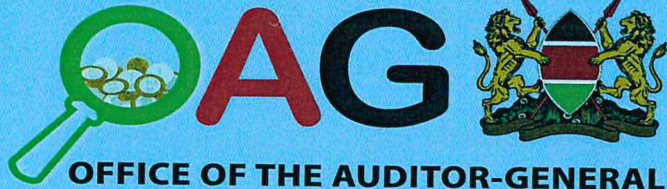


REPUBLIC OF KENYA



OFFICE OF THE AUDITOR-GENERAL

Enhancing Accountability



REPORT

OF

THE AUDITOR-GENERAL

ON

**NAIROBI-THIKA HIGHWAY
IMPROVEMENT PROJECT LOT I AND II
(CREDIT NO. 2100150015544)**

**FOR THE YEAR ENDED
30 JUNE, 2021**

**KENYA NATIONAL HIGHWAYS
AUTHORITY**

THE NATIONAL ASSEMBLY	
DATE: 02 MAR 2022	
WEDNESDAY	
TABLED BY:	DEPUTY MAJORITY WHIP HON. MAOKA MAORE SAMUEL KALAMA

NATIONAL ASSEMBLY RECEIVED
14 DEC 2021
DEPUTY CLERK P. O. Box 41842 - 00100, NAIROBI



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



Kenya National Highways Authority

Quality Highways, Better Connections

NAIROBI – THIKA HIGHWAY IMPROVEMENT PROJECT LOT I & II

CREDIT NO. 2100150015544

PROJECT NO. P-KE-DBO-018

KENYA NATIONAL HIGHWAYS AUTHORITY

ANNUAL REPORT AND FINANCIAL STATEMENTS

**FOR THE FINANCIAL YEAR ENDED
JUNE 30, 2021**

**Prepared in accordance with the Cash Basis of Accounting Method under the International
Public Sector Accounting Standards (IPSAS)**

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Nairobi – Thika Highway Improvement Project Lot I & II

Reports and Financial Statements

For the financial year ended June 30, 2021

1. PROJECT INFORMATION AND OVERALL PERFORMANCE

1.1 Name and registered office

Name: Nairobi – Thika Road Improvement Project Lot I & II

Objective: The objective of the Project is to improve the accessibility, affordability and reliability of the transport infrastructure system to promote economic growth and socio-economic development in Kenya.

Address: Barabara Plaza
Jomo Kenyatta International Airport (JKIA)
Off Mazao Road
Nairobi, Kenya

Contacts: Director General
Kenya National Highways Authority
P.O. Box 49712-00100
Nairobi

Telephone: +254-20-495000

E-mail: dg@kenha.co.ke

Website: www.kenha.co.ke

1.2 Project Information

Project Start Date:	26 th November, 2007
Project End Date:	22 nd July, 2015
Project Manager:	Eng. D.A Muchilwa – Director Development Eng. J. M. Mwatu – Project Implementation Team Leader
Project Sponsor:	African Development Bank (AfDB)

1.3 Project Overview

Line Ministry/State Department of the Project	The Ministry of Transport, Infrastructure, Housing, Urban Development & Public Works
Project Number	P-KE-DBO-018

Nairobi – Thika Highway Improvement Project Lot I & II

Reports and Financial Statements

For the financial year ended June 30, 2021

Strategic goals of the project	The project management aims to achieve the goals through the following means:- (i) Increase efficiency of road transport along the Nairobi – Thika Road and open areas surrounding Nairobi and Thika for development investments and trade purposes. (ii) Promote private sector participation in the management, financing and maintenance of roads assets.
Achievement of strategic goals	(i) Improved transport infrastructure along the Nairobi-Thika Highway (ii) Reduced travel time and vehicle operating costs along the Nairobi-Thika Highway.
Current situation that the project was formed to achieve	The project has since been completed and handed over to the Government of Kenya.

