



Enhancing Accountability

REPORT

OF

THE NATIONAL ASSEMBLY PAPERS L AID	
DATE: 14 MAR 2023	DAY: TUESDAY
TABLED BY:	DEPUTY LEADER OF MAJORITY PARTY
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THE AUDITOR-GENERAL

ON

**ARUSHA-NAMANGA-ATHI RIVER ROAD
DEVELOPMENT PROJECT
NO. P-Z1-DB0-040**

**FOR THE YEAR ENDED
30 JUNE, 2022**

**KENYA NATIONAL
HIGHWAYS AUTHORITY**



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



Kenya National Highways Authority

Quality Highways, Better Connections

Project Name – ARUSHA – NAMANGA – ATHI RIVER ROAD PROJECT

Implementing Entity – KENYA NATIONAL HIGHWAYS AUTHORITY - (KeNHA)

PROJECT LOAN NO: 2100150013893

PROJECT NO. P-ZI-DBO-040

ANNUAL REPORT AND FINANCIAL STATEMENTS

**FOR THE FINANCIAL YEAR ENDED
JUNE 30, 2022**

ARUSHA-NAMANGA-ATHI RIVER ROAD PROJECT

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

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1. PROJECT INFORMATION AND OVERALL PERFORMANCE

1.1 Name and registered office

Project Name	Arusha – Namanga – Athi River Road Project
Project Objectives	<p>The objective of the Project is to improve the essential road transport infrastructure between Kenya and Tanzania, and particularly between Arusha and Nairobi, Arusha and Mombasa, and Malindi and Dar es Salaam. The indicators will improve transport service and lower transport costs between the two countries which may be measured by assessing the road roughness, estimating vehicle operating costs, and counting traffic both to the border from both countries (national traffic) and across the border (international traffic).</p> <p>Support regional integration, cross border trade, tourism, socio - economic development of the zone of influence and a contribution to the reduction of poverty. The indicators or the sector goal will be enhanced cross border economic activity. The principal beneficiaries will be the tourism industry in both countries, cross border trading, regional integration (social and economic aspects), and population in areas of the Arusha region, Kajiado and Nairobi, Malindi, Mombasa, Tanga and Dar es Salaam districts. The project impact will include increased cross border traffic, increased cross border tourism, increased social-economic activities across the two countries.</p>
Project Registered Office and Physical Location:	The project headquarters offices are at Barabara Plaza, Jomo Kenyatta International Airport, Nairobi, Off Mazao Road (Opposite KCAA Headquarters)
Project Address	P.O. Box 49712-00100 Nairobi
Contacts:	Telephone: 020-8013842; Email dg@kenha.co.ke; Website www.kenha.co.ke

1.2 Project Information

Project Start Date:	8th February, 2007
Project End Date:	14 th May 2015
Project Manager:	Eng. Charles Obuon – Director, Development Eng. C. Makau – Project Co-Ordinator
Project Sponsor:	African Development Bank (ADB)

1.3 Project Overview

Line Ministry/State Department of the project	The project is under the supervision of the Ministry of Transport, Infrastructure, Housing, Urban Development & Public Works
Project number	P-ZI-DBO-040
Strategic goals of the Project	<p>The project management aims to achieve the goals through the following means:-</p> <p>(i) Increase efficiency of road transport along the Arusha-Namanga-Athi River Road Project to facilitate trade and regional integration.</p> <p>(ii) Promote private sector participation in the management, financing and maintenance of roads assets.</p> <p>(iii) Reduce transit time and costs incurred in cross-border movement.</p>
Other important background information of the project	<p>MAIN ARUSHA-NAMANGA-ATHI RIVER ROAD: LOT K: ATHI RIVER-NAMANGA SECTION (A104), AND ADDENDUM NO. 3 FOR THE CONSTRUCTION OF THE ONE STOP BORDER POST AT NAMANGA</p> <p>Component 1: Civil Works</p> <p>The works consists of the reconstruction of the existing bitumen surfaced road to an international trunk road standard with a 7 m wide carriageway and 2 m wide shoulders on each side for a total length of 136km.</p> <p>Construction of One-Stop Border Post at Namanga whose objective is reduce transit time and costs incurred in cross-border movement by combining the activities of both country's border organizations and agencies at single location in either direction without increasing the risk to public safety or revenue collection.</p> <p>Component 2: Consulting Services</p> <p>Under the component the project will contract consultants to undertake: (i) Design Review and Supervision of the works above; (ii) road safety; (iii) sensitization and mitigation activities on HIV/AIDS, STI and gender issues; (iv) baseline data collection and monitoring of ESMP implementation (v) technical audit; and (iv) financial audit.</p> <p>Component 3: Compensation and Resettlement:</p> <p>The component provides for compensation and resettlement of the Project Affected Persons (PAPs) in accordance with the Resettlement Action Plans (RAPs).</p>

