



REPUBLIC OF KENYA

DEPARTMENT OF LANDS, PHYSICAL PLANNING,  
HOUSING AND URBAN DEVELOPMENT



COUNTY GOVERNMENT OF HOMA BAY

**OYUGIS MUNICIPALITY**

P.O Box 352- 40222

OYUGIS

E-mail: [oyugis.municipality@homabay.go.ke](mailto:oyugis.municipality@homabay.go.ke)

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*Where Diversity Thrives for Co-existential Prosperity*

*#We Serve with Humility*

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**PERFORMANCE CONTRACT AGREEMENT (PCA)**

**BETWEEN**

**THE BOARD CHAIRPERSON – OYUGIS MUNICIPAL BOARD**

**AND**

**THE MUNICIPAL MANAGER – OYUGIS MUNICIPALITY**

**FOR THE PERIOD**

**1<sup>ST</sup> JULY 2023 - 30<sup>TH</sup> JUNE 2024**

## PERFORMANCE CONTRACT AGREEMENT

This Cascaded Performance Contract - PC (hereinafter referred to as the 'Contract') is for the Oyugis Municipal Board (hereinafter referred to as ('OMB')) is entered into between **MR. SIGAR JAMES AGUMBA**, the Municipal Manager (herein referred to as "MM-OM") of **P.O Box 352-40222 OYUGIS** (together with his assignees and successors) of the one part and **MR. DAVIES ABILLA**, the Board Chairperson, Oyugis Municipality (hereinafter referred to as 'the BC-OM') of **P.O Box 352-40222 OYUGIS** (together with his assignees and successors) of the other part.

### **WHEREAS:**

The BC-OM has been contracted by the County Government of Homabay, the Board acknowledges the role of the MM-OM in delivering the targets in the departmental contract with the BC-OM having signed as the representative of the Board. The MM-OM plays a critical role in the achievement of the Board's targets. The PC cascading as framed in Section 16.1 of the guidelines enables assumption of targets herein with necessary alignments to those at Board level.

The Board appreciates the concerns of the people of Homa Bay County, Oyugis Municipality, and the stakeholders as to the services offered and the extent of their delivery. This contract represents a basis for continuous improvement of the county and, or municipality performance to meet the needs and expectations of the people.

The Board recognizes that the MM-OM holds a vital position in the implementation of the County Governments Act 2012, the Urban Areas and Cities Act 2011, the Urban Areas and Cities (Amendment) Act 2019, the Oyugis Municipality Charter, the Homa Bay Integrated Development Plan (CIDP) 2023-2027 and the Oyugis Municipality Strategic Urban Developments Plan, and other national priorities as well as domestication of international obligations whereto the Republic of Kenya is a signatory in order to improve the quality of lives of the people of Oyugis Municipality and make the County and the Municipality competitive.

The purpose of this C-Contract is to establish the basis for ensuring that efficient and effective services are delivered to people of Oyugis Municipality in line with provisions of the Constitution and by requiring the MMOM to adopt systems that enable innovativeness and adaptability of county services to the needs of the users.



This Contract therefore represent a basis for continuous performance improvement that meets the needs and expectations of the residents of Oyugis Municipality.

**NOW THEREFORE**, the parties hereto agree as follows:

**PART I: STATEMENT OF RESPONSIBILITY**

The MM-OM shall be responsible to the Board in providing strategic direction, leadership and administration of Oyugis Municipality as provided for in Sections 12, 20 and 21 of the Urban Areas and Cities Act No.13 of 2011 as read together with legislated applicable subsidiary amendments to the Act. The MM OM shall be the authorized officer in respect of exercise of the delegated power.

The following specific responsibilities are of significance in relation to the PC notably;

- i. Act on behalf of the Board of the Municipality in ensuring the execution of the directives of the Board of the Municipality; during all intervals between meetings of the Board of the Municipality.
- ii. Prepare and present for approval of the Board of the Municipality, an annual estimate of revenue and expenditure to fund and carry out the programmes and operations of the Board.
- iii. Be principally responsible for building and maintaining a strong alliance and effective working relationships between the Board of the Municipality and the civil society, private sector and community-based organizations.
- iv. Exercise supervision over all departments and agencies of the Municipality and provide for the coordination of their activities.
- v. Make reports and recommendations to the Board of the Municipality about the needs of the Municipality.
- vi. Prepare and administer the annual Municipality budget.
- vii. Encourage and support regional and intergovernmental cooperation.
- viii. Cause to be prepared, transmitted to the Board of the Municipality, and distributed to the public at least an annual report of the activities and accomplishments of the departments and agencies comprising the executive branch of the Municipality.

- ix. Be fully responsible for the proper conduct of the executive and administrative work and affairs of the Municipality.

## **PART II: VISION STATEMENT, MISSION STATEMENT AND STRATEGIC OBJECTIVE**

a) **Vision:**

A Municipality of Choice where diversity thrives for all to invest, work, live and prosper.

b) **Mission:**

To make Oyugis Municipality more attractive and sustainable through effective policy formulation and implementation.

