



Strategic Plan

2013 - 2017

WATER SERVICES PROVIDERS
ASSOCIATION (WASPA)

[Quality to the Last Drop](#)



Federal Ministry
for Economic Cooperation
and Development



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Partner of German Business

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Table of Content

	Page
CHAPTER 1	1
1.0 INTRODUCTION AND INSTITUTIONAL FRAMEWORK	1
1.1 The Association.....	1
1.2 Mandate.....	1
1.3 Core Functions.....	1
1.4 Stakeholder Analysis.....	2
1.5 Key Policy and Legislation Relevant to WASPA.....	3
1.6 Rationale for Development of this Strategic Plan.....	4
1.7 Methodology for Development of the Strategic Plan.....	4
CHAPTER 2	5
2.0 SITUATION ANALYSIS	5
2.1 Kenya's Development Agenda.....	5
2.2 WASPA's Past Performance.....	5
2.3 The External Environment.....	6
2.4 The Internal Environment.....	7
2.5 Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis.....	7
2.6 Critical Success Factors.....	8
CHAPTER 3.....	9
3.0 STRATEGIC DIRECTION	9
3.1 Introduction.....	9
3.2 Vision, Mission and Core Values.....	9
3.3 Strapline.....	9
3.4 Strategic Themes, Objectives and Related Strategies	9
CHAPTER 4.....	11
4.0 PLAN IMPLEMENTATION	11
4.1 Organizational Structure.....	11
4.2 The Annual General Meeting.....	11
4.3 WASPA's Committees	12
4.4 Human Resources.....	14
4.5 Action Planning.....	14
4.6 Coordinating Mechanisms.....	14
4.7 Resource Mobilization.....	14
4.8 Risks and Risk Management.....	18
CHAPTER 5.....	20
5.0 MONITORING, EVALUATION AND REPORTING	20
5.1 Introduction.....	20
5.2 Strategy Implementation Team.....	20
5.3 What to Measure	20

5.4 Annual and Midterm Review20

List of Tables

Table 1: Stakeholder Analysis2

Table 2: SWOT Analysis.....7

Table 3: Strategic Themes, Objectives and Related Strategies.....10

Table 4: Summary of Projected Income and Expenditure (Kshs '000)15

Table 5: Risk Management Matrix.....18

Annex 1: Action Plan Matrices

Annex 2: WASPA Members

Acronyms

AGM	Annual General Meeting
IWRM	Integrated Water Resources Management
MDG	Millennium Development Goals
MWI	Ministry of Water and Irrigation
SWOT	Strengths, Weaknesses, Opportunities and Threats
WASPA	Water Services Providers Association
WRUA	Water Resources Users Association
WSB	Water Services Board
WSP	Water Service Provider
WSSP	Water Sector Strategic Plan

CHAPTER 1

1.0 INTRODUCTION AND INSTITUTIONAL FRAMEWORK

1.1 The Association

The Water Services Providers Association (WASPA) was established in 2002 to support the Water Service Providers achieve their mandates under the Water Act, 2002. The Association is registered under the Societies Act (Cap 108) of the Laws of Kenya. The membership of the Association comprises Water Service Providers whose sole mandate is retailing water and sewerage services to consumers through a Service Provision Agreement from their respective Water Service Boards.

From a humble beginning with 3 members in 2002, the membership has grown to 60 during the last ten years. This is a significant growth which has been achieved during worsening economic times resulting in ever increasing costs of providing water and sanitation services.

The Association is governed by an Executive Committee which comprise 12 members among them The Chairman, Vice Chairman, Treasurer and the Secretary all of whom are elected at the Annual General Meeting.

The Association primarily operates through assemblies of members. There are bi-monthly meetings in which all members attend and deliberate on set agendas. The Executive Committee meets regularly before the bi-monthly meetings. Other standing committees established by the Executive Committee are: Capacity Building Committee and Advocacy & Publicity Committee.

The Secretariat is housed at the Ministry of Water and Irrigation Headquarters' Nairobi. The Executive Officer is responsible to the Management Committee for providing effective and efficient management for realization of the vision and mission of the Association.

1.2 Mandate

To provide a platform for members to advocate for issues pertaining to their development and sustainability.

1.3 Core Functions

The core functions of the Association are:

- To foster commercialization of water and sanitation services delivery in Kenya.
- To promote sustainable management and development of water and sanitation infrastructure.
- To stimulate and promote best practices and standards in development, management and delivery of water and sanitation services in Kenya.

- To promote information and experience sharing through establishment of a data bank for information relevant to members, study tours, networking and participation in national and international events.
- To advise members on training needs in collaboration with other actors and help establish staffing norms relevant to the sector, and also support members in acquisition of funds for developments.

1.4 Stakeholder Analysis

WASPA recognizes the key roles played by both internal and external stakeholders in the attainment of its objectives. The key stakeholders of WASPA include:

- (i) Members of WASPA
- (ii) Executive Committee
- (iii) Staff
- (iv) Ministry of Water and Irrigation
- (v) Water Sector Institutions
- (vi) Development Partners
- (vii) Consumers
- (viii) Regulatory Authorities
- (ix) Training and Education Institutions

A stakeholder analysis was undertaken to identify the needs and priorities of both internal and external stakeholders. Insights from the analysis were used to inform the development of the plan.

Table 1: Stakeholder Analysis

Stakeholder	Stakeholder Expectations	WASPA Expectations
Members of WASPA	<ul style="list-style-type: none"> • Improved customer service 	<ul style="list-style-type: none"> • Member support in all activities
Executive Committee	<ul style="list-style-type: none"> • Implementation of Committee's policies • Performance of staff as per agreed standards 	<ul style="list-style-type: none"> • Effective leadership • Strategic direction of the Association
Staff	<ul style="list-style-type: none"> • Involvement in decision making • Clear separation of the role of leadership and that of management • Staff recognition and rewards 	<ul style="list-style-type: none"> • Performance of duties • Meet targets • Motivated and committed staff
Ministry of Water and Irrigation	<ul style="list-style-type: none"> • Compliance with laws and regulations 	<ul style="list-style-type: none"> • Political goodwill
Water Sector Institutions	<ul style="list-style-type: none"> • Support in implementation of mandates 	<ul style="list-style-type: none"> • Recognition of role of the Association in the water sector

Development Partners	<ul style="list-style-type: none"> • Effective use of resources • Accountability of funds 	<ul style="list-style-type: none"> • Support on key result areas • Support for development projects
Consumers	<ul style="list-style-type: none"> • High quality products and services • Safe products 	<ul style="list-style-type: none"> • Timely payment for products and services • Consumer loyalty
Regulatory Authorities	<ul style="list-style-type: none"> • Compliance with regulations 	<ul style="list-style-type: none"> • Creation of enabling environment for business
Training and Education Institutions	<ul style="list-style-type: none"> • Partnership in development and implementation of programmes 	<ul style="list-style-type: none"> • High quality education and training programmes

1.5 Key Policy and Legislation Relevant to WASPA

(i) National Water Policy, 2012

The National Water Policy, 2012 has been developed in line with the mandate, vision and mission of the Ministry responsible for water affairs in Kenya. This Policy is compliant with the Constitution of Kenya 2010 and the Vision 2030 besides taking into account the targets of Millennium Development Goals (MDGs).

