Performance Management Coordination Committee for monitoring progress and evaluation of performance.

Part VI: Duration of the contract

The performance contract will run for a period of one financial year from 1st July 2018 to 30th June 2019.

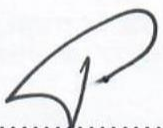
Part VI: Signatories to the Performance Contract

For and on behalf of Office of the County Secretary and Head of County Public Service

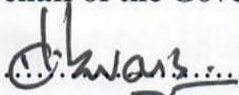
Signature..........Date.....10/9/2018.....

Paul Wasanga
COUNTY SECRETARY AND HEAD OF COUNTY PUBLIC SERVICE

Witnessed by:


Signature..........Date.....
Augustine Kitheka
CHIEF OFFICER, OFFICE OF THE GOVERNOR

For and on behalf of the Government of Makueni County

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

H.E. Kivutha Kibwana,
GOVERNOR, MAKUENI COUNTY

Witnessed by:

Signature..........Date.....10-9-2018.....
H.E. Adelina Mwau,
DEPUTY GOVERNOR, MAKUENI COUNTY

ANNEX 1: PERFORMANCE CONTRACT MATRIX

	CRITERIA CATEGORY	UNIT OF MEASURE	WEIGHT	CURRENT STATUS FY 2017/18	TARGET FY 2018/19
A	FINANCIAL STEWARDSHIP AND DISCIPLINE				
A1	Absorption of Allocated Funds	%	5	70	100
A2	Development Index	%	0	N/A	N/A
A3	A-in-A	Ksh(M)	0	N/A	N/A
A4	Asset Management	%	2	60	100
A5	Pending bills	%	3	2.24	≤ 1
Weight Sub Total			10		
B	SERVICE DELIVERY				
B1	Implementation of Citizens' Service Delivery Charter	%	2	20	100
B2	Customer Satisfaction	%	2	50	100
B3	Application of service delivery Innovations	NO.	2	1	2
B4	Resolution of Public Complaints	%	2	40	50
B5	Automation	Report	2	0	1
Weight Sub Total			10		
C	INSTITUTIONAL TRANSFORMATION				
C1	Development of County Planning Framework	%	3	40	100
C2	Youth Internships/ Industrial Attachments/ Apprenticeships	NO.	1	6	10
C3	Access to Government Procurement Opportunities (AGPO)	Ksh(M)	2	15.1	21.9
C4	Promotion of Local Content	Ksh(M)	1.5	5	2.5
C5	Competence Development	%	2	50	100
C6	Knowledge Management	%	2	60	100
C7	Work Environment	%	1	60	100
C8	Safety and Security Measures	%	1	50	100
C9	Cascading of Performance Contracts	%	1.5	90	100
Weight Sub Total			15		

	CRITERIA CATEGORY	UNIT OF MEASURE	WEIGHT	CURRENT STATUS FY 2017/18	TARGET FY 2018/19
D	CORE MANDATE				
D1	Governance, Publicizing government projects and programmes and Liaison services	%	6	60	100
D2	Performance Management	%	8		100
D3	ISO Certification	%	4		100
D4	Legislation of bills and policies	%	8	50	100
D5	Coordination of government business	%	8	60	100
D6	Human resource function	%	8	60	100
D7	Monitoring and Evaluation	%	6	65	100
D8	Fleet management	%	6	-	100
D9	Revenue Collection	Ksh.	2	1,068,122	1,100,000
D10	Ease of Doing Business	%	1	60	100
D11	Compliance With Statutory Obligations	%	2	90	100
D12	Project Completion Rate	%	1	70	100
Weight Sub Total			60		
E	CROSS-CUTTING ISSUES				
E1	Prevention of Alcohol and Drug Abuse	%	0.5	60	100
E2	Prevention of HIV Infections	%	0.5	40	100
E3	Disability Mainstreaming	%	0.5	50	100
E4	Gender mainstreaming	%	0.5		100
E5	Environmental sustainability	%	1	50	100
E6	Corruption Prevention	%	1	75	100
E7	National Cohesion and Values	%	1	70	100
Weight Sub Total			5		
OVERALL TOTAL WEIGHT			100		

