

**EFFECT OF PERFORMANCE CONTRACTING ON SERVICE
DELIVERY AT MUNICIPAL COUNCIL OF MOMBASA**

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DECLARATION

This Management project is my original work and has not been presented for a degree in any other University.

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The Project has been submitted for examination with my approval as the University Supervisor.

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DEDICATION

This work is dedicated to my parents and my family. Thanks for your continued support and understanding during this period.

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I thank the almighty God for enabling me to accomplish this far. He made me have courage to endure and overcome all difficulties in pursuing this degree.

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ABSTRACT

This research study sought to find out the effects of performance contracting on service delivery at the Municipal Council of Mombasa to its residents. Performance contracting is part of the broader public sector reforms aimed at improving efficiency and effectiveness in the management of local authorities. The research traces the history of the performance contracting in Kenya and identifies successes and challenges of implementing the performance contract. The study was conducted using the case study research design. The researcher conducted in-depth interviews with 12 top management team of the council, who were involved in the performance contracting and gave their views. Reports on the Council performance records did provide useful information, which was useful in the compilation of the study report. Performance contracting was initially met with a lot of suspicion, animosity and at times outright hostility by the employees of the council due to inadequate information about it. The situation however improved with passage of time and the process is currently viewed very positive by the officers of the council as a means of offering quality service. The analysis isolated financial constraints, shortage of staff, political interference and negative attitude by stake holders, lack of adequate facilities and technical staff as the major sources of challenge to service delivery to the people of Mombasa municipality. The effects of performance contracting, according to a majority of the respondents including the council's clerk is registered in improved service delivery, improved employee accountability and enhanced team spirit due to its ability to motivate employees to work. Due to the success of the initial phases of the process its roll out across all sectors of the council operations and cascade to the junior most employees is envisaged in the immediate future.

CHAPTER ONE: INTRODUCTION

1.1 Background of the Problem

The primary development goal for any country is to achieve broad-based, sustainable improvement in the standards of the quality of life for its citizens. The Public service and in particular the local authority plays an indispensable role in the effective delivery of services to the public that are key to the functioning of a state economy. The Kenya government acknowledges that over the years there has been poor performance in the public sector, especially in the management of public resources which hindered the realization of sustainable economic growth (GoK, 2005). When the delivery of services is constrained or becomes ineffective, it affects the quality of life of the people and nation's development process.

Public services in many African countries are confronted with many challenges, which constrain their delivery capacities (Lienert, 2003). They include the human resource factor, relating to shortages of the manpower in terms of numbers and key competencies, lack of appropriate mindsets, and sociopsychological dispositions. There is also the perennial problem of the shortage of financial and material logistics that are necessary to support effective service delivery. On the other hand, the gradual erosion of the ethics and accountability has continued to bedevil the local authority in delivering services to the people effectively.

1.1.1 Performance Contracting

Performance Contract System originated in France in the late 1960s after the publication of the famous Nora Report on the reform of state-owned enterprises in France. Today, almost all OECD countries use some variant of performance contracts in managing their public sector. Adoption of Performance Contracts received a massive fillip after it was introduced in New Zealand as part of that country's pioneering public sector reforms. It gained momentum and legitimacy when it was introduced in the US government as part of the Government Performance and Results Act (GPRA) of 1993. In the U.K, it was introduced by Margaret Thatcher as part of the creation of next step agencies. Today, it is used in all British government agencies in their latest. It was later developed with great deal of elaboration in Pakistan and Korea and thereafter introduced to India (OECD, 1997). It has been adopted in developing countries in Africa, including Nigeria, Gambia, Ghana, and now Kenya.

In the Economic Recovery Strategy for Wealth and Employment Creation (ERS) 2003-2007 policy document, the government accords high priority to economic recovery and improving the performance of public service to deliver results to the people. Up to this point, the goal of public sector reform was the restoration so as to equip it well in order to play a pivotal role in national development. This called for fundamental changes in the way the sector operates in institutional organization and relationships, and in the individual and collective behavior of those serving in the sector. The aim is to enhance efficiency and effectiveness together with probity and integrity. In effort to achieve the objectives and targets of ERS and to manage performance challenges in public service, the Government adopted Performance Contracting (PC) in public service as a strategy for improving service delivery to Kenyans. The

Performance Contract is one element of the broader public sector reforms aimed at improving efficiency and effectiveness, while reducing total costs.