1.4 Bankers Co-operative Bank of Kenya
KUSSCO Branch
Nairobi

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

1.6 Roles and Responsibilities

Names	Title designation	Key qualification	Responsibilities
Eng. D.A Muchilwa	Director Development	Qualified	Project oversight
Eng. J. Mwatu	Project Implementation Team Leader	Qualified	Project Implementation Team Leader
Eng. D.S. Cheronno	Deputy Director	Qualified	Project Co-ordinator

Nairobi – Thika Highway Improvement Project Lot I & II

Reports and Financial Statements

For the financial year ended June 30, 2021

1.7 Funding summary

The project is for duration of eight years from 2007 to 2015 to an approved budget of UA 117,850,000,000 equivalent to Kshs 11,605,814,729 as highlighted in the table below:

1. Source of funds

Source of funds	Donor Commitment-		Amount received to date – (30.06.2021)		Undrawn balance to date (30.06.2021)	
	UA (A)	Kshs (A')	UA (B)	Kshs (B')	UA (A)- (B)	Kshs (A')- (B')
(i) Loan						
African Development Bank (AfDB)	117,850,000,000	11,605,814,729	117,837,812,148	11,605,814,729	-	-
(ii) Counterpart funds						
Government of Kenya	-	22,371,688,394	-	22,371,688,394	-	-
Total	117,850,000,000	33,977,503,123	117,837,812,148	33,977,503,123	-	-

2. Application of funds

Application of funds	Amount received to date – (30.06.2021)		Amount paid to date – (30.06.2021)		Undrawn balance to date (30.06.2021)	
	UA (A)	Kshs (A')	UA (B)	Kshs (B')	UA (A)- (B)	Kshs (A')- (B')
(iii) Loan						
African Development Bank (AfDB)	117,850,000,000	11,605,814,729	117,837,812,148	11,605,814,729	-	-
(iv) Counterpart funds						
Government of Kenya	-	22,371,688,394	-	22,360,354,611	-	11,333,783
Total	117,850,000,000	33,977,503,123	117,837,812,148	33,966,169,340	-	11,333,783

1.8 Summary of Overall Project Performance:

This project has since been completed and handed over to the Government of Kenya.

Nairobi – Thika Highway Improvement Project Lot I & II

***Reports and Financial Statements
For the financial year ended June 30, 2021***

1.9 Summary of Project Compliance:

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

2. STATEMENT OF PERFORMANCE AGAINST PROJECT'S PREDETRMINED OBJECTIVES

The key development objectives of the project are to:

- (i) Improve road transport services along the Nairobi-Thika corridor and enhance urban mobility within the metropolitan area by reducing traffic congestion.
- (ii) Contribute to the development of a sustainable urban public transit system for the Nairobi Metropolitan Area
- (iii) Promote private sector participation in the management, operation, and financing of road infrastructure in Kenya

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 time-bund (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:

Project	Objective	Outcome	Indicator	Performance
Nairobi – Thika Highway Improvement.	Improve road transport services along the Nairobi-Thika corridor and enhance urban mobility within the metropolitan area by reducing traffic congestion.	Improved traffic level of service with reduced travel time reduced delays, and fewer accidents	Traffic flow volumes, vehicle delays, speed, number of accidents, transit/para-transit fare	Average travel time during peak hour from Nairobi to Thika reduced by 60% from 2.5 hrs to 1 hr
	Contribute to the development of a sustainable urban public transit system for the Nairobi Metropolitan Area	Policy measures, plans and investment programs to implement Nairobi Metro System prepared MOT contract concluded		Average annual accident rate on the Nairobi-Thika section reduced by 70% from 230 to less than 70 Average public transport fare from Nairobi to Thika reduced by 30%.
	Promote private sector participation in the management, operation, and financing of road infrastructure in Kenya	between the GOK and Private entity		The Highway is already under Performance based maintenance contracts.