**Motto:**

We Serve with Humility

d) **Strategic Objectives:**

1. To formulate and implement the Oyugis Municipality Integrated Development Plan.
2. To formulate and implement the Oyugis Municipality Strategic Urban Development Plan.
3. To formulate and implement the Oyugis Municipality Solid Waste Management Policy.
4. To effectively manage and retain for the maximum program period existing collaboration with the World Bank on the Kenya Urban Support Program for the continued benefit of the residents of Oyugis Municipality by meeting all minimum conditions and performance standards set by the donor.
5. To implement the Oyugis Municipality Charter.
6. To implement the Urban Areas and Cities Act 2011 and applicable sections of Urban Areas and Cities (Amendments) Act 2019.
7. To create a conducive and enabling environment for land administration and management in the Municipality.
8. To meet local and international obligations in the field of human settlements management; SDG11, New Urban Agenda and the Paris Agreement (COP21) on Climate Change among others.



9. To Build Climate Resilience of the Urban Poor through Participatory Slum Upgrading Programme.
10. To support sustainable urban lakefront planning and development.

To improve service delivery and coordination of functions, programs, and activities.

### **PART III: STATEMENT OF INTENT**

In discharging my duties, I will conduct myself diligently and in an effective manner towards the achievement of the development agenda of the Oyugis Municipality and Homa Bay County. My key priority will entail discharging the key mandate including.

- i. To provide overall policy and strategic direction for the transformation of the Oyugis Municipality
- ii. To promote effective development, management and maintenance of all municipal facilities and roads.
- iii. To promote proper planning and development of urban areas within the municipality.
- iv. To implement the Oyugis Municipality Charter.

### **PART IV: COMMITMENTS AND RESPONSIBILITIES OF THE MUNICIPAL MANAGER**

1. Act on behalf of the Board of the Municipality in ensuring the execution of the directives of the Board of the Municipality; during all intervals between meetings of the Board of the Municipality.
2. Prepare and present for approval of the Board of the Municipality, an annual estimate of revenue and expenditure to fund and carry out the programmes and operations of the Board.
3. Be principally responsible for building and maintaining a strong alliance and effective working relationships between the Board of the Municipality and the civil society, private sector and community-based organizations.
4. Exercise supervision over all departments and agencies of the Municipality and provide for the coordination of their activities.
5. Make reports and recommendations to the Board of the Municipality about the needs of the Municipality.
6. Prepare and administer the annual Municipality budget.
7. Encourage and support regional and intergovernmental cooperation.

8. Cause to be prepared, transmitted to the Board of the Municipality, and distributed to the public at least an annual report of the activities and accomplishments of the departments and agencies comprising the executive branch of the Municipality.
9. Be fully responsible for the proper conduct of the executive and administrative work and affairs of Oyugis Municipality.
10. Formulation and implementation of effective programs to attain Vision 2030, CIDP 2018-2020, and sector goals.
11. Development and implementation of strategic plans.
12. Implementation of policies and regulations.
13. Oversee management of finances, preparation and submission of budget estimates, annual plans, and programs.
14. Oversee implementation and monitoring of the departmental performance management systems.
15. Promote national values, principles of good governance as outlined in articles 10 and 232 of the constitution of Kenya.
16. Staff Development and Mentoring.

#### **PART VI: COMMITMENT AND OBLIGATION OF THE BOARD CHAIRPERSON**

- 1 Support the establishment of a culture of service delivery and accountability in the Municipality and County Public service, including working styles, attitudes and work ethics;
- 2 Ensure resources are available for the achievement of the agreed performance targets;
- 3 Support the implementation of County Integrated Development Plan, Oyugis Municipality Development Plan, the Oyugis Municipality Strategic Urban Development plan anchored on National policies;
- 4 Ensure timely approval of Board requests;
- 5 Spearhead public participation to link the Board to the needs of the people;
- 6 Generate appropriate policies to anchor the implementation of the Board's projects and programs;
- 7 Ensure that the Municipality is staffed with the right mix of staff

#### **PART VI: REPORTING REQUIREMENTS FOR THE MUNICIPAL MANAGER**

The Municipal Manager undertakes to submit quarterly performance reports to the Board Chairperson and a copy to the County Secretary for monitoring progress, and annual reports for evaluation of performance.


**PART VII: DURATION OF THE PERFORMANCE CONTRACT**

This performance contract will run for one financial year effective 1<sup>st</sup> July, 2023 to 30<sup>th</sup> June, 2024.



**SIGNATORIES TO PERFORMANCE CONTRACT:**

**CONTRACTOR:**

Signature:  Date: 14-09-23

**CHAIRPERSON**

**MR. DAVIES ABILLA  
OYUGIS MUNICIPAL BOARD  
COUNTY GOVERNMENT OF HOMA BAY**

**CONTRACTEE:**

Signature:  Date: 14<sup>TH</sup> SEPTEMBER, 2023

**MR. SIGAR JAMES AGUMBA  
MUNICIPAL MANAGER  
OYUGIS MUNICIPALITY  
COUNTY GOVERNMENT OF HOMA BAY**

**MANAGER  
OYUGIS MUNICIPALITY  
P. O. BOX 352 - 40222, OYUGIS  
COUNTY GOVERNMENT OF HOMA BAY**

**Table A: Municipal Manager for Oyugis Municipality-HomaBay County Performance Contract 2023/2024  
Financial Year Matrix**