The concept of Performance Contracting was first introduced in Kenya in the management of state corporations in 1989 (Kenya Railways and National Cereals and produce Board). PC eventually failed due to: lack of political goodwill to drive this process because it was perceived as donor-driven; the PC's did not conform to the requirements of the three subsystems of PC's as they lacked the performance incentive system; and there was no provision for the impact of external factors such as changes in GOK policy, inflation, exchange rate fluctuations which would have made evaluation fair (Kobia and Mohamed, 2006).

Kenya decided to re-introduce performance contracting in 2003. The initiative to introduce PC's in Kenya came from H.E. the president and was clearly spelt out in the Economic Recovery Strategy for Wealth and Employment Creation (ERSWEC). The expected outcome of PC in Kenya was: improve performance; decline in reliance on exchequer funding; increased transparency in operations and resource utilization; increased accountability for results; linking reward on measurable performance; reduced confusion resulting from multiplicity of objectives; clear apportionment of responsibility for action; improvement in the correlation between planning and implementation; and creating a fair and accurate impression on the performance (Kobia and Mohamed, 2006). However, Kobia and Mohamed (2006) point out in their study that over 174 (62.1 %) respondents indicated that they do not have adequate resources needed to meet their targets. They found out that some of the problems experienced

during the implementation of the performance contract included lack of adequate resources, resources not being released on time; some performance targets were unrealistic.

1.1.2 Service Delivery

Public services are defined as those services which are mainly, or completely, funded by taxation. Local authorities provide public services at a non profit return. These are essential services which enhances the quality of life of the people and nation's development process.

The local Authorities (cities and Local Governments) are very important to the citizenry. They are the engines of growth and centres of development. They provide cultural; educational; management, research, commerce and political services. They also do offer employment, best health facilities and boost the country's economy (UN-HABITANT(2004). Municipalities have responsibility to make sure that all citizens are provided with services to satisfy their basic needs.

As Flynn (1990) has observed, certain of the public services established activities may be contracted out operationally, in some countries, to private firms but the delivery of such services may continue to be funded from taxation and remain governed by public service criteria. Examples of this type of arrangement would include the contracting out of local government services, such as refuse collection, to private companies, as well as the privatization of certain central government functions, such as the prison service.

The local authorities needs to address the above issue if we have to make any impact in achieving vision 2030, which the local authorities are strong partners. To undertake these mandates Local Authorities are empowered by the current Local Government Act Cap. 265 of the Laws of Kenya part XIV to make and enforce by-laws; to raise funds through rates, fees and other user charges to implement their obligations. The LGA cap 265 part XV sections 212 to 221 provide Local Authorities with the financial provisions for the management of funds in terms of annual and supplementary estimates, expenditure, capital and consolidated funds, general rate and reserve funds.

Services provided by local authorities are maternal and child health care, management of health clinics and health centers, malaria, epidemic, pests and vermin control as well as public health inspection in order to upheld citizens health standards. It is responsible for feeder roads, maintenance of street lights and traffic lights, construction and maintenance of drainage, sewerage, fire fighting and Ambulance services, social welfare, almshouse, stadium, social halls and recreation areas, vocational training including tailoring and housing estates management, housing development, providing technical services ,community mobilization in the housing sector, urban design and development, forward planning and research, development control and enforcement of building by-laws, nursery and primary schools and Teachers' advisory centre, street cleansing, refuse removal and disposal, road reserve sand bush clearing, guardsmen's and open spaces, trees and flowers nurseries, cemeteries, war grave and memorials.