3. CORPORATE SOCIAL RESPONSIBILITY STATEMENT/SUSTAINABILITY REPORTING

1. Sustainability strategy and profile

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

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

2. Environmental performance

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

3. Employee welfare

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

4. Market place practices

The Authority strives to ensure responsible competition practices through undertaking annual governance audits in projects, monitoring the implementation of policies and further promotes ethical conduct in projects. The Authority equally sensitizes staff on corruption and integrity.

The Authority undertakes to be actively involved in the negotiations during budget sector hearings in order to increase budgetary allocations for projects thus honouring contracts by paying its liabilities on time.

5. Community Engagements

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

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

Nairobi – Thika Highway Improvement Project Lot I & II

Reports and Financial Statements

For the financial year ended June 30, 2021

4. STATEMENT OF PROJECT MANAGEMENT RESPONSIBILITIES

The Director General, KeNHA and the Project Implementation Team Leader for Nairobi – Thika Highway Improvement Project Lot I & II 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 (period) ended on June 30, 2021. 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.

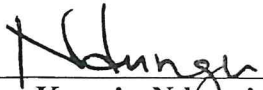
The Director General, KeNHA and the Project Implementation Team Leader for Nairobi – Thika Highway Improvement Project Lot I & II accept responsibility for the Project's financial statements, which have been prepared on the Cash Basis Method of Financial Reporting, using appropriate accounting policies in accordance with International Public Sector Accounting Standards.

The Director General, KeNHA and the Project Implementation Team Leader for Nairobi – Thika Highway Improvement Project Lot I & II are of the opinion that the Project's financial statements give a true and fair view of the state of Project's transactions during the financial year ended June 30, 2021, and of the Project's financial position as at that date. Director General, KeNHA and the Project Implementation Team Leader for Nairobi – Thika Highway Improvement Project Lot I & II further confirm the completeness of the accounting records maintained for the Project, which have been relied upon in the preparation of the Project financial statements as well as the adequacy of the systems of internal financial control.


The Director General, KeNHA and the Project Implementation Team Leader for Nairobi – Thika Highway Improvement Project Lot I & II confirm that the Project has complied fully with applicable Government Regulations and the terms of external financing covenants, and that Project funds received during the financial year under audit were used for the eligible purposes for which they were intended and were properly accounted for.

Approval of the Project financial statements


The Project financial statements were approved by the Director General, KeNHA and the Project Implementation Team Leader for Nairobi – Thika Highway Improvement Project Lot I & II on 17 AUG 2021 and signed by them.



Eng. Kung'u Ndung'u
Director General



Eng. David A. Muchilwa
Director Development



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

Nairobi – Thika Highway Improvement Project Lot I & II

Reports and Financial Statements

For the financial year ended June 30, 2021

**5. REPORT OF THE INDEPENDENT AUDITORS ON THE NAIROBI – THIKA
HIGHWAY IMPROVEMENT PROJECT LOT I & II PROJECT**

Auditor General, KENYA

17 AUG 2021

Date

REPUBLIC OF KENYA

Telephone: +254-(20) 3214000
E-mail: info@oagkenya.go.ke
Website: www.oagkenya.go.ke



HEADQUARTERS
Anniversary Towers
Monrovia Street
P.O. Box 30084-00100
NAIROBI

REPORT OF THE AUDITOR-GENERAL ON NAIROBI-THIKA HIGHWAY IMPROVEMENT PROJECT LOT I AND II (CREDIT NO. 2100150015544) FOR THE YEAR ENDED 30 JUNE, 2021 - 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, gazette notices, circulars, guidelines and manuals and whether public resources are applied in a prudent, efficient, economic, transparent and accountable manner to ensure government achieves value for money and that such funds are applied for intended purpose.
- C. Report on Effectiveness of Internal Controls, Risk Management and Governance which considers how the entity has instituted checks and balances to guide internal operations. This responds to the effectiveness of the governance structure, the risk management environment, and the internal controls developed and implemented by those charged with governance for orderly, efficient and effective operations of the entity.