In essence the Policy is built on the premises of Integrated Water Resources Management (IWRM). The Policy aims at guiding the development of strategies for water management and utilization by water sector stakeholders. This policy recognizes the great expectation of population with regard to access to freshwater supplies and use for domestic, livestock, agriculture and other production purposes. As stated in the WSSP 2010-2015, the critical role of water sector stakeholders cannot be over emphasized.

(ii) Water Bill, 2013

The Water Bill, 2013 outlines the proposed roles and responsibilities of the Ministry responsible for water affairs in Kenya and for key institutions to be established. Unlike Water Act 2002, water resources are not vested in the state and exercised by the Minister – it is now vested in the National Land Commission.

The key institutions proposed to be established include:

- (i) Water Resources Regulatory Authority
- (ii) Basin Water Resources Boards
- (iii) Water Resource Users Association (WRUAs)
- (iv) National Water Storage Authority
- (v) Water Works Development Boards
- (vi) Water Services Regulatory Commission
- (vii) Water Action Groups (WAGs)

- (viii) Water Service Providers (WSPs)
- (ix) Water Sector Trust Fund
- (x) Water Tribunal

1.6 Rationale for Development of this Strategic Plan

To be able to achieve its strategic intent for the period 2013 – 2017 in an environment which has greatly changed in the current plan period, WASPA has reviewed its activities and capacity as has been guided in the first Strategic Plan 2009 – 2012.

Comparing the outcome of the review of activities with WASPA's aspirations for the next five years forms the basis for identifying the strategic initiatives for the development of this Strategic Plan. This Strategic Plan provides the important linkages between the Association's planned activities and programmes and the national policies and strategies. The development and implementation of this plan will greatly help WASPA respond effectively to the emerging challenges in the water sector facing its members.

1.7 Methodology for Development of the Strategic Plan

This Strategic Plan is a product of extensive consultation and preparation. WASPA's Leadership and the Secretariat have held consultative meetings with members, development partners and other key stakeholders where they have brainstormed on WASPA's internal and external environment to determine the strategic issues. These consultations and a facilitated workshop for WASPA's leadership, management and key stakeholders resulted in obtaining valuable inputs used in the development of the plan and hence the ownership of the process and the outcome – Strategic Plan.

Secondary data, including government policy documents, The Constitution of Kenya 2010, Vision 2030, National Water Policy 2013 and Water Bill 2013 have been used to inform the new strategic direction.

CHAPTER 2

2.0 SITUATION ANALYSIS

2.1 Kenya's Development Agenda

Kenya's Vision 2030 is the country's development blueprint covering the period 2008 to 2030. It aims to transform Kenya into a newly industrialized "middle income country" providing a high quality life to all its citizens by the year 2030". The vision was launched in year 2007. The vision calls for a globally competitive and prosperous nation with a high quality of life by 2030. The vision is based on three "pillars", the economic, the social and the political pillars.

The Economic pillar aims to achieve an economic growth rate of 10 per cent per annum and sustaining the same through to the year 2030 in order to generate more resources to address the MDGs and Vision goals. The Social pillar seeks to achieve a just, cohesive society with social equity in a clean and secure environment. The Political pillar aims for an issue-based, people-centered, results-oriented and accountable democratic system.

2.2 WASPA's Past Performance

The membership of WASPA has tremendously grown from 3 at inception to 60 during the first plan period. A review of the implementation of the current Strategic Plan 2009 – 2012 has identified the following achievements and challenges lessons learnt.

(a) Achievements

- Successful continuity in convening member assemblies and articulating member issues for lobbying, peer to peer learning and performance improvements.
- Convening of the first WASPA Conference and Exhibition
- Capacity building on topical issues for members
- Development of communication channels – Water Provider Journal and WASPA website
- Water Operator Partnerships (WOPs)
- Development of support networks with MWI, Water Sector Institutions and Development Partners
- Capacity Building and Training Programme
- Advocacy and Publicity Programme
- WASPA Benchmarking Programme
- Appropriate Energy Programme

(b) Challenges

- Only 50 percent of the 120 WSPs countrywide have joined the Association.
- WASPA's members continue to be faced with a myriad of challenges in delivering their mandate.

- Poor corporate governance practices in some WSPs.
- Low revenue generation and high production costs rendering many WSPs unsustainable.
- The changed macro and micro-environment and the need to align operations of WASPA with The Constitution of Kenya 2010 and particularly the interface of WSPs with County Governments.
- WASPA is not anchored in the proposed National Water Policy.
- Many different types of taxes and levies impacting negatively on low financial base of WSPs.

2.3 The External Environment

(i) The Context

As part of the process of developing this plan, an assessment of the current and potential external factors that are likely to affect WASPA's operations were undertaken by reviewing The Constitution of Kenya 2010, Vision 2030, MDGs, the proposed Draft National Water Policy 2012 and the Water Bill, 2012. The political, economic, social and technologic environment in which WASPA operates has a significant influence on its performance and by extension the demand for its members' product-water.

(ii) The Political – Legal Perspective

Over time, WASPA has enjoyed the support of the Ministry of Water and Irrigation (MWI). The Association therefore, continues to be involved in policy formulation and decision-making processes in the water sector. However, there is a possibility that the MWI policies might change during the plan period due to the anticipated new political and governance structures at national and county government levels. Also, there might be diversion of resources to more priority areas occasioned by the prevailing financial difficulties. The outcome of 2013 national elections will be a key determinant of political stability over the next 5 years and will determine trends in key economic indicators.

(iii) The Economic Perspective

The government Stimulus Package is expected to continue to promote infrastructure development that will spur continued economic growth and create new business opportunities. The continued integration under the East African Community and COMESA have created larger markets and are expected to have a positive impact on Kenya's economic performance.

(iv) The Social Perspective

WASPA recognizes the fact that today's society is more informed and responsive to issues of accountability with increased demand for more quality and improved service delivery. Consumer rights are defined and protected in the Constitution raising the opportunities for WASPA's members to be sued particularly by lobby groups for not meeting their mandate and their customer charters. Larger and more informed members of our society are expected to demand more water services.

(v) Technological Perspective

Technological advancements will have over time decisive influences in the execution of WASPA's mandate. There are opportunities to be exploited in the technological environment including the use of GIS for water management, use of smart meters and web technologies.