PROJECT COMPONENTS AND COSTS - LOAN Components under Kenya National Highways Authority (KeNHA) The following components of the project are being implemented by the Kenya National Highways Authority				
	Categories of Expenditure (In Million UA)			
Category of Expenditure	F.E	L.C	Total	
Works	44.827	1.226	46.053	
Services	2.869	0.319	3.188	
TOTAL	47.696	1.545	49.241	
The project was financed by African Development Bank at 90% on Civil Works Construction inclusive of works consultancy supervision while 10% is financed by the Government of Kenya. Following the Exhaustion of AfDB's funding and the subsequent lapse of credit agreement, the project is now 100% financed by the Government of Kenya.				

Current Situation that the project was formed to intervene	The project was formed to intervene in the following areas: (i) Poor transport infrastructure along the Arusha-Namanga-Athi River Road Corridor (ii) Excessive travel time and high vehicle operating costs along the Northern Corridor (iii) Expand project funds including Donor/Gok towards attainment of the project objective.
Project duration	Main Project – Arusha-Namanga-Athi River Project The project started on 5th November, 2007 and ended on 5th November, 2011. Addendum No. 4 (Namanga OSBP) The project started on 9th January, 2013 and ended on 14 th May 2015.

1.4 Bankers

Co-Operative Bank Of Kenya Ltd
Upper Hill Branch, Nairobi
Account Number: 01141160979900

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. C. Obuon	Director, Development	Engineer	Project Implementing Team Leader
Eng. C. Makau	D. Director, Special Projects	Engineer	Project Co-Ordinator
Mr. Brian Shikoli	Engineer	Engineer	Assist. Project Co-Ordinator
Mr. W. Nyatwanga	D. Director (Environmental & Social)	Environmental & Social	Project Environmentalist
Mr. Richard Kilel	A.D, Supply Chain Services	Procurement Specialist	Project Procurement Specialist
Mr. Chanje Kera	D.D, Finance & Accounts	Finance Specialist	Project Financial specialist

1.7 Funding summary

The project financing is for duration of seven years from 8th February, 2007 to 30th November, 2014 with an approved budget of UA 49,241,000 equivalent to USD 52,330,176 equivalent to Kshs. 5,353,288,072 as highlighted in the table below:

A. Source of Funds

Source of funds	Donor Commitments		Amount received to 30 June 2022		Undrawn balance to date	
	USD	Kshs	USD	Kshs	USD	Kshs
	(A)	(A')	(B)	(B')	(A)-(B)	(A')-(B')
(i) Loan - African Development Bank (AfDB)						
	52,330,176	5,353,288,072	52,330,176	5,353,288,072	-	-
(ii) Counterpart Funds – Government of Kenya (GoK)						
	-	4,026,952,076	-	4,026,952,076	-	-
Total	52,330,176	9,380,240,148	52,330,176	9,380,240,148	-	-

B. Application of Funds

Application of funds	Amount received to 30 June 2022		Cumulative Amount paid to 30th June 2022		Unutilised balance to 30 June 2022	
	USD	Kshs	USD	Kshs	USD	Kshs
	(A)	(A')	(B)	(B')	(A)-(B)	(A')-(B')
(i) Loan - African Development Bank (AfDB)						
	52,330,176	5,353,288,072	52,330,176	5,353,288,072	-	-
(ii) Counterpart Funds – Government of Kenya (GoK)						
	-	4,026,952,076	-	4,026,952,076	-	-
Total	52,330,176	9,380,240,148	52,330,176	9,380,240,148	-	-

1.8 Summary of Overall Project Performance:

(a) Budget performance against actual amounts for current year: -

	2021/2022		
	Actual	Budget	%
Counterpart Funds - Gok	72,258,398	72,258,398	100%
Total	72,258,398	72,258,398	100%

(b) Physical progress based on outputs, outcome and impacts since project commencement.
The project is substantially complete and has been handed over to the employer

(c) Comment on value-for-money achievements.