An unmodified opinion does not necessarily mean that an entity has complied with all relevant laws and regulations, and that its internal control, 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

Opinion

I have audited the accompanying financial statements of Nairobi-Thika Highway Improvement Project Lot I and II set out on pages 1 to 15, which comprise of the

Report of the Auditor-General on Nairobi-Thika Highway Improvement Project Lot I And II (Credit No.2100150015544) for the year ended 30 June, 2021 - Kenya National Highways Authority

statement of financial assets and liabilities as at 30 June, 2021, and the statement of receipts and payments, statement of cashflow and statement of comparative budget and actual amounts for the year then ended, and a summary of significant accounting policies and other explanatory information in accordance with 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, the financial statements present fairly, in all material respects, the financial position of Nairobi-Thika Highway Improvement Project Lot I and II as at 30 June, 2021, 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 Loan Agreement No.2100150015544 dated 26 November, 2007 between African Development Fund (ADF) and the Republic of Kenya.

Basis for Opinion

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the Nairobi-Thika Highway Improvement Project 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 opinion.

Key Audit Matters

Key audit matters are those matters that, in my professional judgement, 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 11 to the financial statements reflects pending bills amounting to Kshs.428,623,554 as at 30 June, 2021. The Management has however attributed the delay in the discharge of the bills to delays in Exchequer releases and has committed to liaise with the line Ministry and The National Treasury for timely Exchequer releases for prompt payments in the subsequent financial year. The Project is at risk of incurring significant interest costs and penalties with the continued delay in making payments.

2. Project Closure Report

The Project information in the financial statements provided for audit revealed that the project was to end on the 22 July, 2015. However, the project closure report was not

availed for audit review, being more than six (6) years after the expiry of the closure period.

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, I confirm that, nothing 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

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 overall governance were not effective.

Basis for Conclusion

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

REPORT ON OTHER LEGAL AND REGULATORY REQUIREMENTS

As required by the African Development Fund (ADF), except for the matters described under Other Matter section of my report, I report based on my audit that: -

- i. I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit;

- ii. In my opinion, adequate accounting records have been kept by the Project, so far as appears from the examination of those records; and
- iii. The Project's financial statements are in agreement with the accounting records and returns.

Responsibilities of Management and those charged with Governance

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

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

The Management is responsible for overseeing the Project's financial reporting process, reviewing the effectiveness of how the Project 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 overall 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 overall 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 control that are identified during the audit.

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



CPA Nancy Gathungu, CBS
AUDITOR-GENERAL

Nairobi


29 November, 2021

Reports and Financial Statements
for the financial year ended June 30, 2021

6. STATEMENT OF RECEIPTS AND PAYMENTS FOR THE PERIOD ENDED 30TH JUNE 2021


	Note	2020/21			2019/20			Cumulative to-date
		Receipts and payments controlled by the entity	Payments made by third parties	Total Payments	Receipts and payment controlled by the entity	Payments made by third parties	Total Payments	
RECEIPTS		KShs	KShs		KShs	KShs	KShs	
Transfer from Government entities	1	25,616,000	-	25,616,000	400,128,745	-	22,371,688,394	
Loan from external development partners	2	-	-	-	-	-	11,605,814,729	
TOTAL RECEIPTS		25,616,000	-	25,616,000	400,128,745	-	33,977,503,123	
PAYMENTS								
Purchase of goods and services	3	616,000	-	616,000	-	-	5,878,329	
Acquisition of non-financial assets	4	25,000,000	-	25,000,000	400,128,745	-	33,960,291,011	
TOTAL PAYMENTS		25,616,000	-	25,616,000	400,128,745	-	33,966,169,340	
SURPLUS/ DEFICIT		-	-	-	-	-	11,333,783	