	CRITERIA CATEGORY	UNIT OF MEASURE	WEIGHT	CURRENT STATUS FY 2022/2023	TARGET FY 2023/2024
<b>A</b>	<b>FINANCIAL STEWARDSHIP AND DISCIPLINE</b>				
<b>A1</b>	Absorption of Allocated Funds (GOK)	%	2	N/A	N/A
<b>A2</b>	Absorption of Eternally Mobilized Funds	%	2	49.85%	100
<b>A3</b>	Development Index	Ratio	1	100%	100%
<b>A4</b>	A-in-A	Ksh	2	N/A	N/A
<b>A5</b>	Asset Management	%	1	3	100
<b>A6</b>	Pending bills	%	2	<1	≤ 1
	<b>Weight Sub Total</b>		<b>10</b>		
<b>B</b>	<b>SERVICE DELIVERY</b>				
<b>B1</b>	Implementation of Citizens' Service Delivery Charter	%	2	1	100
<b>B2</b>	Customer Satisfaction	%	2	70%	100
<b>B3</b>	Application of service delivery Innovations	%	1	100%	100
<b>B4</b>	Resolution of Public Complaints	%	2	100%	100
<b>B5</b>	Business Process Re-engineering	%	2	100%	100



	<b>B6</b>	Automation	%	1	100%	100
		<b>Weight Sub Total</b>		<b>10</b>		
<b>C</b>		<b>INSTITUTIONAL TRANSFORMATION</b>				
	<b>C1</b>	Execution of County Planning Framework	%	3	100%	100
	<b>C2</b>	Youth Internships/ Industrial Attachments/Apprenticeships	No	2	100%	100
	<b>C3</b>	Access to Government Procurement Opportunities (AGPO)	Ksh	3	100%	100
	<b>C4</b>	Promotion of Local Content in Procurement	Ksh	3	100%	100
	<b>C5</b>	Competence Development	%	2	100%	100
	<b>C6</b>	Cascading of Performance Contracts	%	2	100%	100
		<b>Weight Sub Total</b>		<b>15</b>		
<b>D</b>		<b>CORE MANDATE</b>				
	<b>D1</b>	County Department's priority projects/ programmes ("Big Four" Initiatives, Vision 2030 Flagship Projects, programmes / Projects aligned to SDGs, CIDP and CSPs		50		
	<b>D1.1</b>	Installation of Street Lights	%	10	0	100
	<b>D1.2</b>	Land Acquisition for Dumpsite	%	10	0	100
	<b>D1.3</b>	Drainage Works	%	10	0	100
	<b>D1.4</b>	Rehabilitation of the Buspark.	No	10	0	1
	<b>D1.5</b>	Waste management.	%	10	0	100
	<b>D2</b>	Revenue Collection	Ksh	4	0	100
	<b>D3</b>	Ease of Doing Business	%	2		100
	<b>D4</b>	Compliance with Statutory Obligations	%	2	100%	100
	<b>D5</b>	Project Completion Rate	%	2	70%	100
		<b>Weight Sub Total</b>		<b>60</b>		
<b>E</b>		<b>CROSS-CUTTING ISSUES</b>				
	<b>E1</b>	Prevention of Alcohol and Substance Abuse	%	0.5	100%	100
	<b>E2</b>	Prevention of HIV Infections	%	0.5	100%	100
	<b>E3</b>	Disability Mainstreaming	%	0.5	100%	100
	<b>E4</b>	Gender Mainstreaming	%	0.5	100%	100
	<b>E5</b>	Environmental Sustainability	%	1	100%	100
	<b>E6</b>	Youth internship/industrial Attachments/Apprenticeships	%	1		

<b>E7</b>	<b>Access to Government Procurement Opportunities</b>	%	1		
<b>E8</b>	<b>Safety and Security Measures</b>	%	1		
<b>E9</b>	<b>Road Safety Mainstreaming</b>	%	1		
<b>E10</b>	<b>Corruption Prevention</b>	%	1	100%	100
<b>E11</b>	<b>National Cohesion and Values</b>	%	1	100%	100
	<b>Weight Sub Total</b>		<b>5</b>		
	<b>OVERALL TOTAL WEIGHT</b>		<b>100</b>		

## **ANNEX 1: PERFORMANCE TARGETS FOR FINANCIAL YEAR 2023/2024**

### **A. FINANCE STEWARDSHIP AND DISCIPLINE**

#### **A<sub>1</sub> Revenue Collection**

In the FY 2022/2023 the Board of Oyugis Municipality having only been recently established may not accurately account for revenue collected within the Municipality as the same is still being collected through other County Government Departments during this transition period. There is therefore an urgent need to transfer/devolve all functions and resources to the Board of the Municipality in conformity with the provisions of the Urban Areas and Cities Act 2011 and Urban Areas and Cities (Amendments) Act 2019), the Oyugis Municipality Charter to enable the Board tap the full potential of all revenue streams within the Municipality as listed below.