- Project procurement process is conducted through International Competitive Bidding (ICB) which results in excellent value for money.
- The authority (KeNHA) has put in place adequate checks & balances on appointment of the works consultant supervision who oversees the project implementation on daily basis on consultation and subsequent approvals from the employer and the bank.
- In addition to works supervision, the consultant undertakes design review before commencement of roads construction works to reduce uncertainties.
- Regular auditing of the project by Internal Auditors, External Auditors and Quality Assurance Departments.
- Project site review meetings by the Development Partners through supervision missions.
- Monthly site meetings that involve the employer, the consultant and the contractor.

1.9 Summary of Project Compliance:

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

2. **STATEMENT OF PERFORMANCE AGAINST PROJECT'S PREDETERMINED OBJECTIVES**

Below is a summary of the Project's performance against the predetermined objectives:

Objective	Outcome	Indicator	Performance
Improve essential road transport infrastructure between Kenya and Tanzania.	Improved transport service and lower transport costs between the two countries	Construction of Athi River – Namanga Road	Project completed and opened for public use
To support regional integration, cross border trade, tourism, socio-economic development of the zone of influence and a contribution to the reduction of poverty.	Enhanced cross border economic activity	Construction of One Stop Border Post (OSBP) at Namanga	Project completed and opened for public use

3. ENVIRONMENTAL AND SUSTAINABILITY REPORTING

The Arusha-Namanga-Athi River Road Project exists to transform lives. This is our purpose; the driving force behind everything we do. It's what guides us to deliver our strategy. Below is a brief highlight of our activities that drive towards sustainability.

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.

ENVIRONMENTAL AND SUSTAINABILITY REPORTING (continued)

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, playing environment in schools along the project road and enhancement of security through construction of Police and NIS facilities at Namanga Border. 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.

4. STATEMENT OF PROJECT MANAGEMENT RESPONSIBILITIES

The Director General, KeNHA and the Project Management for Arusha-Namanga-Athi River Road Project are responsible for the preparation and presentation of the Project's financial statements, which give a true and fair view of the state of affairs of the project for and as at the end of the financial year ended on June 30, 2022. This responsibility includes (i) maintaining adequate financial management arrangement and ensuring that these continue to be effective throughout the reporting period; (ii) maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of the project; (iii) designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statement, and ensuring that they are free from material misstatements, whether due to error or fraud; (iv) safeguarding the assets of the project; (v) selecting and applying appropriate accounting policies; and (vi) making accounting estimates that are reasonable in the circumstances.

The Director General, KeNHA and the Project Management for Arusha-Namanga-Athi River Road Project, accept responsibility for the project's Financial Statements, which have been prepared on the Cash Basis Method of Financial Reporting, using appropriate accounting policies in accordance with the International Public Sector Accounting Standards.


The Director General, KeNHA and Project Management for Arusha-Namanga-Athi River Road Project are of the opinion that the Project financial statements give a true and fair view of the state of the Project's transactions during the financial year ended June, 30, 2022 and the Project's financial position as at that date.

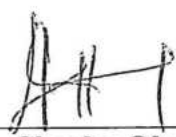
The Director General, KeNHA and the Project Management for Arusha-Namanga-Athi River Road Project further confirm that completeness of the accounting records maintained for the Project, which have been relied upon in the preparation of the Project financial Statements as well as on the adequacy of the systems of internal financial control.

The Director General, KeNHA and the Project Management for Arusha-Namanga-Athi River Road Project confirm that the Project has complied fully with applicable Government Regulations and the terms of external financing covenants, and that Project funds received during the financial year under audit are used for the eligible purposes for which they were intended and were properly accounted for.

Approval of the Project financial statements

The project financial statements were approved by the Director General, KeNHA and Project Management for Arusha-Namanga-Athi River Road Project on.....30 AUG 2022.....2022 and signed by them

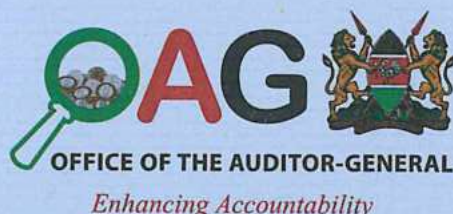

Eng. Kungu Ndungu
Director General


Eng. Charles Obuon
Director, Development


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

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Monrovia Street
P.O. Box 30084-00100
NAIROBI

REPORT OF THE AUDITOR-GENERAL ON ARUSHA-NAMANGA-ATHI RIVER ROAD DEVELOPMENT PROJECT NO. P-Z1-DB0-040 FOR THE YEAR ENDED 30 JUNE, 2022 - KENYA NATIONAL HIGHWAYS AUTHORITY

PREAMBLE

I draw your attention to the contents of my report which is in three parts:

- A. Report on the Financial Statements that considers whether the financial statements are fairly presented in accordance with the applicable financial reporting framework, accounting standards and the relevant laws and regulations that have a direct effect on the financial statements.
- B. Report on Lawfulness and Effectiveness in Use of Public Resources which considers compliance with applicable laws, regulations, policies, 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 controls, risk management and governance systems are properly designed and were working effectively in the financial year under review.

