



REPUBLIC OF KENYA

COUNTY GOVERNMENT OF HOMA BAY
DEPARTMENT OF FINANCE AND ECONOMIC PLANNING
P. O. BOX 469-40300, HOMA BAY
Email - procurement@homabay.go.ke



HOMA BAY COUNTY

Ref: HBC/PH&MS/ONT/059/2022-2023

Date: 8th February, 2024

M/s Quickmax Contractors Limited,
P.O. Box 1050-00520,
Telephone: 0720 659 229
Email – quickmaxcontractors@gmail.com
Nairobi, Kenya

**RE: PROPOSED MULTI-STORIED BLOCK FOR ACCIDENT & EMERGENCY, CASUALTY AND OUT PATIENT DEPARTMENTS AT HOMA BAY COUNTY TEACHING AND REFERRAL HOSPITAL (HBCTRH). TENDER NO. HBC/PH&MS/ONT/059/2022-2023
TERMINATION OF CONTRACT**

Notice is hereby given that contrary to clause 4.0 of the conditions of contract you have failed carry out and complete the works in accordance with the contract and the directions issued by the Project Manager.

Further, you have failed to resume works within thirty (30) days as advised by the Project Manager Representative vide letter Ref. No. BD106/HBAY/GEN/VOL.III/ (23) dated 22nd December 2023.

Further, you have demanded a payment guarantee as per your letter dated 19th January 2024 which is not contractual.

In accordance with clause 15 (15.1,15.21b, c) of the conditions of contract, notice is hereby given that you have committed a contractual breach by:

- (i) Failing to proceed with the works and is neglecting to carry out his obligations under the contract.
- (ii) Suspending the progress of works for more than 30 days.
- (iii) Abandoning the site before practical completion is achieved. Arising from the above, your employment on this contract is therefore terminated forthwith. By a copy of this letter the Project Manager is requested to prepare a Final Payment after determining the value of works done and any other sums due to you in accordance with the contract.

Mr. Alphonse Werah
Chief Officer, Finance/Accounting Officer
Department of Finance and Economic Planning
County Government of Homa Bay



Copy to:

- **Chief Officer**
Department of Public Health and Medical Services
County Government of Homa Bay



MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND URBAN DEVELOPMENT

State Department of Public Works

Works House,
Ngong Road, Nairobi
www.publicworks.go.ke

P.O. Box 30743 - 00100
Tel +254 (0) 20 272 3101
Fax +254 (0) 20 272 7659
Email: info@publicworks.go.ke

Ref: **BD106/HBAY/GEN/VOL.III/27**

Date: 23rd January, 2024

The Chief Officer,
Health Services,
Homa Bay County,
P. O. Box 52-40300,
Homa Bay



RE: PROPOSED MULTI-STORIED BLOCK FOR ACCIDENT & EMERGENCY, CASUALTY AND OUT PATIENT DEPT. AT HOMABAY COUNTY TEACHING AND REFERRAL HOSPITAL (HBCTRH). TENDER NO. HBC/PH&MS/ONT/059/2022-2023
TERMINATION NOTICE

Reference is made to the above project.

Following the expiry of the notice to correct dated 22nd December 2023 (copy attached) and the Contractors letter dated 19th January 2024 (copy attached), it is apparent the Main Contractor failed to correct their failures and the site is abandoned.

We therefor advise that you terminate the contract for the following reasons: -

- (i) The contractor, despite previous notices, is not executing the works diligently; is failing to proceed with the works and is neglecting to carry out his obligations under the contract.
- (ii) The contractor has without reasonable excuse suspended the progress of works for more than 30 days.
- (iii) The contractor has abandoned the site before practical completion.

Enclose herewith please find a sample letter for termination, which you should type on your letter head, sign and date accordingly and dispatch vide recorded delivery to the contractor.

Arch. W. O. KUMO,
Chief Superintending Architect / PM Rep.



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HOMA BAY COUNTY

Ref: HBC/PH&MS/ONT/059/2022-2023

Date: 8th February, 2024

Mr. Alphonse Werah
Chief Officer, Finance/Accounting Officer
Department of Finance and Economic Planning
County Government of Homa Bay

Dear Sir,

**RE: PROPOSED MULTI-STORIED BLOCK FOR ACCIDENT & EMERGENCY, CASUALTY AND OUT PATIENT DEPARTMENTS AT HOMA BAY COUNTY TEACHING AND REFERRAL HOSPITAL (HBCTRH). TENDER NO. HBC/PH&MS/ONT/059/2022-2023
TERMINATION OF CONTRACT**

Kindly refer to the above subject matter.

Based on the evidence from the contract implementation team pursuant to section 151(2)(a) and (g) of the Act (copy of letter attached herein) and pursuant to section 153 of the Act, I hereby request you to terminate the contract in accordance with clause 15 (15.1, 15.21b,c) of the conditions of contract.


Circular stamp: HOMA-BAY COUNTY GOVERNMENT, DIRECTOR OF PROCUREMENT, 40300, HOMA BAY, KENYA. Date stamp: 18 FEB 2024.

Mr. Peter Odiango
County Director of Procurement and Supplies Management
Department of Finance and Economic Planning
County Government of Homa Bay

Copy to:

- **County Attorney**
Executive office of the Governor
County Government of Homa Bay
- **Chief Officer**
Department of Public Health and Medical Services
County Government of Homa Bay