<b>NO</b>	<b>REVENUE ITEM</b>	<b>AMOUNT KSHS.</b>
1	Land Rates, Land Transfers/Sales/Change of User, Lease Charges, Stall/Plot/Ground Rent, Approval of plans/transfers/certificates, Housing Fees (Rents), Site Value Rates, Kiosk Rents, Administration/Certification Fees (Search/Beaconing, Survey/Sub Division Fees; Animal impounded Fees	Transition Period
2	Single Business Permit, Market Dues, Fish Cess, Other Cess Income, Taxi/Motor Bike Fees/Penalty fees	Transition Period
3	Slaughter House Fees, Stock Auction Fees (Cattle/Goat/Sheep), Stock Movement Fees,	Transition Period
4	Advertising/Billboard, Bus Park Fees/Parking Fees, Fire Inspection Fees, Sale of Tender Documents	Transition Period
	<b>TOTAL</b>	<b>N/A</b>

#### **A1.1 House Rents – Municipality Housing**

- i. Low Grade
- ii. Medium Grade
- iii. High Grade

**A1.2 Amount to be recovered in lieu of rates/government plots** are outstanding from the National Government Agencies including: Kenya Power, Administration police, County Commissioner Offices, Kenya Police, Survey of Kenya, Kenya Forest and Wildlife. The Board is exploring ways to start administering this revenue stream within Oyugis Municipality.



### **A1.3 Initiate process to recover charges on survey/Subdivision/Boundary Disputes**

The survey/Subdivision/Boundary Disputes charges are currently managed by the National Government Agencies. The Board is exploring ways to commence collection of this revenue stream within Oyugis Municipality.

### **A<sub>2</sub> Compliance with set budgetary levels**

The Board commits to comply 100% with the implementation of approved budget on all expenditures. During the current financial year, the Board will expend a total of **Kshs. 20,060,000.** being the approved budget for 2023/2024 FY.

### **A<sub>3</sub> Utilization of allocated funds**

The Department targets 100% utilization of allocated funds on planned and programmed activities during this performance contract year.

The funds allocated and approved to the department by the treasury and assembly respectively are as follows:

1. Initiate the procurement process on time, 10%
2. Facilitate procurement processes on time, 10%
3. Initiate payment to service providers promptly, 10%
4. Facilitate payments of service providers, 20%
5. Continuous engagement with County Treasury for funds disbursement, 20%
6. Undertake project activities as planned, 30%

### **A<sub>4</sub> Utilization of Donor Funds**

The Board of Oyugis Municipality undertakes to utilize donor funds by adhering to donor funding conditions to continue benefiting from the Kenya Urban Support Programme.

### **A<sub>5</sub> Development Index**

During 2023/2024 FY, the Board has a total budget (TB) amounting to Kshs. *ksh.20,060,000* of which the development expenditure is Kshs. *10,000,000* Thus the development index (DI) is:

$$DI=DE/TB*100$$

$$\text{Development Index} = \frac{10,000,000}{20,060,000} \times 100 = 49.85\%$$

#### **A<sub>6</sub> Cost Reduction/savings**

During this performance contracting period, the Board shall put in place innovative measures to realize cost savings and cost reductions in its operations and targets to realize cost reduction / savings in the following areas:

**A6.1** In the procurement of maintenance of roads within the Municipality, about **Kshs.1,000,000.00** will be saved to bridge budget deficit in other priority areas of the Board.

#### **A<sub>7</sub> Debt Equity Ratio/Pending Bills**

The Board targets to maintain the debt equity ratio at zero (0) during the current FY 2023/2024.

### **B. SERVICE DELIVERY**

#### **B<sub>1</sub> Implementation of Citizens' Service Delivery Charter**

The Department targets to carry out the following activities in this performance contract period:

- Displaying Service delivery charter prominently at the point of entry/service delivery points in both English and Kiswahili. (50%)
- Ensuring conformity with the commitments and standards in the charter by establishing compliance mechanisms, e.g., maintaining records on service delivery (50%).

#### **B<sub>2</sub> Customer Satisfaction**

- The Department undertakes to carry out an independent baseline customer satisfaction survey as a measure of the quality-of-service delivery so as to implement recommendation. The following parameters will form common criteria for Customer Satisfaction Survey: (i) Outcome of service/product (ii) Timeliness- Speed of delivery of service/product (iii) Ease of Access- to ensure that customers have access to information on service delivery.100%

#### **B<sub>3</sub> Develop Citizen Service Delivery Catalogue**

The Department undertakes to develop a citizen service delivery catalogue that highlights key functions and focus areas by 100%.

#### **B<sub>5</sub> Service Delivery Innovation**

In this performance contract period, the Board will endeavor to be innovative and improve the efficiency in service delivery.