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


Eng. Kung'u Ndung'u
Director General

17 AUG 2021

Date


Eng. David A. Muchilwa
Director Development

17 AUG 2021

Date


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

17 AUG 2021

Date

Nairobi – Thika Highway Improvement Project Lot I & II


Reports and Financial Statements


For the financial year ended June 30, 2021


7. STATEMENT OF FINANCIAL ASSETS AND LIABILITIES AS AT 30TH JUNE 2021

	Note	2021 Kshs	2020 Kshs
FINANCIAL ASSETS			
Cash and Cash Equivalents			
Bank Balances	5	11,333,783	11,333,783
TOTAL FINANCIAL ASSETS		11,333,783	11,333,783
FINANCIAL LIABILITIES			
Payables – Retention	6	7,333,783	7,333,783
NET ASSETS		4,000,000	4,000,000
REPRESENTED BY:			
Fund balance b/fwd	8	4,000,000	4,000,000
Prior year adjustments		-	-
Surplus/Deficit for the year		-	-
NET FINANCIAL POSITION		4,000,000	4,000,000

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The financial statements were approved on 17 AUG 2021 and signed by:


 Eng. Kung'u Ndung'u
 Director General


 Eng. David A. Muchilwa
 Director Development


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

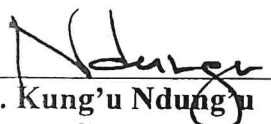
Nairobi – Thika Highway Improvement Project Lot I & II


**Reports and Financial Statements
For the financial year ended June 30, 2021**

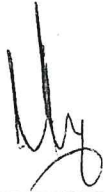
8. STATEMENT OF CASHFLOW FOR THE PERIOD 30TH JUNE 2021

	2021	2020
Receipts for operating income		
Transfer from Government entities	25,616,000	400,128,745
Proceeds from domestic and foreign grants	-	-
Payments for operating expenses		
Purchase of goods and services	(616,000)	-
Adjustments during the year	-	-
Net cash flow from operating activities	<u>25,000,000</u>	<u>400,128,745</u>
CASHFLOW FROM INVESTING ACTIVITIES		
Acquisition of Assets	(25,000,000)	(400,128,745)
Net cash flows from Investing Activities	<u>(25,000,000)</u>	<u>(400,128,745)</u>
CASHFLOW FROM BORROWING ACTIVITIES		
Proceeds from Foreign Borrowings	-	-
Net cash flow from financing activities	<u>-</u>	<u>-</u>
NET INCREASE IN CASH AND CASH EQUIVALENT	<u>-</u>	<u>-</u>
Cash and cash equivalent at BEGINNING of the year	11,333,783	11,333,783
Cash and cash equivalent at END of the year	<u>11,333,783</u>	<u>11,333,783</u>

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 17 AUG 2021 and signed by:


Eng. Kung'u Ndung'u
Director General


Eng. David A. Muchilwa
Director Development


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

**Reports and Financial Statements
for the financial year ended June 30, 2021**


9. STATEMENT OF COMPARATIVE BUDGET AND ACTUAL AMOUNTS

Receipts/Payments Item	Original Budget	Adjustments	Final Budget	Actual on Comparable Basis	Variance	% of Variance
	a	b	c=a+b	d	e=d-c	f=e/c %
Receipts						
Transfer from Government entities	100,000,000	(50,000,000)	50,000,000	25,616,000	24,384,000	51%
Total Receipts	100,000,000	(50,000,000)	50,000,000	25,616,000	24,384,000	51%
Payments						
Payment of goods & services	650,000	-	650,000	616,000	34,000	95%
Acquisition of non-financial assets	99,350,000	(50,000,000)	49,350,000	25,000,000	24,350,000	51%
Total Payments	100,000,000	(50,000,000)	50,000,000	25,616,000	24,384,000	51%

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


Eng. Kung'u Ndung'u
 Director General

17 AUG 2021
 Date


Eng. David A. Muchilwa
 Director Development

17 AUG 2021
 Date


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

17 AUG 2021
 Date

10. SIGNIFICANT ACCOUNTING POLICIES

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

10.1 Basis of Preparation

10.2 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.