The three parts of the report are aimed at addressing the statutory roles and responsibilities of the Auditor-General as provided by Article 229 of the Constitution, the Public Finance Management Act, 2012 and the Public Audit Act, 2015. The three parts of the report, when read together constitute the report of the Auditor-General.

REPORT ON THE FINANCIAL STATEMENTS

Qualified Opinion

I have audited the accompanying financial statements of Arusha-Namanga-Athi River Road Development Project set out on pages 1 to 16, which comprise of the statement of

financial assets as at 30 June, 2022, and the statement of receipts and payments, statement of cashflow and the statement of comparison of budget and actual amounts for the year then ended, and a summary of significant accounting policies and other explanatory information in accordance with provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which to the best of my knowledge and belief were necessary for the purpose of the audit.

In my opinion, except for the effects of matter referred on the Basis for Qualified opinion section of my report, the financial statements present fairly, in all material respects, the financial position of the Arusha-Namanga-Athi River Road Development Project as at 30 June, 2022, and of its financial performance and its cash flows for the year then ended, in accordance with International Public Sector Accounting Standards (Cash Basis) and comply with the Loan Agreement No.2100150013893 dated 8 February, 2007 between African Development Fund (ADF) and the Republic of Kenya and the Public Finance Management Act, 2012.

Basis for Qualified Opinion

Unconfirmed Transfer from Government Entities

The statement of receipts and payments reflects transfer from Government entities through the parent Ministry of Kshs.72,258,398 which was fully expensed in the year under review. The receipts could however not be confirmed as the Authority did not maintain a separate bank account and cashbook for the Project.

In the circumstances, the accuracy and completeness of the transfer from other Government entities of Kshs.72,258,398 could not be confirmed.

The audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAIs). I am independent of the Arusha-Namanga-Athi River Road Development 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 qualified 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 12 and Annex 3 to the financial statements reflect pending bills balance in respect of road construction amounting to Kshs.83,344,955 as at 30 June, 2022. Review of the Project's records indicate that the entire balance of Kshs.83,344,955 was brought forward from the previous year. As previously reported, the Project therefore runs the risk of

incurring significant interest costs and penalties with the continued delay in settling the bills.

Failure to settle bills during the year in which they relate adversely affects the provisions of the subsequent year to which they have to be first charged.

2. Project Closure Report

The Project information at Section 1.3 of the annual report and financial statements revealed that the project ended on 14 May, 2015. However, the project closure report was not provided for audit, being more than seven (7) 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 Basis for Qualified Opinion 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.

Those charged with governance are responsible for overseeing the Project's financial reporting process, reviewing the effectiveness of how Management monitors compliance with relevant legislative and regulatory requirements, ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to 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

21 November, 2022

ARUSHA-NAMANGA-ATHI RIVER ROAD PROJECT

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

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

	Note	2021/22			2020/21			Cumulative to date
		Receipts and payments controlled by the entity	Payments made by third parties	Total	Receipts and payments controlled by the entity	Payments made by third parties	Total	
		Kshs.			Kshs.			Kshs.
RECEIPTS								
Transfer from Government entities	1	72,258,398	-	72,258,398	-	-	-	4,026,952,076
Loan from external development partners	2	-	-	-	-	-	-	5,353,288,072
TOTAL RECEIPTS		72,258,398	-	72,258,398	-	-	-	9,380,240,148
PAYMENTS								
Purchase of Goods & Services	3	-	-	-	-	-	-	60,221,211
Acquisition of non-financial assets	4	72,258,398	-	72,258,398	85,670,849	-	85,670,849	9,320,018,937
TOTAL PAYMENTS		72,258,398	-	72,258,398	85,670,849	-	85,670,849	9,380,240,148
SURPLUS/DEFICIT FOR THE YEAR		-	-	-	(85,670,849)	-	(85,670,849)	-

