



#OKOAMOMBASA

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May 20, 2020

The Permanent Secretary  
Ministry of Health,  
Afya House, Cathedral Road,  
P.O. Box:30016–00100, Nairobi, Kenya.

Email: [ps@health.go.ke](mailto:ps@health.go.ke)

Dear Madam,

**Request for information under Article 33 and 35 of the Constitution of Kenya and the Access to Information Act, 2016**

I am a citizen of Kenya and a member of Okoa Mombasa Coalition. I am writing to request from your Ministry, information concerning the Portable Medical Clinics procured by the Government of Kenya. This request is made in accordance with Articles 33 and 35 of the Constitution and the Access to Information Act, 2016.

The information I seek should include but not be limited to:

1. Agreements/contracts entered between the Government of Kenya (GOK), the Ministry of Health and/or any Kenyan State or public agency with Estama Investments and/or any other third party for the supply of Portable Medical Clinics in 2015.
2. Status of payments made to the supplier of the Portable Clinics – how much has been paid to date, how much is pending, including a breakdown of the items to which each expense relates.
3. Documentation or information that responds to the following issues:
  - a. Specifications for the mobile clinics as detailed by the Government of Kenya and specifications of mobile clinics as supplied. This information to include but not be limited to:
    - i. Number of mobile clinics supplied, installed, functional, and in use.
    - ii. Equipment installed in the clinics.
    - iii. Medical supplies procured for the clinics.
  - b. Total cost of the mobile clinics as supplied, including a breakdown of the various expenses that make up the total cost.

- c. Tendering process and deliberations that led to the award of the supply contract, including relevant minutes of the Ministerial Tendering Committee.
  - d. Current location of all mobile clinics and state of repair with a view to determining whether they are in use as originally intended and what/how much it would take to bring them to a functioning state.
4. Agreements/contracts executed by County Governments, including the County Government of Mombasa in relation to the Portable Medical Clinics explaining:
- a. The role of County Governments in the conceptualizing, design, supply of equipment and implementation of the project.
  - b. Current use of the Portable Medical Clinics within counties.
  - c. Plans for deployment or otherwise of the Portable Medical Clinics including the timelines and necessary logistical arrangements.

I am prepared to collect this information (to be provided in certified hard copies) in person and undertake to pay the costs incurred for the reproduction of the information as per the Access to Information Act.

It is my view that the information I seek is information the State should have disclosed without any prompting based on positive and proactive disclosure obligations under Article 35 of the Constitution because it is information that is of importance to the public. This information is especially critical at this time when the country is faced with a health pandemic that demands availability and use of all medical resources available. Deploying these Portable Medical Clinics within informal settlements where some of the most vulnerable citizens reside, staffing and equipping them adequately would go a long way in ensuring the right to adequate healthcare.

I request that you avail this information as soon as possible, but in any event, no later than 21 days from the date of receipt of this application, pursuant to section 9 of the Access to Information Act.

Kind regards,



Khelef Khalifa,  
Chairman MUHURI  
On behalf of Okoa Mombasa

cc.

The Chairperson,  
Commission on Administrative Justice,  
2<sup>nd</sup> Floor, West End Towers,  
Opposite Aga Khan High School off Waiyaki Way – Westlands,  
P.O Box 20414-00200,  
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