ANNEX 2: EXPLANATORY NOTES TO THE PERFORMANCE CONTRACT

	Performance Indicator	Explanatory notes
A	FINANCE & STEWARDSHIP:	
	Absorption of Allocated Funds	The Department commits to utilize all allocated funds fully as per the approved budget and in line with government regulations.
	Development Index	The department currently doesn't have any capital expenditure.
	A-in-A	The department does not receive any direct funding
	Asset Management	The department commits to: <ul style="list-style-type: none"> • Establish and maintain a catalogue of the departmental assets and properties including their status in terms of the working condition (50%) • Constitute a departmental committee to identify obsolete, unserviceable or surplus assets and make recommendations to the County Secretary and the county assets disposal committee (30%) • Develop and implement asset maintenance schedule (20%)
	Pending bills	The department commits to: <ul style="list-style-type: none"> • Ensure all pending bills are settled (20%) • A movement register to be maintained to track all payments (20%) • All payments will be processed to IB level after the requisition is fully approved within 14 days upon submission of the invoice by the service provider.(Department to maintain a register on when invoices and requisitions are received at accounts office for ease of tracking) (60%)
B	SERVICE DELIVERY	
	Implementation of citizen's Service Delivery Charter	The department commits to: <ul style="list-style-type: none"> • Carry out process mapping (40%) • Develop a service Delivery Charter (60%)
	Customer Satisfaction	The department commits to <ul style="list-style-type: none"> • Undertake a customer satisfaction baseline survey by end of first quarter- 50% • Make recommendations to departments to implement recommendation – 50%
	Application of Service Delivery Innovations	The department commits to communicate emerging issues to staffs electronically by putting a footer on the pay slips – 100%
	Resolution of Public Complaints	The department commits to establish County ombudsman office and operationalize it by the end of the third quarter through

		<ul style="list-style-type: none"> • Appointing a lead committee; 5% • Training the committee;25% • The committee preparing a procedure;20% • The committee overseeing operationalization the office of Ombudsman. 30%
	Automation	Automation of the customer care desk -100%
C	INSTITUTIONAL TRANSFORMATION	
	Development of County Planning Framework	<p>Department commits to</p> <ul style="list-style-type: none"> • Do a departmental annual work plan to implement their mandate; (20%) • Ensure all departmental staff have individual annual work plan ;(20%) • Develop a draft departmental strategic plan by the end of the financial year -60%
	Youth Internships/ Industrial Attachments/ Apprenticeships	The department commits to engage five attachees and five interns.
	Access to Government Procurement Opportunities (AGPO)	<p>The department commits to</p> <ul style="list-style-type: none"> • Award tenders worth KES 21.9M to youth, women and PLWDs – 80% • Prepare quarterly status reports on AGPO – 20%
	Promotion of Local Content	The department commits to outsource cleaning services locally for a budget of Kes 2.5M. -100%
	Competence Development	<ul style="list-style-type: none"> • The department commits to • Undertake department competency Gap Analysis - 30% • Prepare a proposal for addressing the competency gaps-30% • Carry out Staff Training Needs Assessment -20% • Assess staff performance through Staff performance appraisals – 20%
	Knowledge Management	The department commits to prepare a Knowledge Management and Information Sharing Policy and present it to Cabinet for consideration and approval;100%
	Work environment	<p>The department commits to: -</p> <ul style="list-style-type: none"> • To do a baseline survey on internal work environment - 50% • To prepare an action plan for implementation of the recommendation of the work environment survey – 30% • Implement the findings of the baseline survey – 20%
	Safety and security measures	<p>The department commits to</p> <ul style="list-style-type: none"> • Prepare procedures for ensuring security and safety for all its facilities, assets, staff and visitors.50% • Implement the security and safety procedures;20%