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


Eng. Kungu Ndingu
 Director General

30 AUG 2022

Date


Eng. Charles Obuon
 Director, Development

30 AUG 2022

Date

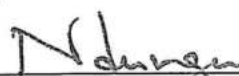

CPA Chanje Kera
 Deputy Director (F&A)
 ICPAK Member No: 8279
 30 AUG 2022


Date


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

	Note	2021/22 Kshs.	2020/21 Kshs.
FINANCIAL ASSETS			
Cash and Cash Balances	5	-	-
TOTAL FINANCIAL ASSETS		-	-
FINANCIAL LIABILITIES			
Payables - Retentions	6	-	-
NET ASSETS		-	-
REPRESENTED BY:-			
Surplus/Deficit for the year		-	-
Fund balance b/fwd	7	-	-
NET FINANCIAL POSITION		-	-

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The financial statements were approved on 30 AUG 2022 and signed by:


Eng. Kungu Ndungu
Director General

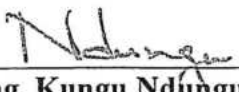

Eng. Charles Obuon
Director, Development

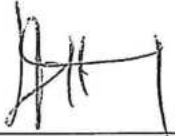

CPA Chanje Kera
Deputy Director (F&A)
ICPAK Member No: 8279


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

	Note	2021/22 Kshs.	2020/21 Kshs.
Receipts			
Transfers from Government entities			
GoK Counterpart Fund	1	72,258,398	-
Total Receipts		72,258,398	-
Payments			
Project operating costs	3	-	-
Total Payments		-	-
Net cash flow from operating activities		72,258,398	-
Cashflow From Investing Activities			
Acquisition of road assets	4	(72,258,398)	(85,670,849)
Net cash flows from Investing Activities		(72,258,398)	(85,670,849)
Cashflow From Borrowing Activities			
Proceeds from Foreign Borrowings		-	-
Net Proceeds from Foreign Borrowings		-	-
Net cash flow from financing activities		-	(85,670,849)
Net Increase In Cash And Cash Equivalent		-	(85,670,849)
Cash and cash equivalent at Beginning of the year		-	85,670,849
Cash and cash equivalent at End of the year		-	-

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The entity financial statements were approved on 30 AUG 2022 and signed by:


Eng. Kungu Ndungu
Director General

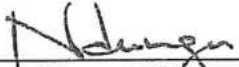

Eng. Charles Obuon
Director, Development



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


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

Receipts/Payments	Original	Adjustments	Final	Actual on		%Var.
	Budget		Budget	Comparable	Variance	
	a		c=a+b	d	e=c-d	f=d/c %
Receipts						
Transfers from Government entities	-	72,258,398	72,258,398	72,258,398	-	100%
Total Receipts	-	72,258,398	72,258,398	72,258,398	-	100%
Payments						
Acquisition of non-financial assets	-	72,258,398	72,258,398	72,258,398	-	100%
Total Payments	-	72,258,398	72,258,398	72,258,398	-	100%

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


 Eng. Kungu Ndungu
 Director General


 Eng. Charles Obuon
 Director, Development


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

30 AUG 2022

Date

30 AUG 2022

Date

30 AUG 2022

Date

10. SIGNIFICANT ACCOUNTING POLICIES

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

10.1 Statement of compliance and basis of preparation

The financial statements have been prepared in accordance with Cash-basis IPSAS financial reporting under the cash basis of accounting, as prescribed by the PSASB and set out in the accounting policy note below. This cash basis of accounting has been supplemented with accounting for; a) receivables that include imprests and salary advances and b) payables that include deposits and retentions. The financial statements comply with and conform to the form of presentation prescribed by the PSASB.

The accounting policies adopted have been consistently applied to all the years presented.

10.2 Reporting entity

The financial statements are for the Arusha-Namanga-Athi River Road Project under National Government of Kenya. The financial statements encompass the reporting entity as specified in the relevant legislation PFM Act 2012 .

10.3 Reporting currency

The financial statements are presented in Kenya Shillings (KShs), which is the functional and reporting currency of the Project and all values are rounded to the nearest Kenya Shilling.

Significant Accounting Policies (Continued)

10.4 Recognition of receipts

The Project recognises all receipts from the various sources when the event occurs, and the related cash has actually been received by the Government.

i) Transfers from the Exchequer

Transfer from Exchequer is be recognized in the books of accounts when cash is received. Cash is considered as received when payment instruction is issued to the bank and notified to the receiving entity.

ii) External Assistance

External assistance is received through grants and loans from multilateral and bilateral development partners.