1.1.3 Local Authorities in Kenya

Local authority has been defined differently by different people and organizations. The Omamo Commission of Inquiry on Local Authority defines Local Government as “a system of government whereby the state allows the establishment of local units of government with powers and authority to make local decisions on matters that affect the local units communities and to mobilize local resources for implementation or execution of the decisions made” (Omamo, 1995). Wanjohi (2003) considers Local Government as an institution whose operations addresses the needs and aspiration of the citizenry and also extends the administrative and political control to the community.

Local authorities in Kenya are the bridge for economic development. Local authorities have the responsibility to secure and deliver sustainable development through the provision of sustainable services to the local community. Hence, it plays a fundamental role in the country’s governance and growth. Due to lack of accountability and poor governance, most of the local authorities provide deteriorated services. This has resulted to lack of development growth responsibility which undermines efforts towards national economic growth. It has been evident through various mode of reporting that local authorities have been providing poor services to the respective localities. These services range from roads, street lighting, housing, retail and wholesale markets recreational facilities etc.

From the local government policy statement, 2001, it states that local authorities in Kenya have the cardinal responsibility to secure and deliver sustainable development through the provision of sustainable services to the local community. This means that Local Governments are important institutions in a country’s development.

1.1.4 Municipal Council of Mombasa

The Municipal Council of Mombasa is the second largest town in Kenya and the main gateway into Kenya through its International seaport and airport. It is also the main gateway for East and Central African countries of Uganda, Burundi, Rwanda, Democratic Republic of Congo and Southern Sudan with one of the busiest seaports in the East African region. Mombasa is second to Nairobi in terms of Industrial base. It is also a busy and attractive tourist destination in the region due to its historical monuments, high class hotels and attractive ocean and beaches. Mombasa's economic and social importance cannot be overemphasized. The Kenya Uganda Railway line which also serves the landlocked countries mentioned above has seen the growth of Mombasa as a major town and a seaport. Mombasa municipality is located at about 435 kilometers south east of Nairobi at approximately latitude 4 24'S and longitude 39 37'E. It borders Kilifi District to the North, Kwale District to the South West and the Indian Ocean to the East. The Municipality covers an area of about 347 square kilometers.

The Council has 26 elected councilors each representing one of the 26 Council wards (election area) and 8 nominated councilors (including the Public Officer) who are nominated by political parties represented by the elected councilors on a pro-rata basis) making a total of 34 councilors. The councilors when meeting in Full Council are empowered to run the Council. The Local Government Act Cap 265 mandates Local Authorities to form only one mandatory committee to manage the finances of the council. All other committees are formed based on the need of each Council with the approval of the Minister for Local Government. In order for the Council to effectively deliver the services it is mandated by law, it is organized into 11 departments namely; Town clerk, Human Resource, Town Treasurer's ,Public Health,

Engineering, Housing and Social Services, Housing Development, Town planning department, Education department, Inspectorate, and Environment.

1.2 Research Problem

In pursuit of the goal of performance improvement within the public sector, New Public Management emphasizes on the adoption of private sector practices in public institutions (Balogun, 2003). Performance contracting has therefore been invariably seen through the public service reform initiatives in many developing countries as the solution to reversing falling service delivery. In quest of this same goal, Kenya introduced performance contracting not only improve service delivery but also to refocus the mind set of public service away from a culture of inward looking towards a culture of business as focused on customer and results. The push factor for introduction of performance contracting in Kenya underlies the assumption that institution of performance measurements, clarification of corporate objectives, customer orientation and an increased focus towards incremental productivity and cost reduction can lead to improvements in service delivery (GOK, 2003).

Over the years, poor performance of the local authorities, especially in the management of public resources has hindered the realization of sustainable economic growth. Some of the factors adversely affecting performance include; excessive regulations and control, frequent political interference, poor management and bloated staff establishment. The challenge of securing commitment for results is profound, particularly at this time when the rhetoric of public services performance improvement is as prevalent as the reality. This commitment takes a willingness to commit before hand, take responsibility for, to own and to accept praise and blame for delivery of services agreed upon in a performance contract. Performance based

accountability systems in the United States education sector just like in the rest of the public sector share the common assumption that information about performance improves quality and reliability of services. Creating public information about the public sector's performance, the theory goes, improves the quality of services (Elmore, 2007).