2.4 The Internal Environment

The internal environment of WASPA consists of factors within the influence and control of its leadership and management. It is noted that the Association leverages its competitive advantage based on a number of distinctive competencies. However, certain internal factors may, if not fully addressed affect the quality of services offered by WASPA. The following are some of the issues which will be addressed during the plan period:

- Leadership and governance – development of a governance structure that clearly delineates the role of leadership and that of management, performance evaluation and other institutional development initiatives.
- Review of staff needs in light of new strategy requiring different skills, performance capabilities, managerial approaches and operating methods.
- Introduction of income generating programmes.

2.5 Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis

The objective of undertaking SWOT analysis was to identify both internal and external factors that may affect WASPA's performance. The situation analysis in the previous sections has revealed a number of Strengths, Weaknesses, Opportunities and Threats as summarized hereunder:

Table 2: SWOT Analysis

Strengths	Weaknesses
<ul style="list-style-type: none"> • Active member participation • Positive public image • Physical location for the Secretariat • Sector recognition at primary level - 	<ul style="list-style-type: none"> • Lack of a communications strategy with external key stakeholders • Inadequate staff capacity • Working committees have not been fully developed

<p>involved in water sector working groups</p> <ul style="list-style-type: none"> • Ability to attract development partners • Pool of knowledge experience within WASPA 	<ul style="list-style-type: none"> • Inadequate delegation to the Secretariat by Management Committee and other Committees • Lack of income generating activities resulting to a small revenue base • Inability to rent or own offices due to limited financial base
<p>Opportunities</p> <ul style="list-style-type: none"> • Support and good will of development partners • Recognition as a Water Sector Institution • Constitutional Provision of Stakeholders engagement • Sustainability of WSPs through clustering • Monopoly in provision of water and sewerage services by members • Opportunity to twin/partner with other regional and international associations 	<p>Threats</p> <ul style="list-style-type: none"> • Conflicting and/or overlapping legislations and government policies • Competition from similar organizations • Political interference at National and County Governments • Threat of eviction from current office as a result of changes in MWI under the new dispensation

2.6 Critical Success Factors

For WASPA to succeed, the following have been identified as critical success factors.

- (i) Institutional Capacity
- (ii) Financial Sustainability
- (iii) Member Engagement and Development
- (iv) Lobbying and Advocacy

CHAPTER 3

3.0 STRATEGIC DIRECTION

3.1 Introduction

The strategic direction of WASPA comprise its mandate, core functions, vision, mission, corporate values, strategic themes, strategic objectives and their corresponding strategies.

3.2 Vision, Mission and Core Values

Vision

To be a world class association promoting provision of quality water and sewerage services

Mission

To improve the enabling environment for the members for provision of sustainable, efficient and effective water and sewerage services by way of advocacy, networking, partnerships, capacity building and promotion of best practices.

Core Values

- Integrity
- Teamwork
- Good Corporate Governance
- Customer Focus
- Creativity and Innovation

3.3 Strapline

Quality to the Last Drop

3.4 Strategic Themes, Objectives and Related Strategies

The four strategic themes are derived from WASPA's mandate and the implications arising from its operating environment. It should be noted that in line with the best practice, the themes correspond to the four perspectives of the Balanced Scorecard – Customer Perspective, Financial Perspective, Business Process Perspective and Learning and Growth Perspective.

Table 3: Strategic Themes, Objectives and Related Strategies

Institutional Capacity Strategic Objective 1	Strategies
To enhance the capacity of the Association to carry out its mandate	<ul style="list-style-type: none"> • Build capacity of Executive Committee members and Secretariat staff • Enhance human resource capacity of the Secretariat • Improve physical infrastructure and provide adequate office equipment
Financial Sustainability Strategic Objective 2	Strategies
To ensure the financial sustainability of the Association	<ul style="list-style-type: none"> • Increase membership base • Develop revenue generating activities • Seek support from development partners for specific programmes
Member Engagement and Development Strategic Objective 3	Strategies
To promote members' interests and create opportunities for their development	<ul style="list-style-type: none"> • Encourage peer to peer learning • Enhance performance by members • Establish members data bank and promote utilization of information
Lobbying and Advocacy Strategic Objective 4	Strategies
To improve the operating environment for sustainable and efficient operations of members	<ul style="list-style-type: none"> • Operationalize Advocacy and Publicity Committee • Develop a communication strategy • Engage in structured dialogue with key stakeholders • Co-opt professionals in specific functional areas to enhance performance • Train and build capacity for the leadership and management