#### **B<sub>6</sub> Automation/ICT**



During this performance contract period, the Board commits to continue enhancing automation by 100% through:

- Procurement of computers (desktops and laptops), Printers, Tablets, Cameras for faster processing of data – 80%
- Upgrading the Local Area Network and internet connection – 30%
- Training staff on common user software where gaps have been identified amongst users – 20%

#### **B<sub>7</sub> Resolution of public complaints**

During the performance contract period, the Board commits to hasten resolution of public complaints by 100% by undertake the following measures:

- Establishing a committee within the Board to handle public complaints by 20%
- Establishing Board complaint register by 10%
- Establishing complaint boxes within the Board premises by 15%
- Introducing customer feedback forms by 10%
- Strengthening engagement with local leaders in settling disputes by 15%
- Ensure that public complaints are responded to within thirty (30) days by 20%
- Arranging for regular baraza to address public concerns by 10%

### **C. INSTITUTIONAL TRANSFORMATION**

#### **B<sub>4</sub> Departmental Strategic Plan**

The Board targets to carry out the following activities in this performance contract period;

- Establish a Technical Working Group by 10%
- Organizing a Technical Working Group Retreat by 40%
- Presentation of a Zero Draft Strategic Plan by 20%
- Departmental Review of the Zero Draft Document 30%

#### **B<sub>8</sub> Youth, Women, PWDS Empowerment**

The Board of Oyugis Municipality is committed to do sensitizations and prequalification for youths, women, and PWDs at 100%:

- Organizing sensitization citizen fora at 80%
- Strict advertisement in separation of the category of youths, women, and PWDs through tender at 30%



The Board will award at least 30% of the total budget for procurement of goods and services Approximately Kshs.39,000,000 to youth, women and persons with disabilities, and be informed by the annual procurement plan, which is equivalent to Kshs.13,000,000 for each category.

### **NON-FINANCIAL TARGETS**

#### **C<sub>1.0</sub> Assets management**

The Board of Oyugis Municipality is committed to take asset management in the following areas at 100% by the end of 2023/2024 fiscal year as below:

C<sub>1.1</sub> The Board of OM commits to undertake inventory of Government land and properties within the Municipality to improve management.

C<sub>1.2</sub> The Board of OM commits to undertake inspection to facilitate maintenance of county government houses within the Municipality by 30%.

C<sub>1.3</sub> The Board OM commits to buy, maintain and repair 1No.Vehicle and all office furniture and equipment.

#### **C<sub>2.0</sub> Youth, Women and PWDs Empowerment:**

##### **C<sub>2.1</sub> Youth Internship/Industrial Attachment/Apprenticeship**

The Board of Oyugis Municipality commits to involve youth in internship, industrial attachment/or apprenticeship programs and target graduate youth for skill transfer. The Board expects at least four Student Attaches and apprenticeship in either of the above-mentioned areas in this FY2023/2024

##### **C<sub>2.2</sub> Prevention of HIV and AIDS Mainstreaming**

In this performance contract period, the Board will undertake action in prevention of HIV and AIDS Mainstreaming at 100% at the following level:

- Sensitize staff on Behavior change by 30%
- Hold sensitization session to promote condom use by 10%
- Sensitize staff on voluntary counseling and testing by 10%
- Sensitize staff on prevention of mother to child transmission of HIV by 20%
- Regular re-stocking of condom dispensers by 20%
- Continue implementing National HIV and AIDs strategic plan by 20%

#### **C<sub>3</sub> Compliance with the Statutory Obligations**

The Board shall conform to The Constitution of Kenya 2010 and regulations related to and not limited to the following at 100%:

C<sub>3.1</sub> Compliance with procurement Act

C<sub>3.2</sub> Compliance with remittance of statutory deductions

C<sub>3.3</sub> Compliance with Gender Mainstreaming requirements

C<sub>3.4</sub> Ensure compliance with disability mainstreaming requirements

C<sub>3.5</sub> Ensure performance contract cascading.

#### **D. OPERATIONAL /IMPLEMENTATION**

#### **E. CORE MANDATE**

#### **Key Result Areas**

#### **D<sub>1</sub> Formulation of Oyugis Municipality Integrated Development Plan**

During this performance contract period, the Board of Oyugis Municipality commits to carry out the following activities that will lead to the realization of (100%) formulation of the Oyugis Municipality Integrated Development Plan on or before 30<sup>th</sup> June 2023.

1. Initiate formulation of the Integrated Development Plan
2. Mobilize a Technical Team
3. Develop Terms of Reference
4. Conduct Public Participation
5. Present the draft document to the County Executive Committee for comments/input
6. Present final draft to the County Assembly for Approval
7. Commence implementation of the Plan

#### **D<sub>2</sub> Completion Rate –**

The Board commits that all project in the contract period are completed as scheduled.

#### **Projects to be implemented by Board in 2023/2024:**

No	Item Name/Description	Draft Estimate
1	Installation of Street Lights	
2	Land Acquisition for Dumpsite	5,000,000
3	Drainage Works	3,500,000
4	Other Supplementary Budget Provisions(September 2023)	1,500,000
<b>TOTAL</b>		<b>4,000,000</b>
		<b>14,000,000</b>

## **F. CROSS-CUTTING ISSUES**

### **E<sub>1</sub> Prevention of alcohol and substance abuse (100%)**

The Department of Lands, Housing, Physical Planning and Urban Development is committed to promoting the workplace policy on alcohol and drug abuse. During the performance contract period, the Department targets to undertake the following:

- Implement the workplace policy on alcohol and drug abuse by 20%
- Undertake a survey to establish prevalence of alcohol and drug abuse amongst the Department staff by 20%
- Hold staff sensitization sessions on alcohol and drug abuse prevention by 20%
- Institute counseling program for staff members affected by alcohol and drug abuse by 20%
- Submit quarterly alcohol and drug abuse prevention implementation reports to NACADA by 20%

### **E<sub>2</sub> Prevention of HIV (100%)**

In this performance contract period, the Department of Lands, Housing, Physical Planning and Urban Development will undertake action in prevention of HIV and AIDS Mainstreaming at 100% at the following level:

- Sensitize staff on Behavior change by 30%
- Hold sensitization session to promote condom use by 10%
- Sensitize staff on voluntary counseling and testing by 10%
- Sensitize staff on prevention of mother to child transmission of HIV by 20%
- Regular re-stocking of condom dispensers by 20%
- Continue implementing National HIV and AIDs strategic plan by 20%

### **E<sub>3</sub> Safety and security measures (100%)**

In this performance contract period, the department commits to improve workplace safety to 100% by doing the following;

- Carry out analysis of the work environment in terms of health and safety management practices by 10%
- Develop an action plan to address the findings of the work environment survey by 20%



- Train staff on safety management practices by 20%
- Ensure security personnel are at the work place at all times by 10%
- Ensuring the security personnel maintain register for all visitors and employees in the work environment by 10%
- Carry out routine maintenance of safety equipment by 10%
- Undertake 2 safety and fire response awareness sessions for staff by 10%
- Implement measures to ensure security of confidential information in the department by 10%

#### **E<sub>4</sub> Gender Mainstreaming (100%)**

In this performance contract period, the Department of Lands, Housing, Physical Planning and Urban Development will undertake action in prevention of HIV and AIDS Mainstreaming at 100% at the following level:

- Sensitize staff on Behavior change by 30%
- Hold sensitization session to promote condom use by 10%
- Sensitize staff on voluntary counseling and testing by 10%
- Sensitize staff on prevention of mother to child transmission of HIV by 20%
- Regular re-stocking of condom dispensers by 20%
- Continue implementing National HIV and AIDs strategic plan by 20%

#### **E<sub>5</sub> Environmental Sustainability (100%)**

In the FY 2023/2024, the department of Lands, Housing, Physical Planning and Urban Development is committed at 100% to perform the following activities.

- Carryout an internal work environment survey in the first quarter and implement the findings of the survey in subsequent quarters at 10%
- Provide evidence of the implementation of the identified issues and report of the progress made during the contract period at 20%
- Maintenance of cleanliness of the offices and the office compound and carry out exit survey in the fourth quarter to determine the level of improvement in work environment – 70%

#### **E<sub>6</sub> Corruption Prevention (100%)**

In this performance contract period, the Board will continue to carry out the following anti-corruption activities at 100%;

- Carry out a corruption risk assessment by 15%
- Develop a corruption risk Mitigation plan by 15%
- Implement the recommendations in the risk assessment report by 15%
- Strengthen the Anti- corruption committees by 15%
- Build Capacity for Anti- corruption by 15%
- Develop internal mechanisms that will encourage and protect whistle-blowing by 15%
- Submit quarterly reports to Kenya Anti-Corruption Commission on corruption eradication activities by 10%

#### **E7 National Cohesion and Values (100%)**

##### **Implement measures to promote the realization of national values and national cohesion**

In the FY 2023/2024, the department shall undertake to promote and mainstream National Cohesion and National Values and Principles of Governance by creating a peaceful and cohesive county through the following measures and in conformity with Article 10(2) of the Constitution;

• **Programmes, projects and activities undertaken:** - Demonstrate that programmes, projects and activities promote National Values and Principles of Governance. Demonstrate how the flagships support National Values and Principles of Governance 50%.

• **Administrative actions taken/ implemented:** - Demonstrate that the administrative actions taken took into consideration the provisions of Article 10 and are aimed at the realization of National Values and Principles of Governance 50%.



DEPARTMENT OF LANDS, PHYSICAL PLANNING,  
HOUSING AND URBAN DEVELOPMENT

**OYUGIS MUNICIPALITY**

P.O Box 352, 40222

OYUGIS

E-mail: oyugismunicipality@gmail.com



COUNTY GOVERNMENT OF  
HOMABAY

REPUBLIC OF KENYA

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*Where Diversity Thrives for Co-existential Prosperity*

#We Serve with humility

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## PERFORMANCE CONTRACT AGREEMENT

**BETWEEN**

**THE MUNICIPAL MANAGER – OYUGIS MUNICIPAL BOARD**

**AND**

**THE SOCIAL DEVELOPMENT OFFICER – OYUGIS MUNICIPALITY**

**FOR THE PERIOD**

**1<sup>ST</sup> JULY 2023 - 30<sup>TH</sup> JUNE 2024**



## **PERFORMANCE CONTRACT AGREEMENT**

This Cascaded Performance Contract - PC (hereinafter referred to as the 'Contract') is for the Oyugis Municipality (hereinafter referred to as ('OM')) is entered into between **MR. SIGAR JAMES AGUMBA**, the Municipal Manager (herein referred to as "MM-OM") of **P.O Box 352-40222 OYUGIS** (together with his assignees and successors) of the one part and **MR.ODHIAMBO VALENTINE ODOYO**, the Social Development Officer, Oyugis Municipality (hereinafter referred to as 'the SDO-OM') of **P.O Box 352-40222 OYUGIS** (together with his assignees and successors) of the other part.