Municipal council of Mombasa has been facing deteriorating performance in the provision of services to the residence. This is due to low revenue collection for operations and maintenance, lack of clear strategic plan, policy priorities, and identification of functions for divesture or outsourcing, determination of optimal staffing levels and capacity building and political intervention. Performance contracting necessitated a paradigm shift from process oriented, control, unnecessary bureaucratic practices, inward considerations and being risk averse to target results, delegation, enabling and empowering speedy delivery of services, client focussed and risk management in order to successfully improve the delivery of services and self sustainability.

A number of studies on performance contracting in Kenya have been carried out but focused on different aspects. Choke (2006) studied on the link between strategic planning and performance contracting, Lagat (2006) studied on the conditions necessary for the design and implementation of performance contracts, Njiru (2007) studied on the management of strategic change in the implementation of performance contracts among state corporations in Kenya. Thus, no study has been done on the impact of performance contracting and challenges faced on service delivery in local authorities. Hence a gap exists on how performance contracting has impacted on delivery of services. It is this perceived knowledge gap that this study strives to narrow. The study will specifically address the following questions: What challenges does

Municipal Council of Mombasa face in delivery of Services? How has Performance Contract impact on service delivery at Municipal Council of Mombasa?

1.3 Objectives of the Study

The study seeks to establish the following issues.

- i) To identify the challenges faced by Municipal Council of Mombasa in delivery of Services.
- ii) To determine the effect of performance contracting on service delivery at the Municipal Council of Mombasa.

1.4 Value of the Study

The findings of this study will be useful to the management, stakeholders and staff of Municipal Council of Mombasa, other local authorities and the ministry of local government, as they will have an opportunity to measure the progress and direction of performance contracting effort in enhancing service delivery to the residents.

The findings of this study will enable to come up with measures on how to overcome the performance eradicating factors and how such measures could contribute to successful performance contracting implementation. This will help in redesigning of the performance contracting framework, process, and evaluation system of performance. For academicians and other researchers, the findings will contribute to existing literature for further research to extend, refine or validate the findings of the study.

CHAPTER TWO: LITERATURE REVIEW

2.1 Introduction

This chapter provides a literature review on performance contracting, service delivery, challenges on service delivery and performance contracting on service delivery.

2.2 Performance Contracting

Performance contracting is a branch of management science referred to as a management control systems (GoK, Training Manual, 2005). Kumar (1994) defines performance contracting as a memorandum of understanding (MoU). In Kenya performance contracting is used as a management tool to help the public sector executives and policy makers to define responsibilities and expectations/ targets between the contracting parties to achieve common mutually agreed goals (Kobia and Mohamed, 2006). Different scholars have defined performance contracts differently. However, they seem to hold similar views on the contents of performance contracts. According to Blasi (2002), a performance contract is an agreement between two parties that clearly specifies their mutual performance obligations, intentions and responsibilities. It is a freely negotiated performance agreement between the government, acting as the owner of a government agency, and the agency itself up to and including other levels of management levels of the organisation. Most commonly, performance contracts include bonuses for a job well done, less often, salary decrease for poor performance. The increase interest in performance contracts coincides with the demands for greater accountability.

Nellis (1989) observes that performance contracts are negotiated agreements as owners of a public enterprise, and the enterprise itself in which the intentions, obligations and responsibilities of the two parties are freely negotiated and then clearly set out. Shirley (1998) advocates the view that performance contracts seem to be a logical solution since similar contracts have been successful in the private sector in shifting them from ex ante control to ex post evaluation, thus giving managers the autonomy and incentives to improve efficiency and thereafter holding the managers accountable for results. Shirley and Xu (2000) observe that performance contracts are now widely used in developing countries where successful contracts have featured sensible targets, stronger incentives, longer terms, and managerial bonds but confined within competitive industries.