		<ul style="list-style-type: none"> • Sensitise staff on the security and safety procedures.30%
	Cascading of Performance Contracts	<p>The Department commits to</p> <ul style="list-style-type: none"> • Cascade the Performance Contract between the Governor and the CS to all levels 30% • Prepare quarterly and annual reports 40% • Carry out an evaluation of the PC and PAS at the end of the June 2019 – 30%
D CORE MANDATE		
	Governance, publicizing government projects and programmes and liaison services	<p>The department commits to</p> <ul style="list-style-type: none"> • Publish 12 Monthly editions of ENE magazine -30% • Update Makueni County Social Media accounts (tweeter, Facebook,) weekly 30% • Monitor media reports daily and prepare relevant weekly reports; summarize monthly and quarterly reports -20% • Record, edit and publish 24 videos on key government programs and activities and publish them online and on YouTube- 10% • Organize for 12 strategic engagements between government officials and journalists on government plan of action, policy and development – 10%
	Performance Management	<p>The department commits to</p> <ul style="list-style-type: none"> • Prepare 2017/2018 pilot PC report and incorporate lessons learnt into the 2018 /2019 PC (10%) • Implement the 2018/2019 PC by ensuring (50%) <ul style="list-style-type: none"> i) Drafting of PCs ii) Negotiation and vetting of PCs iii) Signing of the PCs iv) Cascading PCs from ECMs to COs and to Directors v) Quarterly reports • Coordinate PC and PAS evaluation at the end of June 2019- 40%
	ISO certification	<p>Initiate ISO certification process</p> <ul style="list-style-type: none"> • Appoint a steering and Management committee (10%) • Carry out sensitization/training of the Committee – (40%) • Prepare a road map to Certification (A work plan and budget) -50%
	Legislative agenda bills and policies	<p>The department commits to</p>

		<ul style="list-style-type: none"> • Identify the bills which have been developed in the past and identify the gaps – 30% • Identify and Develop bills from the fourth schedule of the Constitution, seek approval by the cabinet and forward to the County Assembly 5 bills and 5 policies by the end of the financial year -30% • Audit implementation of past bills and policies and make a report – 10% • Review the bills drafted to support the implementation of devolved functions and ensure they incorporate the big four agenda-10% • Ensure the government is represented in all legal matters in court-(15%) <ul style="list-style-type: none"> i) Prepare a list of all cases pending before court ii) Prepare monthly status of cases pending before court iii) Tracking court matters to identify any cases of interest to the County and preparing monthly reports; • Upload all acts and policies on the County website -5%
	Coordination of Government Business	<p>The department commits to:</p> <ul style="list-style-type: none"> • Organize and hold 3 County intergovernmental meetings; 15% • Disseminate/forward communication on all intergovernmental relations to relevant stakeholders for appropriate action-20% • Hold monthly interdepartmental meetings on status of implementation of government functions-30% • Communicate cabinet decisions to relevant agencies within 14 days after the Cabinet resolution -10% • Ensure coordination of the county Liaison function between county assembly and other related organs-10%. • Organize one donor meeting -10%
	Human resource management and development	<p>The department commits to:</p> <ul style="list-style-type: none"> • Ensure all departments have Human Resource plans (10%) • Finalize the report by consultant on organizational structure and staff skills analysis and present to the Cabinet for consideration and approval for submission to the county assembly and the county public service board 20% • Cleanse the County payroll; - 10% • Carry out a HR Audit for all staff and present a report to the Cabinet before the end of the financial year (10%) • Present the Human Resource Manual to the Cabinet for consideration and approval. (5%)