### **WHEREAS:**

The MM-OM has been contracted by the County Government of Homa Bay, the Board acknowledges the role of the MM-OM in delivering the targets in the departmental contract with the SDO-OM having signed as the representative of the Board. The MM-OM plays a critical role in the achievement of the Board's targets. The PC cascading as framed in Section 16.1 of the guidelines enables assumption of targets herein with necessary alignments to those at Board level.

The Board appreciates the concerns of the people of Homa Bay County, Oyugis Municipality, and the stakeholders as to the services offered and the extent of their delivery. This contract represents a basis for continuous improvement of the county and, or municipality performance to meet the needs and expectations of the people.

The Board recognizes that the MM-OM holds a vital position in the implementation of the County Governments Act 2012, the Urban Areas and Cities Act 2011, the Urban Areas and Cities (Amendment) Act 2019, the Oyugis Municipality Charter, the Homa Bay Integrated Development Plan (CIDP) 2023-2027 and the Oyugis Municipality Strategic Urban Developments Plan, and other national priorities as well as domestication of international obligations whereto the Republic of Kenya is a signatory in order to improve the quality of lives of the people of Oyugis Municipality and make the County and the Municipality competitive.

The purpose of this C-Contract is to establish the basis for ensuring that efficient and effective services are delivered to people of Oyugis Municipality in line with provisions of the Constitution and by requiring the MM-OM to adopt systems that enable innovativeness and adaptability of county services to the needs of the users.

This Contract therefore represent a basis for continuous performance improvement that meets the needs and expectations of the residents of Oyugis Municipality.

**NOW THEREFORE**, the parties hereto agree as follows:

**PART I: STATEMENT OF RESPONSIBILITY**

The SDO-OM shall be responsible to the MM-OM in ensuring clean and healthy environment in Oyugis Municipality as provided for in Sections 12, 20 and 21 of the Urban Areas and Cities Act No.13 of 2011 as read together with legislated applicable subsidiary amendments to the Act. The MM OM shall be the authorized officer in respect of exercise of the delegated power.

The following specific responsibilities are of significance in relation to the PC notably;

- i. Working with communities to identify and mobilize local resources for the implementation of development projects.
- ii. Guiding communities to develop Community Action Plans (CAPs)
- iii. Liaising with local communities and other development agencies in implementing community development programs
- iv. Identifying self-help groups and community-based organizations for registration
- v. Collecting social development related data for planning
- vi. Guiding communities and self-help groups to identify their social economic needs.
- vii. Mobilizing communities to implement their development projects.
- viii. Develop a work plan on inter and intra municipal youth involvement.



## **PART II: VISION STATEMENT, MISSION STATEMENT AND STRATEGIC OBJECTIVE**

**a) Vision:**

A Municipality of Choice where diversity thrives for all to invest, work, live and prosper.

**b) Mission:**

To make Oyugis Municipality more attractive and sustainable through effective policy formulation and implementation.

**c) Motto**

We serve with humility

**d) Strategic Objectives:**

- i. Implement the policies and priorities of the county government under the Municipality Act.
- ii. Play a crucial role in the development and implementation of community development plans. Work with local communities to identify their needs, priorities, and development goals. Also help in formulating strategies and programs to address these needs.
- iii. Plan and coordinate social welfare programs within the municipality. This may include programs related to poverty alleviation, social protection, and assistance for vulnerable groups such as the elderly, children, and people with disabilities.
- iv. Work on enhancing the capacity of community-based organizations and local institutions to manage and implement social development projects effectively. This involves providing training and technical assistance.
- v. Mobilize resources for social development projects. This can include seeking funding from government agencies, NGOs, and other development partners.
- vi. Monitor the progress and impact of social development projects and programs. This involves conducting regular assessments, gathering data, and evaluating the effectiveness of interventions.
- vii. Implement the Oyugis Municipality Integrated Development Plan.
- viii. Improve service delivery and coordination of functions, programs, and activities.



### **PART III: STATEMENT OF INTENT**

In discharging my duties, I will conduct myself diligently and in an effective manner towards the achievement of the development agenda of the Oyugis Municipality and Homa Bay County. My key priority will entail discharging the key mandate including.

- i. Build strong relationships with communities, understanding their concerns, and involving them in the decision-making process to create sustainable solution in Oyugis Municipality.
- ii. Advocate for social justice, equality, and the rights of marginalized individuals, in Oyugis Municipality.
- iii. Design and implement effective social programs that address critical issues such as poverty, education, and healthcare in Oyugis Municipality.
- iv. Assess the impact of social programs, measure outcomes, and make data-driven recommendations for continuous improvement in Oyugis Municipality.
- v. Work with interdisciplinary teams, government agencies, nonprofits, and community organizations to achieve shared goals in Oyugis Municipality.