CHAPTER 4

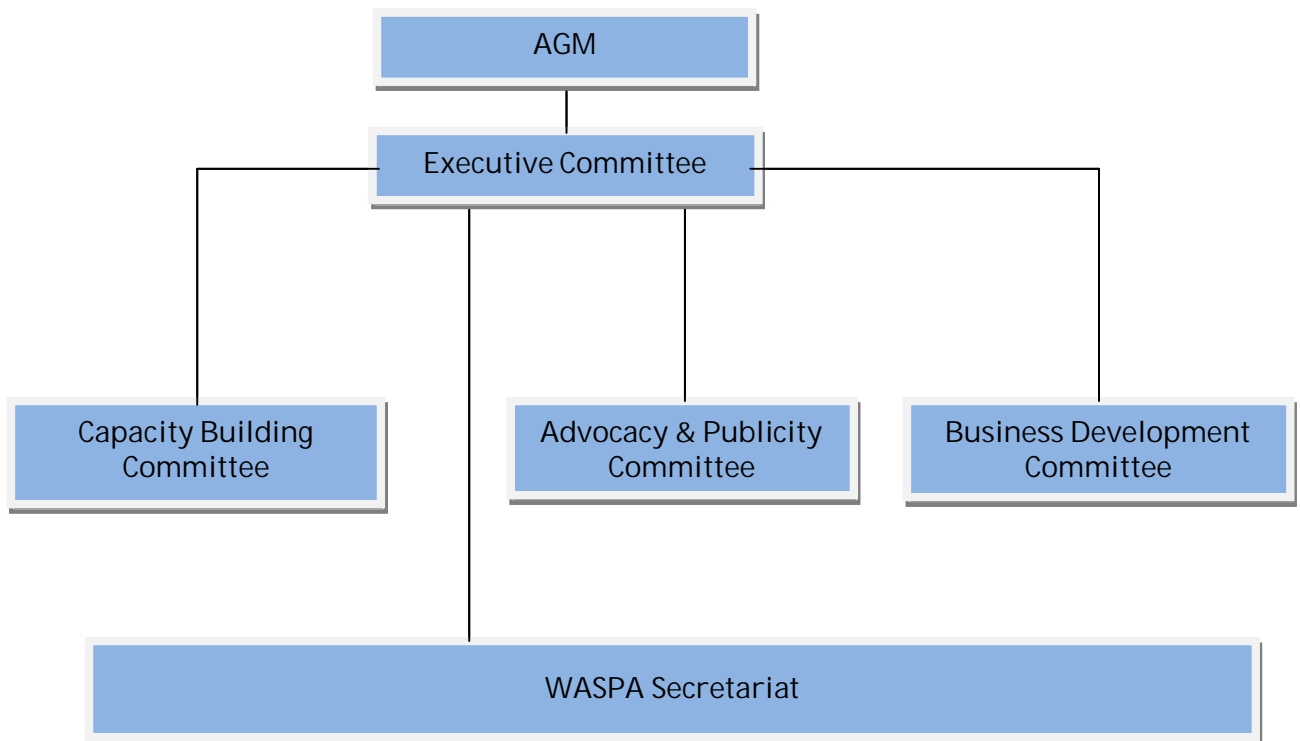
4.0 PLAN IMPLEMENTATION

4.1 Organizational Structure

An appropriate organizational structure is important to deliver WASPA's strategic intent. The structure focuses on core business as articulated in the mandate and strategy. It further recognizes the key support functions which are core to the business and the facilitation of efficient management information and communication for decision making.

The structure therefore ensures an effective delegation and control of management processes. In light of new strategies and programmes contained in this strategic plan, the organization structure below has been redesigned in line with 'the structure follows strategy' principle.

WASPA Organizational Structure



4.2 The Annual General Meeting

The Annual General Meeting (AGM) is the supreme decision making organ of WASPA and is responsible for election of office bearers, amendments of the constitution, appointment of auditors and approval of the Annual Report and Financial Statement.

4.3 WASPA's Committees

a) The Executive Committee

The Executive Committee is, inter alia, responsible for:

- (i) Ensuring that the organization is able to meet its objectives and fulfil its mandate.
- (ii) Evaluating the adequacy of management processes and procedures with regard to issues relating to risk management, internal control systems and governance practices.
- (iii) Reviewing the systems established to ensure sound financial management and internal controls, as well as compliance with policies, laws, regulations, policies, procedures and ethics.
- (iv) Giving guidance to the Executive Officer on effective and efficient management of the organization.

b) Functional Committees

The Executive Committee functions through other Committees. The Committees and their terms of reference are as follows:

- Capacity Building Committee
 - (i) To identify the WSPs needs with reference to the Strategic Plan, 2013 - 2017 and develop TORs for the engagement of Working Groups
 - (ii) To develop plans on capacity building issues that do not require formation of Working Groups
 - (iii) To monitor and make decisions/advice on the volume and progress of Working Groups
 - (iv) To discuss in details the documentation prepared by Working Groups
 - (v) To receive final reports of Working Groups and decide future actions
 - (vi) To liaise with Secretariat in preparation of annual reporting
 - (vii) To report to the Executive Committee on matters and progress of activities at the attention of CBC
 - (viii) To appoint chairpersons of all Working Groups under their mandate
- Advocacy and Publicity Committee
 - (i) To provide advice to the Management Committee on advocacy strategies and publicity.
 - (ii) To identify, prioritize, integrate policy initiatives and make recommendations to the Management Committee.

- (iii) To provide advice on key issues to be addressed, key messages and the associated communication strategies.
 - (iv) To ensure that initiatives are addressed from the perspective of integration among program areas and to ensure that implementation strategies address both professional development needs as well as advocacy activities.
 - (v) To prepare for and manage the policy priority process at the members forums as well as at any other events.
 - (vi) To oversee the process for obtaining member input/support for Association's advocacy activities and seeks to coordinate these activities with those of members.
 - (vii) To advise staff on implementing directions of the Committee with respect to advocacy initiatives.
 - (viii) To advise with respect to forming alliances/partnerships with other groups.
 - Business Development Committee
 - (i) To formulate and oversee the implementation of the business development policy.
 - (ii) To review action plans developed to achieve business development strategies set out in the Strategic Plan.
 - (iii) To review and monitor management reports regarding the proper due diligence for any investment or business developments to be undertaken.
 - (iv) To review and recommend for approval by the Management Committee investments or business development projects and initiatives.
 - (v) To prepare annual work plan and provide formal evaluation on performance.
- c) The Secretariat

The Executive Officer is responsible to the Management Committee for:

- (i) Providing effective management for the realization of the vision and mission of WASPA
- (ii) Implementing the Management Committee's policies
- (iii) Implementing the strategic objectives
- (iv) Efficient and effective administration and management of the operations of WASPA
- (v) Overseeing the budget matters and approval processes
- (vi) Servicing the meetings of all the Committees and Working Groups

- (vii) Advising Committees on issues incidental to their respective terms of reference
- (viii) Carrying out any other duties as may be allocated by the Management Committee

4.4 Human Resources

The success of any organization is highly dependent on the quality of its human resource. WASPA will therefore develop a capacity building strategy that will ensure optimal staffing with qualified personnel through conducting workload analysis and training needs assessment. This will improve performance and enhance service delivery.

4.5 Action Planning

Action plans indicate what activities are going to be undertaken, by who, when, with what resources and the expected results. Action plans serve as a link between plan formulation and monitoring and evaluation. They help in both the appraisal of performance and in the identification of any remedial actions and contribute to better motivation of staff through explicit assignments of responsibilities for implementing and monitoring programmes.

The Strategic Plan has to be devolved into Annual Operational Plans by the Secretariat. These will in turn form the basis of individual staff annual work plans. This process creates a clear line of sight between the individual's work performance and the accomplishment of corporate objectives which in turn feed into the achievement of WASPA members' development agenda. Detailed implementation matrix is included as Annex 1.

4.6 Coordinating Mechanisms

Delivering on the strategies outlined in this plan requires WASPA to develop strong partnerships with other water sector players and development partners. The internal coordination mechanisms will be achieved through the meetings and reporting systems of the Management Committee, Standing Committees, the Secretariat and administrative forums of WASPA.

The action plan matrices which clearly show what will be done and who will be responsible, among other details, will also be a principal coordinating mechanism.

4.7 Resource Mobilization

(i) Resource Requirements

The successful implementation of this strategic plan is dependent on the availability and efficient utilization of the required resources; proper monitoring and evaluation. This section outlines the strategic objectives, implementation strategies, activities and their financial requirements. Some of the strategies WASPA will adopt include diversifying the revenue base. The Association will also seek development partners' support to realize some of its objectives.

(ii) Sources of Funds

WASPA's main source of income is membership subscriptions and to an extent, development partners financial support. These sources may not generate adequate financial resources to implement the plan. There is need for the Association to diversify the financial resource base by undertaking income generating activities during the plan period.