Mann (1995) and GoK(2005a) trace the evolution of performance contracting to France in the 1970s when the French Prime Minister commissioned a committee headed by Simon Nora to investigate relations between public enterprises and the ministers. The concept was thereafter introduced in Franco-phone Africa in the 1980s in the National Railway in Senegal. Latin America and Asia countries followed later in the same decade. Performance contracts are known by different countries as performance agreement;

Memorandum of understanding; purchase agreement; results framework; and letter of responsibility (GoK, 2005A; Trivedi, 2005).

There are generally three types of performance contacts namely; the French system, the signalling system and the results based management. The French based system of performance contract does not allocate weights to targets. There is therefore no distinction between targets in

terms of emphasis (by weighing them differently) and as such performance evaluation is affected by a highly degree of subjectivity. This system is practiced in France, United Kingdom, Senegal, China, Ivory Coast and Benin (Mann, 1995; Trivedi, 2005; GoK, 2005a). The Signalling System is based on the premise that public enterprise management should be appropriately guided to aim at improving real productivity and its efforts acknowledged and rewarded by an incentive system. It allocates weights and adopts a system of “five point” scale “criteria weights” which result in calculating of “composite score” or an index of performance of the enterprise. The system aims at motivating management to maximize return on the sunk capital. A performance contract is signed at the beginning of the year in which management is committed to improvement in real profitability. The system is practiced in Pakistan, Korea, Philippines, India, Bolivia and Gambia (Mann, 1995; Trivedi, 2005; GoK, 2005a).

Performance management is a systematic process of planning work and setting expectations, continually monitoring the performance, developing the capacity to perform and periodically rating performance. Results based management is one of performance management process. The concept involves formulation of outcomes and goals, selection of outcome indicators, setting of specific targets to reach and dates for reaching them, assessment of whether the targets have been met and analysis and reporting of results (Armstrong, 2003). The concept of results based management emphasizes the need for key internal and external stakeholders to be consulted and engaged in setting outcomes, indicators and targets. Whereas performance contracts focus on the outcome and results, result based management is a system that is used by the government agencies to achieve specified targets by focusing on inputs, processes and

outcomes. Results based management is therefore a system that is used to mobilize the entire staff in an organization in achieving the agreed targets (Dessler, 2003).

In Kenya context a performance contract is a written agreement between the government and a state agency (local authority, state corporation or central government ministry) delivering services to the public, wherein quantifiable targets are explicitly specified for a period of one financial year (July to June) and performance measured against agreed targets. According to Blasi (2002), a performance contract is an agreement between two parties that clearly specifies their mutual performance obligations, intentions and responsibilities. The performance contracting practice hence mirrors very closely the OECD definition ‘as a range of management instruments used to define responsibility and expectations between parties to achieve mutually agreed results’. Performance contract is freely negotiated performance agreement between Government, organisation and individuals on one hand and the agency itself (Kenya, Sensitization Training Manual, 2004). It is an agreement between two parties that clearly specify their mutual performance obligations, and the agency itself.

2.3 Service Delivery

From the local government policy statement, 2001, it states that local authorities in Kenya have the cardinal responsibility to secure and deliver sustainable development through the provision of sustainable services to the local community. This means that Local Governments are important institutions in a country’s development. Further, most of the services provided by Local Governments address the eight [8] Millennium Development Goals (MDGs) (SVN 2006). The MDGs status report of Kenya (2005) illustrates the eight

goals as eradication of extreme poverty and hunger, achieving universal primary education, promoting gender equality and women empowerment , , reduction of child mortality, improving maternal health ,combating HIV/AIDS, malaria and other diseases, ensuring Environmental sustainability and developing global partnership for development. The activities to achieve these goals are part of the services provided by Local Government as discussed under the functions and provision of Local Authority services (chapter 3 section 5). The implementation of these functions and mandates including MDGs programmes are essential in promoting community's well-being (Freire and Polese, 2003).

The Cities Alliance Report (Menkveld and Cobbett, 2007) describes Local Government as providing platforms for productivity, entrepreneurship and economic modernization, poverty reduction and practicing good governance. This means that activities of Local Governments affect the livelihoods of their inhabitants and hence their importance.