10.3 Reporting entity

The financial statements are for the Nairobi – Thika Highways Improvement Project under Kenya National Highways Authority. The financial statements encompass the reporting entity as specified in the relevant legislation PFM Act 2012.

10.3.1 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 Significant Accounting Policies

a) 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.

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 recognized in the financial statements the time associated cash is received.

b) 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.

c) Proceeds from borrowing

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

d) 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

e) Recognition of payments

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

i) Compensation of employees

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

ii) Use of goods and services

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

Significant Accounting Policies (Continued)

iii) Interest on borrowing

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

iv) Repayment of borrowing (principal amount)

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

v) Acquisition of fixed assets

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

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

f) 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.

g) 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.

Significant Accounting Policies (Continued)

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.

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.

h) Accounts receivable

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.

i)Contingent Liabilities

A contingent liability is:

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

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

Significant Accounting Policies (Continued)

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. Annex 5 of this financial statement is a register of the contingent liabilities in the year.

Section 89 (2) (i) of the PFM Act requires the National Government to report on the payments made, or losses incurred, by the county government to meet contingent liabilities as a result of loans during the financial year, including payments made in respect of loan write-offs or waiver of interest on loans

j) Contingent Assets

The Entity does not recognize a contingent asset, but discloses details of a possible asset whose existence is contingent on the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the Entity 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.

k) 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.

l) 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,

Significant Accounting Policies (Continued)

as detailed in the Government of Kenya Budget Printed Estimates for the year. The Development Projects are budgeted for under the MDAs but receive budgeted funds as transfers and account for them separately. These transfers are recognised as inter-entity transfers and are eliminated upon consolidation.

A high-level assessment of the Project's actual performance against the comparable budget for the financial year/period under review has been included in an annex to these financial statements.

m) Third party payments

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

During the year Kshs Nil billion being loan disbursements were received in form of direct payments from third parties.

n) 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.

o) 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.

p) 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, 2021.

Significant Accounting Policies (Continued)

q) Errors

Material prior period errors shall be corrected retrospectively in the first set of financial statements authorized for issue after their discovery by: i. Restating the comparative amounts for prior period(s) presented in which the error occurred; or ii. If the error occurred before the earliest prior period presented, restating the opening balances of assets, liabilities and net assets/equity for the earliest prior period presented.

11. SIGNIFICANT ACCOUNTING POLICIES

1. RECEIPTS FROM GOVERNMENT OF KENYA

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

	2020/21 Kshs	2019/20 Kshs	Cumulative to-date
<i>Counterpart funding through Ministry of Transport & Infrastructure</i>			
Counterpart funds Quarter 1	25,000,000	-	5,209,326,979
Counterpart funds Quarter 2	616,000	1,094,412	2,956,390,032
Counterpart funds Quarter 3	-	182,254,458	5,133,004,690
Counterpart funds Quarter 4	-	216,779,875	8,072,966,693
RMLF (Fuel Fund)	-	-	1,000,000,000
Total	<u>25,616,000</u>	<u>400,128,745</u>	<u>22,371,688,394</u>

2 LOAN FROM EXTERNAL DEVELOPMENT PARTNERS

This Financing agreement has lapsed and no funds are expected to be received from Development Partners, however cumulatively an amount of Kshs 11,605,814,729 has been received.