(iii) Expenditure Projections

Direct expenditure will rise due to the expected growth in WASPA business. Effective utilization of financial resources will be critical due to the current slow economic growth.

A summary of projected income and expenditure for the period 2013 – 2017 is presented here below.

Table 4: Summary of Projected Income and Expenditure (Kshs '000)

Strategic Objective 1: To enhance the capacity of the Association to carry out its mandate					
Strategy	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017
• Build capacity of Executive Committee members and Secretariat staff	80,000	50,000	-	50,000	-
• Enhance human resource capacity of the Secretariat	150,000	-	-	-	-
• Improve physical infrastructure and provide adequate office equipment	200,000	-	2,500,000	-	-
Sub-total	430,000	50,000	2,500,000	50,000	-
Strategic Objective 2: To ensure the financial sustainability of the Association					
• Increasing membership base	650,000	650,000	650,000	650,000	650,000
• Develop revenue generating activities	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000
• Seek support from development partners for specific programmes	700,000	700,000	700,000	700,000	700,000
Sub-total	2,750,000	2,750,000	2,750,000	2,750,000	2,750,000

Strategic Objective 3: To promote members' interests and create opportunities for their development					
• Encourage peer to peer learning	800,000	500,000	800,000	300,000	50,000
• Enhance performance by members	-	-	-	-	-
• Establish members data bank and promote utilization of information	-	-	-	-	-
Sub-total	800,000	500,000	800,000	300,000	50,000
Strategic Objective 4: To improve the operating environment for sustainable and efficient operations of members					
• Operationalize Publicity and Advocacy Committee	100,000	-	-	-	-
• Develop a communication strategy	50,000	-	-	-	-
• Engage in structured dialogue with key stakeholders	-	-	-	-	-
• Strengthen lobbying and advocacy to ensure the Association is included in policy dialogue	-	-	-	-	-
• Train and build capacity for the leadership and management	-	100,000	-	100,000	-
Sub-total	150,000	100,000	-	100,000	-
Total Cost of Planned Activities (Objectives 1, 4 and 4)	1,380,000	650,000	3,300,000	450,000	50,000
Other Operational Costs	2,550,000	2,700,000	2,850,000	3,000,000	3,200,000
Grand Total	3,930,000	3,350,000	6,150,000	3,450,000	3,250,000

Financial Summary					
Projected Revenues	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017
Membership fees	4,150,000	4,150,000	4,150,000	4,150,000	4,150,000
Training fees	100,000	100,000	100,000	100,000	100,000
Conferences and Exhibitions	300,000	300,000	300,000	300,000	300,000
Other Income (Advertising fees)	200,000	300,000	350,000	400,000	500,000
Sub-total	4,750,000	4,850,000	4,900,000	4,950,000	5,050,000
Development partners	700,000	700,000	700,000	700,000	700,000
Total Income	5,450,000	5,550,000	5,600,000	5,650,000	5,750,000

Expenditure					
	Year 2013	Year 2014	Year 2015	Year 2016	Year 2017
Strategic Objective 1: To enhance the capacity of the Association to carry out its mandate	430,000	50,000	2,500,000	50,000	-
Strategic Objective 3: To promote members' interests and create opportunities for their development	800,000	500,000	800,000	300,000	50,000
Strategic Objective 4: To improve the operating environment for sustainable and efficient operations of members	150,000	100,000	-	100,000	-
Total Cost of Planned Activities (Objectives 1, 3 and 4)	1,380,000	650,000	3,300,000	450,000	50,000
Other Operational Costs	2,550,000	2,700,000	2,850,000	3,000,000	3,200,000

Total Expenditure	3,930,000	3,350,000	6,150,000	3,450,000	3,250,000
Surplus	1,520,000	2,200,000	(-550,000)	2,200,000	2,500,000

4.8 Risks and Risk Management

There are several risks to the implementation of this strategic plan:

(i) Resource Availability

Resources are essential for the implementation of this Plan. Inadequate financial, human and other resources may negatively impact the implementation of the planned activities.

(ii) Information Flow

Lack of effective flow of information may result in delay in decision-making which in turn leads to delays in the implementation of the Plan.

(iii) Responsiveness and Cooperation of Stakeholders

Timely and positive response from key stakeholders such as the Ministry responsible for water in the country and other water sector players is crucial to the implementation of some strategies and activities in this Plan.

(iv) Political Goodwill

Political goodwill is necessary for implementation of this Plan to cushion the risk of non recognition of WASPA's role in the water sector.

Table 5 below provides a list of the risks, level of risk and suggested mitigating strategies.

Table 5: Risk Management Matrix

No.	Risk Factor	Level of Risk	Risk Management
1.	Availability of resources	High	Proper Annual Work Plans aligned to the approved Annual Budgets
2.	Information flow	Medium	Prepare and implement a communication strategy to ensure effective information flow
3.	Responsiveness and cooperation of key stakeholders	High	Participation in consultative meetings

4.	Political goodwill	High	Lobbying for political goodwill and support of government agencies

CHAPTER 5

5.0 MONITORING, EVALUATION AND REPORTING

5.1 Introduction

The success of the implementation of a strategic plan depends significantly on how effectively the planned activities and outputs are monitored and evaluated. It is therefore, imperative to put in place monitoring and evaluation systems that are clearly linked to the Plan objectives.

5.2 Strategy Implementation Team

A Strategy Implementation Team will be established to follow up and ensure that strategies are being implemented, performance being measured, and progress reports are made and discussed at quarterly Management Committee Meetings. Therefore, progress reporting will be an agenda item in Management Committee Meetings.

5.3 What to Measure

WASPA will apply both quantitative and qualitative techniques to monitor the planned performance of its respective functional areas. The major techniques of monitoring and evaluation that shall be used are variance analysis, ratio analysis and budgets.

5.4 Annual and Midterm Review

At the end of each financial year, a report will be produced and released to members and key stakeholders. It will evaluate the year's activities and indicate the extent to which WASPA has implemented the Plan.

A comprehensive review of the strategy implementation will be undertaken at the end of the third financial year.

At the end of the strategic plan period (2017), a final comprehensive evaluation and report will be done.