		<ul style="list-style-type: none"> • Carry out staff sensitization on service regulations and other HR functions. (10%) • Develop the Staff Code of Conduct; 10% • Present the Training and Development Policy to Cabinet for approval- 3% • Manage the staff medical cover by: (2%) <ul style="list-style-type: none"> i) Issuing medical cards to staff; ii) Sensitizing staff on medical benefits; iii) Addressing emerging issues; • Carry out TNA in all departments (10%) • Develop two HR policies (Drug and substance abuse and Conflict of Interest and table to cabinet.(10%)
	Monitoring and Evaluation	<p>The department commits to:</p> <ul style="list-style-type: none"> • Develop appropriate tools for monitoring and evaluation of the CIDP and ADP. • Sensitize COs, Director and other key staff and agencies on use of the M&E tools; • Develop, present to cabinet for approval and implement Monitoring and Evaluation policy by the end of second quarter; (50%) • Develop a M&E system for monitoring of projects; • Prepare a work plan for project monitoring and evaluation; • Prepare and present the quarterly project implementation status reports to the cabinet for consideration and approval (30%) • Prepare and implement an action plan on cabinet decisions on project implementation reports (10%) • Ensure development of annual progress report on project implementation (10%)
	Fleet Management	<p>The department commits to</p> <ul style="list-style-type: none"> • Finalize and present the Transport Policy to the Cabinet for consideration and approval; 5% • Implement the Policy; (10%) • List and assess the status of all County Government vehicles; 40% • Update quarterly the list and status; 5% • Prepare a vehicle servicing programme/schedule an implement it and ensure that vehicles do not overstay in the garage; -10% • Submit a list of qualified garages to procurement for servicing of County Government Vehicles; - 5% • Ensure all government vehicles are insured when due- (10%)

		<ul style="list-style-type: none"> Assess and establish the fuel consumption and running status of all vehicles and prepare a report every month. - 15%
	Revenue collection	The department commits to collect Kes 1,100,000 through commissions earned through processing third party payments.
	Ease of doing business	The department commits to carry out an audit of the business requirements with and prepare a report with recommendations
	Compliance with statutory obligations	<p>The department commits to</p> <ul style="list-style-type: none"> Deduct the following deductions and submit to finance for remittance: PAYE, NSSF, NHIF, Pension, HELB, SACCOs and banks by 25th of every month (80%). Adhere to the Public Procurement and Disposal Act, regulations and rules when carrying out procurement (10%). Identify any other laws that affect the work of this office and make a report. 10%
	Project completion rate	The department commits to complete all its projects in time as per work plan and this PC 100%
E	CROSS CUTTING ISSUES	
	Prevention of Alcohol and Drug Abuse	<p>The department commits to</p> <ul style="list-style-type: none"> Finalize and submit the draft Drug and Substance Abuse Policy to the Cabinet for consideration and approval. 80% Disseminate the Policy to County Staff 20%
	Prevention of HIV Infections	<p>The department commits to</p> <ul style="list-style-type: none"> Finalize and submit the draft HIV and Aids Work Place Policy to the Cabinet for consideration and approval.80% Disseminate the Policy to County Staff 20%
	Disability mainstreaming	<p>The department commits to</p> <ul style="list-style-type: none"> Maintain disaggregated data by number, age, gender, placement and forms of disability for staff and individuals reached by the County Department/Board programmes (95%) Prepare a report on status and present to the County Public Service Board for appropriate action. 5%
	Gender mainstreaming	<p>The department commits to</p> <ul style="list-style-type: none"> Maintain disaggregated data by number, age, gender, placement and forms of gender for staff and individuals

		<p>reached by the County Department/Board programmes (95%)</p> <ul style="list-style-type: none"> • Prepare a report on status and present to the County Public Service Board for appropriate action. 5%
	Environmental Sustainability	<p>The department commits to</p> <ul style="list-style-type: none"> • Procure and supply dustbins to all offices – 20% • Recirculate instructions to departments to ensure printing/photocopy is done on both sides of the paper to reduce use of paper – 10% • Prepare guidelines on use of email to reduce printing and table at cabinet for consideration and approval - 70% .
	Corruption Prevention	<p>The department commits to</p> <ul style="list-style-type: none"> • Prepare a draft County Policy on Corruption Prevention. 60% • To partner with EACC to sensitize ECMs and Cos on corruption eradication.40%
	National cohesion and values	<p>The department commits to:</p> <ul style="list-style-type: none"> • Prepare and distribute a circular to departments directing that all staff should conduct official business in official language. (10%) • Ensure adverts encourage members of all ethnic communities to apply. (20%) • Carry out disaggregated data on county staff indicating where they come from per and present it to the County Public Service Board.(70%)