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.

iv) Donations and grants

Grants and donations shall be recognized in the books of accounts when cash is received. Cash is considered as received when a payment advice is received by the recipient entity or by the beneficiary. In case of grant/donation in kind, such grants are recorded upon receipt of the grant item and upon determination of the value. The date of the transaction is the value date indicated on the payment advice.

Significant Accounting Policies (Continued)

v) Proceeds from borrowing

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

a) Undrawn external assistance

These are loans and grants at reporting date as specified in a binding agreement and relate to funding for the Project currently under development where conditions have been satisfied or their ongoing satisfaction is highly likely and the project is anticipated to continue to completion. An analysis of the Project's undrawn external assistance is shown in the funding summary

10.5 Recognition of payments

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

i) Compensation of employees

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

ii) Use of goods and services

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

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.

10.6 In-kind donations

In-kind contributions are donations that are made to the Project in the form of actual goods and/or services rather than in money or cash terms. These donations may include vehicles, equipment or personnel services. Where the financial value received for in-kind contributions can be reliably determined, the Project includes such value in the statement of receipts and payments both as receipts and as payments in equal and opposite amounts; otherwise, the contribution is not recorded.

Significant Accounting Policies (Continued)

10.7 Cash and cash equivalents

Cash and cash equivalents comprise cash on hand and cash at bank, short-term deposits on call and highly liquid investments with an original maturity of three months or less, which are readily convertible to known amounts of cash and are subject to insignificant risk of changes in value. Bank

account balances include amounts held at the Central Bank of Kenya and at various commercial banks at the end of the financial year. For the purposes of these financial statements, cash and cash equivalents also include short term cash imprests and advances to authorised public officers and/or institutions which were not surrendered or accounted for at the end of the financial year.

10.8 Restriction on cash

Restricted cash represents amounts that are limited/restricted from being used to settle a liability for at least twelve months after the reporting period. This cash is limited for direct use as required by stipulation. Amounts maintained in deposit bank accounts are restricted for use in refunding third part deposits.

10.9 Imprests and Advances

For the purposes of these financial statements, imprests and advances to authorised public officers and/or institutions which were not surrendered or accounted for at the end of the financial year is treated as receivables. This is in recognition of the government practice where the imprest payments are recognized as payments when fully accounted for by the imprest or AIE holders. This is an enhancement to the cash accounting policy. Other accounts receivables are disclosed in the financial statements.

Significant Accounting Policies (Continued)

10.10 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,

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. There were no contingent liabilities in the year.

10.11 Contingent Assets

The Arusha-Namanga-Athi River Road Project does not recognize a contingent asset, but discloses details of a possible asset whose existence is contingent on the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of The Arusha-Namanga-Athi River Road Project in the notes to the financial statements. Contingent assets are assessed continually to ensure that developments are appropriately reflected in the financial statements. If it has become virtually certain that an inflow of economic benefits or service potential will arise and the asset's value can be measured reliably, the asset and the related revenue are recognized in the financial statements of the period in which the change occurs.

Significant Accounting Policies (Continued)**10.12 Pending bills**

Pending bills consist of unpaid liabilities at the end of the financial year arising from contracted goods or services during the year or in past years. As pending bills do not involve the payment of cash in the reporting period, they recorded as 'memorandum' or 'off-balance' items to provide a sense of the overall net cash position of the Project at the end of the year. When the pending bills are finally settled, such payments are included in the statement of receipts and payments in the year in which the payments are made.

10.13 Budget

The budget is developed on a comparable accounting basis (cash basis), the same accounts classification basis (except for accounts receivable - outstanding imprest and clearance accounts and accounts payable - deposits, which are accounted for on an accrual basis), and for the same period as the financial statements. The Project's budget was approved as required by Law and National Treasury Regulations, as well as by the participating development partners, as detailed in the Government of Kenya Budget Printed Estimates for the year. The Development Projects are budgeted for under the MDAs but receive budgeted funds as transfers and account for them separately. These transfers are recognised as 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.

10.14 Third party payments

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

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

Significant Accounting Policies (Continued)

10.15 Exchange rate differences

The accounting records are maintained in the functional currency of the primary economic environment in which the Project operates, Kenya Shillings. Transactions in foreign currencies during the year/period are converted into the functional currency using the exchange rates prevailing at the dates of the transactions. Any foreign exchange gains and losses resulting from the settlement of such transactions and from the translation at year-end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in the statements of receipts and payments.

10.16 Comparative figures

Where necessary comparative figures for the previous financial year/period have been amended or reconfigured to conform to the required changes in financial statement presentation.