ANNEX 1:

Advocacy Strategy
of the
Water Service Providers Association
(WASPA)
for
July 2013 – December 2017

Index

Index.....	22
Abbreviations	23
Foreword of WASPA Chairman	24
Introduction	25
Advocacy Agenda – the key issues.....	25
Role of Water Service Providers (WSPs).....	26
Description of the Issue	26
Position of WASPA	27
Development of ownership and infrastructure	28
Description of the Issue	28
Position of WASPA	28
Setting of Water Tariffs.....	29
Description of the issue	29
Position of WASPA	29
Ring fencing of Revenues of Water Service Providers (WSPs).....	30
Description of the issue	30
Position of WASPA	30
Water shared Resource.....	30
Description of the Issue	30
Position of WASPA	30
Water Bill 2013.....	Error! Bookmark not defined.
Description of the Issue	30
Position of WASPA	31
Harmonization and Consistency of Legislation.....	31
Description of the issue	31
Position of WASPA	31

Abbreviations

CIC	Commission for the Implementation of the Constitution
CoK 10	Constitution of Kenya from 2010
FACT	Functional Analysis Competence Team
FAST	Functional Analysis Steering Team
MEWNR	Ministry of Environment, Water and Natural Resources
MWI	Ministry of Water and Irrigation
NGO	Non-Governmental Organization
TA	Transition Authority
WASPA	Water Services Providers Association
WASREB	Water Services Regulatory Board
WASREC	Water Services Regulatory Commission
WRMA	Water Resources Management Authority
WSB	Water Service Board
WSP	Water Service Provider

Forward of WASPA Chairman:

The Water Supply and Sanitation (WSS) sector in Kenya has undergone major structural reforms anchored in the Water Act 2002 and now following the new Constitution of Kenya 2010, newer continuing changes have been witnessed. With the coming of County Administration, water and sewerage becomes a function of the County (under public works). Water and sewerage utilities now are under the management of the County Administrations. It is critical that Water Services Providers Association remain abreast with these changes especially in the support to the members. This Advocacy Plan documents our intention in this regard.

The implementation of this Strategy will enable WASPA members to fulfil their mandate in the new dispensation and further improve their performance in the delivery of water and sewerage services

We therefore take this early opportunity to appreciate the role of our supporting partners especially the SWAP – bfz who have overwhelmingly given ample support towards the formulation of this plan. As we embark on the implementation of this Strategy, we urge for the full cooperation of the members and other supporting partners.

Finally we wish to thank the Executive Committee – WASPA who shall continue to give guidance and take the lead role to ensure the Strategy is brought to the full force.

Thank you all.



Nyundo Katemboh
Chairman - WASPA

Introduction

The first Advocacy Agenda of WASPA is a fundamental instrument for the dialogue with stakeholders in the field of water provision in Kenya. The agenda is a mechanism to identify and define the position of the Water Service Providers with respect to the legal framework and other surrounding conditions for the provision of water services in Kenya.

The focus of WASPA's Advocacy Agenda 2013/14 are the challenges faced and chances opportunities offered by the new Constitution of Kenya 2010 and the subsequent devolution process.

In the 4th schedule of the CoK 2010 the functions of the National and County Governments are defined; giving the power for water and sanitation services to the County Governments. With County Governments being in place since March 2013 and the transition period for the devolution process of three years starting on 1st of July 2013, devolution as defined in CoK 2010 is now being implemented.

WASPA and its' members want to contribute actively to the transition into the new system under the County Governments with minimum interruption of services and without compromises to the quality of service delivery.

Thus WASPA commits to co-operate with all relevant stakeholders and fully supports the transition process with its expertise and knowledge in the field of water service provision.

Advocacy Agenda – the key issues

The mandate of WASPA is to provide a platform for members to advocate for issues to their development and sustainability.

WASPA and its members work actively with all relevant stakeholders to achieve a strategic approach to ensure smooth transition into county governments without serious interruption of water service provision.

To ensure this smooth transition WASPA endorses the following:

Role of Water Service Providers (WSPs) - To guarantee the quality and continuity of water service provision WSPs shall continue with their mandate during the transition period and under the proposed Water Bill 2013, once enacted.

Development and ownership of infrastructure – The Water Service Boards (WSBs) complete and commission all the current infrastructure development projects. All the assets of the WSBs are handed over to the respective County Government within the transition period. In the case of Cross County Assets, the affected Counties develop and sign bilateral agreements that ensure access to the assets for all WSPs involved.

Setting of Water Tariffs – Water tariffs are set for full cost recovery of WSPs. WASREB is further on responsible for approval of the tariffs. For WSPs operating in poor areas (rural and urban) where recovery of costs through tariffs is not possible Government will provide incentives to the WSPs.

Ring fencing of Revenues of WSPs – The revenues generated by WSPs shall be ploughed back into water service provision to maintain current services and to expand coverage.

Water shared Resource – Every water resource is held by the national government in trust for the people of Kenya.

Water Bill 2013 – Abolish duplication of mandates of institutions mentioned in the Water Bill 2013; Enactment of Water Bill 2013 after incorporation of amendments by the end of 2013.

Harmonization and Consistency of Legislation – All Acts and bills that address the provision of water are harmonized. Before harmonization is accomplished it must be clarified which existing legal framework must be followed to provide legal security to all stakeholders in the water sector.

Transition in County Governments – The Transition Authority on 22nd April 2013 published/gazetted a list of functions that will be devolved by July 2013. Water & Sanitation Services was among the functions set to be devolved by July 1st 2013. However this is under certain conditions under law that must be fulfilled by the county government. Seamless transition into the county governments amid many unforeseen operational challenges at county level with minimal disruption of service provision, cannot be overemphasized.

Role of Water Service Providers (WSPs)

Description of the Issue

The provision of water in Kenya is governed to date by the Water Act of 2002. According to section 55(1) of this Act the Water Service Providers (WSPs) are established as agencies of Water Service Boards (WSBs). The Act states that the roles of the WSPs are articulated in the Service Provision Agreements (SPAs) between WSPs and WSBs that must be approved by the Water Services Regulatory Board (WASREB) {section 55(2)} of the Water Act 2002.

The set-up for provision of water established under water sector reforms culminating in the Water Act 2002 yielded in the following results:

- Semi-autonomous public-owned commercially-run WSPs fully operational and mostly self-sustainable.
- Water coverage in urban areas improved from 40% in 2005/06¹ to 60% in 2011/12²
- Water coverage in rural areas improved from 40% in 2005/06¹ to 45% in 2011/12²
- Sanitation coverage in urban areas improved from 20% in 2005/06¹ to 73% in 2011/12²
- Sanitation coverage in rural areas improved from 10% in 2005/06¹ to 67% in 2011/12²
- Sewerage coverage in urban areas improved from 9% in 2005/06¹ to 21% in 2011/12²

¹ Impact – A performance Report of Kenya’s Water Services Sub-Sector, Issue No. 1, WASREB 2008

² Annual Water Sector Review 2011/12, Ministry of Water and Irrigation 2013

- In rural areas sewerage coverage remains below 1%².
- Staff per 1000 connections improved from 13 in 2005/06¹ to 7 in 2010/11³

Following the new Constitution of Kenya 2010 and the consequent devolution, the provision of water services will also be restructured.