3 PURCHASE OF GOODS AND SERVICES

			FY 2020/21	FY 2019/20	Cumulative
	Payments made by the Entity in cash	Payments made by third parties	Total Payments	Total Payments	
	Kshs	Kshs	Kshs	Kshs	Kshs
Domestic travel and subsistence	616,000	-	616,000	-	1,698,500
Foreign travel and subsistence	-	-	-	-	78,078
Hospitality supplies & services	-	-	-	-	1,912,474
Printing, advertising & information supplies & services	-	-	-	-	2,189,277
	<u>616,000</u>	-	<u>616,000</u>	-	<u>5,878,329</u>
	=====	=====	=====	=====	=====

Nairobi – Thika Highway Improvement Project Lot I & II

Reports and Financial Statements

For the financial year ended June 30, 2021

4 ACQUISITION OF NON-FINANCIAL ASSETS

	FY 2020/21			FY 2019/20	Cumulative to-date
	Payments made by the Entity in cash	Payments made by third parties	Total Payments	Payments made by the Entity in cash	
	Kshs	Kshs	Kshs	Kshs	Kshs
Construction of roads	-	-		1,094,412	23,951,433,757
Construction of buildings	-	-		2,254,458	118,973,207
Research, studies, project preparation, design & supervision	-	-		-	1,308,121,991
Land acquisition	25,000,000	-		396,779,875	8,581,762,056
	25,000,000	-		400,128,745	33,960,291,011
	=====	=====		=====	=====

5 CASH AND CASH EQUIVALENTS C/FWD

	2020/21 Kshs	2019/20 Kshs
Bank accounts (Note 5A)	11,333,783	11,333,783
	<u>11,333,783</u>	<u>11,333,783</u>
	=====	=====
5A Bank Accounts		
<u>Local Currency Accounts</u>		
Central Bank of Kenya	4,000,000	4,000,000
National Bank of Kenya - Retention A/c	7,333,783	7,333,783
Total bank account balances	<u>11,333,783</u>	<u>11,333,783</u>
	=====	=====

*Reports and Financial Statements
For the financial year ended June 30, 2021*

6 ACCOUNTS PAYABLE – RETENTIONS

Description	2020/2021	2019/2020
	Kshs	Kshs
Retention	7,333,783	7,333,783
Total	7,333,783	7,333,783

*Prior year closing retention amount of Kshs 7,333,783 has been reclassified from the Fund balance b/f to Financial liabilities – Payables- retention in the financial statements as required by PSASB reporting template for FY 2020/21

7 CHANGES IN ACCOUNTS PAYABLE – RETENTIONS

Description	2020/2021	2019/2020
	KShs	KShs
Retentions as at 1 st July	7,333,783	7,333,783
Retentions held at 30 th June	7,333,783	7,333,783
Net changes in account payables retention	-	-

8 FUND BALANCE BROUGHT FORWARD

Description	2020/2021	2019/2020
	KShs	KShs
Bank balance (Central Bank of Kenya)	4,000,000	4,000,000
Total	4,000,000	4,000,000

*Kshs 7,333,783 has been reclassified from the Fund balance b/f to Financial liabilities – Payables- retention in the financial statements as required by PSASB reporting template for FY 2020/21

12. OTHER IMPORTANT DISCLOSURES

1. PENDING ACCOUNTS PAYABLES

	Balance B/F 2020/2021	Additions For the Period	Paid For the Period	Balance C/F FY 2020/2021
	Kshs	Kshs	Kshs	
Construction of civil works	-	-	-	-
Construction of Buildings	-	-	-	-
Consultancy Services	-	-	-	-
Acquisition of Land	453,623,554	616,000	25,616,000	428,623,554
	=====	=====	=====	=====
Total	453,623,554	616,000	25,616,000	428,623,554
	=====	-	=====	=====

Nairobi – Thika Highway Improvement Project Lot I & II

*Reports and Financial Statements
For the financial year ended June 30, 2021*

13. PROGRESS ON FOLLOW UP OF AUDITOR RECOMMENDATIONS


The following is the summary of issues raised by the external auditor, and management comments that were provided to the auditor. We have nominated focal persons to resolve the various issues as shown below with the associated time frame within which we expect the issues to be resolved.

Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Focal Point to resolve the issue (Name and designation)	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
Note 11	The financial statements reflects a pending bills amounting to Kshs 453,623,554 as at 30 th June 2020. The management attributed the delay in the discharge in exchequer releases.	The Authority shall continue to liaise with the Parent ministry and The National Treasury to ensure receipt of adequate exchequer funding to meet its contractual obligations.	DD (F&)	Not resolved	Ongoing


Eng. Kung'u Ndubigu
Director General

17 AUG 2021

Date


Eng. David A. Muchilwa
Director Development

17 AUG 2021

Date

14. ANNEXES

ANNEX 1 - VARIANCE EXPLANATIONS - COMPARATIVE BUDGET AND ACTUAL AMOUNTS

Receipts/Payments Item	Final Budget a	Actual on Comparable Basis b	Variance c=a-b	% of Variance d=b/a %
Receipts				
Transfer from Government entities	50,000,000	25,616,000	24,384,000	51%
Total Receipts	50,000,000	25,616,000	24,384,000	51%
Payments				
Payment of goods & services	650,000	616,000	34,000	95%
Acquisition of non-financial assets	49,350,000	25,000,000	24,350,000	*51%
Total Payments	50,000,000	25,616,000	24,384,000	51%

*This budget line is shared with other projects (footbridges – Which are fully financed under by the GoK exchequer), hence the minimal absorption of funds since the components under the African Development Bank financing are already complete.

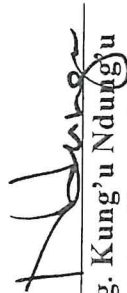
Nairobi – Thika Highway Improvement Project Lot I & II

Reports and Financial Statements
For the financial year ended June 30, 2021

ANNEX 2: RECONCILIATION OF INTER-ENTITY TRANSFERS


PROJECT NAME: Mombasa – Nairobi – Addis Ababa Road Corridor Project Phase II (Marsabit – Turbi)			
Break down of Transfers from the State Department of Infrastructure			
a. Government Counterpart	Funding	Bank Statement Date	Amount (KShs)
	Qtr 1	31.08.2020	25,000,000
	Qtr 2	23.09.2020	616,000
	Total		25,616,000
			Indicate the FY to which the amounts relate
			FY 2020/21
			FY 2020/21

The above amounts have been communicated to and reconciled with the parent Ministry/ state department


Eng. Kung'u Ndung'u
Director General

17 AUG 2021

Date


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

17 AUG 2021

Date

Nairobi – Thika Highway Improvement Project Lot I & II

Reports and Financial Statements
For the financial year ended June 30, 2021

ANNEX 3A - ANALYSIS OF PENDING BILLS

Supplier of Goods or Services	Original Amount	Date Contracted	Amount Paid To-Date	Outstanding Balance		Comments
				2021	2020	
Acquisition of land	a	b	c	d=a-c		
Acquisition of land	8,832,529,088		8,403,905,534	428,623,554	453,623,554	
Grand-Total	8,832,529,088		8,403,905,534	428,623,554	453,623,554	

Nairobi – Thika Highway Improvement Project Lot I & II

Reports and Financial Statements
For the financial year ended June 30, 2021

ANNEX 4 – SUMMARY OF FIXED ASSET REGISTER

Asset class	Opening Cost (KShs) 2020/21	Purchases/Additions in the Year (KShs) 2020/21	Disposals in the Year (KShs) 2020/21	Closing Cost (KShs) 2020/21
	(a)	(b)	(c)	(d)= (a)+ (b)-(c)
Land	8,556,762,056	25,000,000	-	8,581,762,056
Buildings and structures	118,973,207	-	-	118,973,207
Road Assets	25,259,555,748	-	-	25,259,555,748
Total	33,935,291,011	25,000,000	-	33,960,291,011

ANNEX 5 – CONTINGENT LIABILITIES REGISTER

	Nature of contingent liability	Payable to	Estimated Amount Kshs	Expected date of payment	Remarks
1			NONE		
2					
3					
4					
5					
6					
7					
8					
9					
10					