10.17 Subsequent events

There have been no events subsequent to the financial year/period end with a significant impact on the financial statements for the year ended June 30, 2022.

10.18 Prior period adjustments

Prior period adjustments relate to errors and other adjustments noted arising from previous year(s). There were no Prior year adjustments in the current financial year.

11. NOTES TO THE FINANCIAL STATEMENTS**1. RECEIPTS FROM GOVERNMENT OF KENYA**

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

	2021/22 Kshs	2020/21 Kshs	Cumulative to-date
Counterpart funds Quarter 1	72,258,398	-	768,034,466
Counterpart funds Quarter 2	-	-	577,404,454
Counterpart funds Quarter 3	-	-	397,006,372
Counterpart funds Quarter 4	-	-	1,814,008,072
Sub- Total	72,258,398	-	3,556,453,364
RMLF Fund	-	-	470,498,712
TOTAL	72,258,398	-	4,026,952,076

2. LOANS FROM EXTERNAL DEVELOPMENT PARTNERS

The Project's financing agreement lapsed on 30 November 2014 hence no funding from development partners was received in form of loans negotiated by the National Treasury in the current FY (FY 2020/21 Kshs Nil). An accumulative amount of Kshs 5.4 billion was however utilised in the project.

3. PURCHASE OF GOODS AND SERVICES

	FY 2021/2022			FY 2020/2021	Cumulative to date Kshs
	Receipts and payments controlled by the entity	Payments made by third parties	Total Payments	Total Payments	
	Kshs	Kshs			
Domestic travel and subsistence	-	-	-	-	8,065,608
Advertising and Services	-	-	-	-	52,155,603
Total	-	-	-	-	60,221,211

4. ACQUISITION OF NON-FINANCIAL ASSETS

	FY 2021/2022			FY 2020/2021	Cumulative to date
	Receipts and payments controlled by the entity	Payments made by third parties	Total Payments	Total Payments	
	Kshs	Kshs			
Construction of roads	72,258,398	-	72,258,398	85,670,849	8,313,620,802
Acquisition of land	-	-	-	-	1,006,398,135
Total	72,258,398	-	72,258,398	85,670,849	9,320,018,937

5. CASH AND CASH EQUIVALENTS C/FORWARD

	FY 2021/22 Kshs	FY 2020/21 Kshs
Local Currency Accounts:		
National Bank Of Kenya A/C No. 0100132733200	-	-

6. ACCOUNTS PAYABLES – RETENTIONS

Description	2021-2022	2020-2021
	Kshs	Kshs
Retention	-	-
Total	-	-

7. FUND BALANCE BROUGHT FORWARD

	FY 2021/2022	2020/2021
	KShs	KShs
Bank accounts	-	-
Total	-	-

8. CHANGES IN ACCOUNTS PAYABLE –RETENTIONS

Description	2021-2022	2020-2021
	Kshs	Kshs
Retentions as at 1 st July	-	85,670,849
Closing accounts payables as at 30 th June	-	-
Change in payables	-	(85,670,849)

12. OTHER IMPORTANT DISCLOSURES**12.1 PENDING ACCOUNTS PAYABLE (Annex 3)**

	Balance c/f FY 2021/2022	Additions during the period	Paid during the year	Balance c/f FY 2021/2022
Description	Kshs	Kshs	Kshs	Kshs
Construction of Roads	155,603,353	-	72,258,398	83,344,955
Total	155,603,353	-	72,258,398	83,344,955

ARUSHA-NAMANGA-ATHI RIVER ROAD PROJECT
Reports and Financial Statements for the financial year ended June 30, 2022

13. PRIOR YEAR AUDITOR-GENERAL'S RECOMMENDATIONS

Ref. No.	Issue / Observations from Auditor	Management comments	Status:	Timeframe :
	<p>Other Matter</p> <p>Pending Bills</p> <p>Note 12.1 to the financial statements discloses pending bills balances of Kshs 155,603,353 as at 30 June, 2021. Although Management has committed to liaise with the line ministry and the National Treasury for adequate budgetary allocation and timely exchequer releases for prompt payments in the subsequent financial year, the Project is at risk of incurring significant interest costs and penalties with the continued delay in making payments.</p>	<p>The pending bills amounting to Kshs 155,603,353 as at 30 June 2021 which arose due to:</p> <p>a) Insufficient budgetary allocation to facilitate settlement of the project's final account, and</p> <p>b) Lack of adequate supporting documents from the contractor to facilitate settlement of the pending bills. The Authority is duty bound to ensure that all claims made for payment are fully supported and meet all the necessary requirements to facilitate payments. The supporting documents were not availed by the contractor hence the claim remained outstanding as at close of the financial year.</p> <p>We further wish to note that the unsupported bills do not attract interest on delayed payments until they are duly supported to enable settlement, hence such will not lead to any escalation of project costs. Any further delay in proper documentation of the claim will lead to a write back which will extinguish any liability thereon.</p> <p>The Authority, in liaison with the parent ministry will endeavour to ensure that the balance of duly supported final account is promptly settled through sufficient budgetary allocation</p>	Ongoing	Continuous