Section 11 of the 4th schedule gives water and sanitation services functions to the County Governments.

The Transition Authority published a circular on April 22, 2013 which states that functions for water and sanitation services (among other functions) are ready to be transferred to the County Governments on 1st of July 2013. Section 24 of the Transition to Devolved Government Act, 2012 provides criteria that should be met by County Governments for the transfer of function.

Not all the counties will meet the criteria for transfer of the functions set by the Transition Authority by the set date. Thus the transfer of functions will be based on different requests and follow different timelines in each of the 47 counties.

The responsibility for the approval of the transfer of functions lies with the Transition Authority according to section 24 of the Transition to Devolved Government Act, 2012.

A new Water Bill 2013 has been developed to align the water sector to the provisions of the new Constitution 2010. It is yet to be enacted to become an Act of Parliament.

In the current draft of this Bill:

- WSPs will be established by the County Governments, 58(1)
- County Governments are expected to comply with standards of commercial viability set by the Regulator (WASREC), 58(2)
- WASREC is directly licensing the WSPs, 58(4), 59(1a)
- WSPs shall be responsible for County assets for water service provision, 59(1b)
- WSPs shall be a company established under the companies act, a NGO, or any other person or body approved by WASREC, 58(3)
- Water Works Development Board shall be established and will among others develop national water works for water services, and will facilitate the establishment of cross-county water service providers

Position of WASPA

- WASPA wants to ensure that provision of water services can be continued without interruption and without compromising on quality of services.
- Only two seats in the Board of Directors of each WSP shall be reserved exclusively for County Government Executives.

³Impact – A performance Report of Kenya's Water Services Sub-Sector, Issue No. 5, WASREB 2012

- Industrial relations stability and continued engagement of staff of WSPs on the existing terms and conditions of employment⁴.
- In respect to legal security for the WSPs in the transition period WASPA supports the position of CIC: "Steps must be taken to ensure that the necessary arrangements are in place to protect services delivery and ensure that the counties are able to take up their functions as quickly as possible but within the letter and spirit of the law."⁵
- WASPA and its members must be informed and actively involved in the transition process by the Transition Authority (TA), e.g. that WASPA is invited to participate actively in the committees FACT and FAST. WASPA has the technical knowledge to assist the TA to determine if the County Governments have the capacities to perform devolved functions.

Development of ownership and infrastructure

Description of the Issue

Under the Water Act 2002 the development of water infrastructure is the mandate of Water Service Boards (WSBs). Upon completion, the infrastructure is leased to the Water Service Providers (WSPs) for water service provision. The WSPs are responsible for operation and maintenance of the infrastructure.

In accordance with the new Constitution (CoK 2010) water and sanitation functions will be devolved to the County Governments. County Governments must fulfil certain criteria spelled out under section 15 of the 6th schedule of the CoK 2010 and section 24 of the Transition to devolved Government Act before they can apply for transfer of functions. For the transfer of functions and assets to the County Governments, the Transition Authority (TA) has set a transition period of three years starting from 1st of July 2013.

The Water Bill 2013 that is in the process of enactment outlines the responsibilities for the infrastructure as follows:

- WSPs shall be responsible for County assets for water service provision, 59(1b)
- Water Works Development Board shall be established and will among others develop national water works for water services, and will facilitate the establishment of cross-county water service providers

Position of WASPA

- The Water Service Boards (WSBs) complete and commission all the current infrastructure development projects.

⁴WASPA Recommendations to Transition Authority on Devolution of Functions 19th April 2013

⁵Advisory on transfer of functions from the National to County Governments, press release by CIC, June 13, 2013

- All the assets and liabilities of the WSBs are handed over to the respective County Government within the transition period.
- In case of Cross County Assets the affected Counties develop and sign bilateral agreements that ensure access to the assets for all WSPs involved.
- Money for the development of new water infrastructure shall be allocated by the National Government to the County Governments.
- WSPs are responsible for new development of infrastructure projects and will apply to the County Government for funding.

Setting of Water Tariffs

Description of the issue

Currently Water Service Regulatory Board (WASREB) sets guidelines for setting the customer tariffs charged by the WSPs in their service areas. The WSBs and WSPs most follow these guidelines when submitting their tariffs adjustment proposals to WASREB for approval.⁶ The Government has established the basic tariff policy that will guide WASREB in setting water tariffs in the short to medium term.⁷

The County Government Act 2012 states in Article 120(1) that County Governments or the WSPs shall adopt and implement a tariffs and pricing policy for provision of water services. Article 120(3c) states that a tariff policy shall reflect that poor households shall have access to at least basic services. The Article gives three options how this can be achieved:

1. Tariffs that cover only operating and maintenance costs
2. Special tariffs or lifeline tariffs for low levels of use or consumption of services or for basic levels of service
3. Any other direct or indirect method of subsidies of tariffs for poor households.

According to article 55 (1b) of the new Water Bill 2013 it is planned that the Water Service Regulatory Commission (WASREC, that will replace WASREB) will validate the water and sewerage tariffs proposed by the county water service providers and approve their imposition in line with consumer protection. The powers and functions of WASREC described in this Act do not include the issuing of guidelines for the setting of water and sewerage tariffs.

Position of WASPA

- Water tariffs are set for full cost recovery of WSPs.
- WASREB (or according to new Water Bill 2013 WASREC) is further on responsible for issuing of tariff guidelines and for approval of the tariffs.
- For WSPs operating in poor areas (rural and urban) where recovery of costs through tariffs is not possible National or County Government will provide incentives to the WSPs.

⁶ WASREB Tariff guidelines, WASREB, April 2007

⁷ According to Public Finance Management Act, Article 99(4e), 2012

Ring fencing of Revenues of Water Service Providers (WSPs)

Description of the issue

The reinvestment of revenues generated by WSPs for the provision of water services (ring fencing) is one of the principles laid down in the National Water Policy of Kenya 1999. However, the principle is not further specified in the Water Act 2002. Practically the WSPs follow the principle of ring fencing.

The draft National Water Policy 2012 is based on 13 key guiding sector principles one of which is as well ring fencing of revenues of the WSPs. In the new Water Bill 2013 Article 96 & 97 it is stated that all funds collected for water services shall be used entirely for the purpose of covering costs for the provision of water services and asset development according to rules by WASREC.

Position of WASPA

The revenues generated by WSPs shall be ploughed back into water service provision for reinvestment in assets (replacements and expansion).

Water shared Resource

Description of the Issue

The Water Act 2002 states in Part II, Article 3 that every water resource is vested in the State. In the CoK 10, 4th schedule under Article 22c the functions of the National Government include water protection and securing sufficient residual water. According to the 4th schedule under Article 10a the functions of the County Government include the implementation of National Policies on water conservation.