### **PART IV: COMMITMENTS AND RESPONSIBILITIES OF THE MUNICIPAL MANAGER**

1. Act on behalf of the Board of the Municipality in ensuring the execution of the directives of the Board of the Municipality; during all intervals between meetings of the Board of the Municipality.
2. Prepare and present for approval of the Board of the Municipality, an annual estimate of revenue and expenditure to fund and carry out the programmes and operations of the Board.
3. Be principally responsible for building and maintaining a strong alliance and effective working relationships between the Board of the Municipality and the civil society, private sector and community-based organizations.
4. Exercise supervision over all departments and agencies of the Municipality and provide for the coordination of their activities.
5. Make reports and recommendations to the Board of the Municipality about the needs of the Municipality.
6. Prepare and administer the annual Municipality budget.
7. Encourage and support regional and intergovernmental cooperation.
8. Cause to be prepared, transmitted to the Board of the Municipality, and distributed to the public at least an annual report of the activities and accomplishments of the departments and agencies comprising the executive branch of the Municipality.

9. Be fully responsible for the proper conduct of the executive and administrative work and affairs of Oyugis Municipality.
10. Formulation and implementation of effective programs to attain Vision 2030, CIDP 2018-2020, and sector goals.
11. Development and implementation of strategic plans.
12. Implementation of policies and regulations.
13. Oversee management of finances, preparation and submission of budget estimates, annual plans, and programs.
14. Oversee implementation and monitoring of the departmental performance management systems.
15. Promote national values, principles of good governance as outlined in articles 10 and 232 of the constitution of Kenya.
16. Staff Development and Mentoring.

#### **PART V: COMMITMENT AND OBLIGATION OF THE SOCIAL DEVELOPMENT OFFICER**

- i. Advocacy for Social Justice and equity, should be committed to addressing social inequalities and advocating for policies and programs that promote fairness and inclusion.
- ii. Community Engagement with communities is a fundamental duty, should actively work with individuals and community groups to understand their needs, concerns, and aspirations.
- iii. Conducting thorough needs assessments to identify the specific needs and challenges faced by communities or target populations. This involves collecting data and information to inform program development.
- iv. Developing and implementing social development programs and initiatives aimed at addressing identified needs. These programs could encompass areas such as education, healthcare, housing, employment, and more.
- v. Identifying and securing resources, including funding, grants, and partnerships, to support social development initiatives.



- vi. Influencing policy at various levels of government to ensure that social policies and legislation are responsive to the needs of the community. May work closely with policymakers to develop and advocate for policies that promote social well-being.
- vii. Regularly monitoring and evaluating the impact of social development programs to assess their effectiveness and make necessary adjustments for improvement.
- viii. Building partnerships and collaborations with other government agencies, non-profit organizations, community groups, and stakeholders to leverage resources and expertise for the benefit of the community.
- ix. Being culturally competent and sensitive to the diverse backgrounds and needs of the populations they serve. Understanding and respecting cultural differences is crucial for effective social development work.
- x. Upholding high ethical standards in all interactions with clients, communities, and colleagues, should prioritize the well-being of those they serve and avoid any conflicts of interest.
- xi. Continuing Education and Professional Development: Staying informed about current trends, research, and best practices in the field of social development through ongoing education and training.
- xii. Keeping accurate records, documenting activities, and preparing reports to communicate the progress and outcomes of social development initiatives to stakeholders and funders.
- xiii. Focusing on the needs of vulnerable and marginalized populations, such as the elderly, children, people with disabilities, and those living in poverty, and working to ensure their rights and well-being are protected.
- xiv. Crisis Response: In times of crisis, such as natural disasters or public health emergencies, may be called upon to provide emergency assistance and support to affected communities.

#### **PART VI: REPORTING REQUIREMENTS FOR THE SOCIAL DEVELOPMENT OFFICER**

The Social Development Officer undertakes to submit quarterly performance reports to the Municipal Manager for monitoring progress, and annual reports for evaluation of performance. These reports should include updates on the status of ongoing projects, activities, and any changes or challenges encountered.



**PART VII: DURATION OF THE PERFORMANCE CONTRACT**

This performance contract will run for one financial year effective 1<sup>st</sup> July, 2023 to 30<sup>th</sup> June, 2024.

**SIGNATORIES TO PERFORMANCE CONTRACT:**

**CONTRACTOR:**

Signature: .....

**MR. SIGAR JAMES AGUMBA  
MUNICIPAL MANAGER  
OYUGIS MUNICIPALITY  
COUNTY GOVERNMENT OF HOMA BAY**

**OYUGIS MUNICIPALITY  
P. O. BOX 352 - 40222, OYUGIS  
COUNTY GOVERNMENT OF HOMA BAY**

Date: .....

**MANAGER  
OYUGIS MUNICIPALITY  
P. O. BOX 352 - 40222, OYUGIS  
COUNTY GOVERNMENT OF HOMA BAY**

**CONTRACTEE:**

Signature: .....

**MR. ODHIAMBO VALENTINE ODOYO  
SOCIAL DEVELOPMENT OFFICER  
OYUGIS MUNICIPALITY  
COUNTY GOVERNMENT OF HOMA BAY**

Date: .....

28/09/2023