Eng. Kungu Ndugu
Director General

30 AUG 2022

Date


Eng. Charles Obuon
Director, Development

30 AUG 2022

Date

ARUSHA-NAMANGA-ATHI RIVER ROAD PROJECT
Reports and Financial Statements for the financial year ended June 30, 2022

14. ANNEXES

ANNEX 1 - VARIANCE EXPLANATIONS - COMPARATIVE BUDGET AND ACTUAL AMOUNTS FOR FY 2021/2022

	Final Budget	Actual on Comparable Basis	Budget Utilisation Variance	% of Utilisation Variance to Final Budget	Comments on Variance
	a	b	c=a-b	d=b/a %	
RECEIPTS DURING THE YEAR/PERIOD					
Government of Kenya -GOK	72,258,398	72,258,398	-	100%	
Total receipts	72,258,398	72,258,398	-	100%	
PAYMENTS DURING THE YEAR/PERIOD					
Acquisition of non-financial assets	72,258,398	72,258,398	-	100%	
Total payments	72,258,398	72,258,398	-	100%	

ARUSHA-NAMANGA-ATHI RIVER ROAD PROJECT
Reports and Financial Statements for the financial year ended June 30, 2022


ANNEX 2 - RECONCILIATION OF INTER-ENTITY TRANSFERS

Break down of Transfers from the State Department of Infrastructure			Indicate the FY to which the amounts relate
	Bank Statement Date	Amount (KShs)	
a. Government Counterpart Funding			
	16/09/2021	72,258,398	FY 2021/22
Total		72,258,398	
b. Direct Payments			
NONE		-	
		-	
Total		-	
c. Others			
NONE		-	
Total		-	
TOTAL(a+b+c)		72,258,398	


Eng. Kungu Ndungu
 Director General

30 AUG 2022

Date


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

30 AUG 2022

Date

ARUSHA-NAMANGA-ATHI RIVER ROAD PROJECT
Reports and Financial Statements for the financial year ended June 30, 2022

ANNEX 3 - ANALYSIS OF PENDING BILLS

Supplier of Goods or Services	Original Amount	Date Contracted	Amount Paid To-Date	Outstanding Balance	Outstanding Balance	Comments
				2022	2021	
	a	b	c	d=a-c		
Construction of roads						
China N.O. Eng. Co. Ltd	25,970,492	06/10/2014	-	25,970,492	25,970,492	IPC No. 41
China N.O. Eng. Co. Ltd	57,168,988	29/03/2016	-	57,168,988	57,168,988	IPC No. 49
China N.O. Eng. Co. Ltd	2,648,347	26/01/2018	2,442,872	205,474	205,474	IPC No. 4
China N.O. Eng. Co. Ltd	72,258,398	08/03/2021	72,258,398	-	72,258,398	IPC No. 53
Sub-Total	85,787,827		2,442,872	83,344,955	155,603,353	
Road Works Supervision Services Supervision Services						
Sub-Total	-		-			
Supply of goods & Services						
Sub-Total	-		-	-	-	
Grand Total	85,787,827		2,442,872	83,344,955	155,603,353	

ARUSHA-NAMANGA-ATHI RIVER ROAD PROJECT
Reports and Financial Statements for the financial year ended June 30, 2022

ANNEX 4 – SUMMARY OF FIXED ASSET REGISTER

Asset class	Opening Cost (KShs) 2021/22	Purchases/Additions in the Year (KShs) 2021/22	Disposals in the Year (KShs) 2021/22	Closing Cost (KShs) 2021/22 (d)= (a)+ (b)-(c)
	(a)	(b)	(c)	(d)= (a)+ (b)-(c)
Construction of Roads	8,241,362,404	85,670,849		8,327,033,253
Land	1,006,398,135	-	-	1,006,398,135
Total	9,247,760,539	85,670,849	-	9,333,431,388