According to the new Water Bill 2013 Part II, 3 water resources are held by the National Government in trust of the people of Kenya. In a previous draft of the Water Bill 2013 the sentence continued "and by the County Government in trust for the people resident in that county."

Position of WASPA

Every water resource is held by the National Government in trust for the people of Kenya.

Water Bill 2013

Description of the Issue

A new Water Bill 2013 has been developed to align the water sector to the provisions of the new Constitution 2010. It is yet to be enacted to become an Act of Parliament.

In the current draft of this Bill:

- WSPs will be established by the County Governments, 58(1)
- County Governments are expected to comply with standards of commercial viability set by the Regulator (WASREC), 58(2)

- WASREC is directly licencing the WSPs, 58(4), 59(1a)
- WSPs shall be responsible for County assets for water service provision, 59(1b)
- WSPs shall be a company established under the companies act, a NGO, or any other person or body approved by WASREC, 58(3)
- Water Works Development Board shall be established and will among others develop national water works for water services, and will facilitate the establishment of cross-county water service providers

Position of WASPA

- Abolish duplication of mandates of institutions mentioned in the Water Bill 2013.
- Enactment of Water Bill 2013 to align with the Constitution (CoK 10) after inclusion of amendments by the end of 2013.

Harmonization and Consistency of Legislation

Description of the issue

One of the major changes in the new Constitution (CoK 2010) is the devolution process and the subsequent transfer of functions to the County level.

For seamless transition into the new County Government system various laws and legislations must be harmonized to avoid conflicts and duplication of functions.

The following laws and drafted legislations are relevant to the water service provision and must be harmonized with the Constitution of Kenya, 2010 (mainly schedule 4 and 6) and with each other:

- County Government Act, 2012
- Public Finance and Management Act, 2012
- Transition to Devolved Governments Act, 2012
- Urban Areas and Cities Act, 2011
- Water Bill, 2013

Currently some of the relevant laws are in line with the new Constitution of Kenya 2010 while other laws are still not consistent with the devolution. Especially the Water Act 2002 which is still in place as the Water Bill 2013 has not been enacted. It is not in line with CoK 2010 and thus in conflict with several of the new legislations under CoK 2010.

Position of WASPA

- All Acts and bills that address the provision of water are harmonized by end of 2013.

- It must be specify immediately which laws and regulations of the existing framework will be followed before harmonization is accomplished.

Transition to Devolved Government

Description of the issue

The National elections in Kenya held in March 2013 fully operationalized the COK 2010. The COK 2010 heralded a new two-tier system of government which has never been done before. The Transition Authority under the Transition to Devolved Government Act 2012 indicates that the Transition period is 3 years {"transition period" means the period three years after the first elections under the Constitution.}. The Transition Authority shall determine whether a county government meets the 9-point criteria set out under section 24, to allow the transfer of a function. During this period and beyond, additional issues pertinent to WSP's will take centre stage as water is devolved to the county government. Operational Issues such as transfer of assets and liabilities, financial management, county by-laws affecting water & sanitation service provision, county government operations, Water Bill 2013, existing contracts affecting any service delivery among others are some of the challenges that WSP's will face.

Position of WASPA

- WASPA will assist its members during 3 year transition period and beyond on transition matters through increased lobbying at each county government level and at national level.
- WASPA will build capacity of its members to handle/tackle anticipated operational challenges that will be faced during transition period. This will include a clear understanding of all the laws that are related to delivery of water services.
- WASPA will assist its members in strategies of extending water & sanitation service coverage to rural and low income areas within their counties.
- WASPA will assist its members to tap into new emerging beneficial technologies that can be adopted in their respective counties and in line with their specific needs

ANNEX 2: WASPA MEMBERS

WASPA MEMBERS - 2013

1. Nyeri Water & Sewerage Company Limited
2. Mombasa Water Supply and Sanitation Company Ltd
3. Meru Water & Sewerage Services Co.
4. Mathira Water & Sanitation Company
5. Eldoret Water & Sanitation Company
6. Thika Water & Sewerage Company
7. Kisumu Water & Sewerage Company Limited
8. Nyahururu Water and Sanitation Company Ltd
9. Nairobi City Water & Sewerage Company Ltd
10. Malindi Water & Sewerage Company Ltd
11. Kenya Water Institute
12. Nanyuki Water & Sewerage Company Ltd
13. Nzoia Water & Sewerage Company Ltd
14. Kericho Water & Sanitation Company Ltd
15. Isiolo Water & Sewerage Company
16. Embu Water & Sanitation Company
17. Kakamega/Busia Water Supply
18. Nakuru Water & Sanitation Services Company
19. Naivasha Water, Sewerage & Sanitation Company Ltd
20. Amatsi Water Service Company
21. Kilifi-Mariakani Water & Sewerage Company Ltd
22. Murang'a Water & Sanitation Company
23. Othaya-Mukurweini Water Services Company Ltd
24. Liboi Water & Sanitation Company
25. Kibwezi Makindu Water & Sanitation Company Ltd
26. Kikuyu Water Company Ltd
27. Limuru Water & Sewerage company Ltd
28. Machakos Water & Sewerage Company Limited
29. Mavoko Water & Sewerage Company
30. Garissa Water & Sewerage Company Ltd
31. Kiambu Water & Sewerage Company Ltd
32. Imetha Water & Sanitation Company
33. Nyanas Water & Sanitation Company Ltd
34. Gusii Water & Sewerage Company
35. Kirinyaga Water & Sanitation Co. Ltd
36. Tilibei Water & Sanitation Company
37. Ruiru Juja Water & Sanitation Company
38. Gatamathi Water & Sanitation Company
39. Gatanga Community Water Scheme
40. Ololaiser Water & Sewerage Company
41. South Nyanza Water Services Company
42. Nithi Water & Sanitation Company
43. Kwale Water & Sewerage Company Ltd

44. Karimenu Water & Sanitation Co. Ltd
45. Gatundu South Water & Sanitation Company
46. Tetu Aberdare Water & Sanitation Co'
47. Sibbo Water & Sanitation Co. Ltd
48. Yatta Water & Sanitation Co' Ltd
49. Murang'a South Water & Sanitation Co'
50. Narok Water & Sanitation Co'
51. Githunguri Water & Sewerage Company
52. Kahuti Water & Sanitation Company
53. Losai Management Limited
54. Nakuru Rural Water & Sanitation Company
55. Bertha Naliaka (University of Nairobi)
56. Karuri Water & Sanitation Company
57. Tavevo water & sewerage Company
58. Nyandarua water & sanitation Company
59. Kitui Water & Sanitation Company
60. Wotech Kenya Ltd
61. Benard Onunga Juma (University of Nairobi)
62. Ol' Kalau Water & Sanitation Company



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