Services in Local Authorities are provided by using two types of functions as specified by the Local Government Act. These are the mandatory and permissive functions. Mandatory functions are functions that are Local Authority must do under law. For example to provide for the burial grounds and crematoria; and bury destitute persons who die in the Local Authority areas and whose bodies remain unclaimed from the local hospital mortuaries.

Permissive functions are those that Local Authorities may exercise at their own instance and others that may perform subject to the approval of the Minister or subject to compliance with the law (Omamo, 1995). Such functions may require Local Authorities to have organizational

ability and financial capacity in order to carry out the functions. Most of the provisions allowed by the Local Government Act (as specified in sections 143-197) are essentially permissive.

2.4 Challenges of Service Delivery

Organizations that provide products and services in response to consumer wants and needs are faced with significant and expanding challenges and opportunities in the twenty first century. Given the on-going emphasis on organizational governance and accountability, the competitive nature of the global economy, impact of technology and needs of a dynamic workforce, local authorities are faced with increased emphasis on organizational leadership.

Mburugu (2005) in his study he stated that one of the main reasons for poor performance, low management morale and lack of management accountability in local authorities Mombasa included, is the perceive tendency of politicians and ministries to treat local authorities as government departments, to require all major decisions to be made or approved by the Minister of Local Government, and to leave no room for the local authorities to be autonomous. Without autonomy, local authorities cannot run efficiently.

GOK (2003) identifies education as a key determinant in provision of services. Majority of local authorities employees lack competency on the assigned tasks. This has resulted to poor service delivery. Opondo (2004) states that survey of Strategic Planning and Performance of Public Operations found out that an institution with employees who are specialized will achieve targets more than those with little training.

Local authorities have been having financial deficits. The United Nation Secretariat (1997), states that despite Local Authorities playing important roles in many countries, both developed and developing, there has been increasing concern about the financial performance of local authorities, with their dependency on the Government for subsidies and other forms of assistance contributing to deficits in councils budgets and aggravating inflationary pressures. This has resulted to non payment of employee salaries, suppliers and statutory bodies.

2.5 Performance Contracting and Service Delivery

Most local authorities are poorly managed and it has not been easy for them to achieve the basic needs. For example, paying employees salaries and wages has been a thorny issue in most local authorities. Submission of statutory deductions has left many retirees in great pain and unable to sustain themselves after retirement. Huezynski and Huchanan (2001) state that with these environmental changes, local authorities have come under intense pressure to improve their operations and processes so as to reduce reliance on exchequer funding and also to increase transparency in operations and utilization of public resources, increase accountability for results and deliver services more efficiently and at affordable prices.

If this is the scenario, and local authorities main objective is to give service to the resident and most if not all cannot meet the demand of their residents, example Mombasa Municipal Council cannot cope with the increasing number of destitute children, hawking problem in the streets, congestion of traffic, both human and vehicles in central business district, pace of developers who are ahead of planning, the list is endless. The local authorities needs to address all the above issues if we have to make any impact in achieving vision 2030, which the local

authorities are strong partners. The local authorities need to change the way they are run to cope with the changing environment in line with vision 2030.

The main purpose of the performance contracting according to Armstrong and Baron (2004) is to ensure delivery of quality service to the public in a transparent manner for the survival of the organization. Hence, need of reform initiatives targeting performance improvement and management in the public service were required, thus introducing the public sector reforms guided by Economic Recovery policy direction (DPM, 2004). In the Economic Recovery Strategy for Wealth and Employment Creation (ERS) 2003-2007 policy document, the government accords high priority to economic recovery and improving the performance of public service to deliver results to the people. Up to this point, the goal of public sector reform was the restoration so as to equip it well in order to play a pivotal role in national development. This called for fundamental changes in the way the sector operates in institutional organization and relationships, and in the individual and collective behavior of those serving in the sector. The aim is to enhance efficiency and effectiveness together with probity and integrity. In effort to achieve the objectives and targets of ERS and to manage performance challenges in public service, the Government adopted Performance Contracting (PC) in public service as a strategy for improving service delivery to Kenyans. The Performance Contract is one element of the broader public sector reforms aimed at improving efficiency and effectiveness, while reducing total costs.

CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction

This chapter contains the steps followed in the execution of the study. They included the research design, data collection and data analysis methodology.

3.2 Research Design

The research used a case study design. The aim of the study was to document the impact of performance contracting on service delivery in the City of Mombasa as a local authority. The case study method was chosen because it gave an in-depth understanding of the behaviour pattern of the Local Authority. According to Odum and Katherine (1929), the case study method is a technique by which an individual factor or a group is analysed in relation to any group, while Young (1960) describes case study as a comprehensive study of a social unit be it that unit a person or a group, a social unit be it that unit, a person or a group, a social institution, a district or a community.

The case study is a form of qualitative analysis where study is done in institution or situations and from this study data generalizations and inferences are made. However a case study has its limitations, in that the researcher might be unable to collect the data due to lack of access to the source or the researcher might be subjective or even the danger of false information (Saunders, 2000).

3.3 Data Collection

The study used both primary and secondary data. Qualitative primary data was collected by use of face to face interviews. This was deemed sufficient to authenticate the views presented and validate secondary information collected.

The target interviewees were all eleven departmental heads and the Town clerk's office. These top officers were and are still involved in performance contracting process at the municipality and provide incisive information on management perspective of the impact on the contracting process. The interview guide was selected because they are convenient in obtaining information quickly, cost effectively and within the short time period available for the study. Secondary data was collected from various sources including financial statements and performance reports prepared during planning, implementation and evaluation stages. The reports also contain information on the challenges faced during performing of the various agreed targets.

3.4 Data Analysis

Data was analyzed using conceptual content analysis. This type of analysis was suitable in that it did not limit the respondents on answers and had the potential of generating more information with more details. Analysis of primary data collected from the interviews and secondary data sources were guided by variables such as political environment, approach to performance contracting, and performance contracting content and achievement of results. The content was compared to determine the extent to which it corroborates or contradicts. Findings were summarized into a report, discussed and conclusion made.

CHAPTER FOUR: DATA ANALYSIS, RESULTS AND DISCUSSIONS

4.1 Introduction

The chapter presents an analysis of the data collected from 11 departmental heads and the town clerk of Municipality Council of Mombasa. This data was gathered through face to face interviews with the head of departments who were put under performance contracting. Majority of the interviewees have worked with the municipality of Mombasa for more than five years. This means the interviewees being senior managers were competent, experienced as well as conversant with the matter regarding performance contracting. Secondary data was collected from the council's tool's evaluation reports for the periods ranging between 2007/2008 to 2010/2011 cycles of the project implementation. Data analysis and report of findings was done using content analysis. The findings of the study were interpreted and discussed.

4.2 Challenges in delivery of services at the Municipal Council of Mombasa

The rosy picture painted about the process of introduction of performance contracting could however mislead one to imagine that the process has been free of challenges. In reality, the process was found to be facing a retinue of challenges according to majority of the interviewees. These according to most departmental heads include, financial constraints, shortage of staff, political interference and negative attitude by stake holders. Some departmental heads indicated shortage of working tools (Engineering), shortage of competent staff, lack of adequate resources outlined in the performance contract e.g means of transport (Inspectorate) and at times time constraint. The town clerk listed financial constraints, aged work force, political interference and civil disobedience as some of the sources of challenges

that the office has had to contend with in the process of implementation of performance contracting in the operations of the council.

In an attempt to overcome the challenges mentioned above and forge ahead with quality service provision to the people of Mombasa, the interviewees response to the challenges include: Adhering to the budget and not accepting unbudgeted project, constant follow up to treasury for release of funds in time, constant follow ups with the management for prompt facilitation, seeking external sponsors to complement the allocation from treasury, out sourcing services to minimize wastage and tap in much needed expertise which the council can ill afford, holding of 5 sensitization meeting every year for review of the tools efficiency and process of implementation.

Nonetheless, some of the challenges were found to be a little tricky resolving amicably according to the responses of some of the departmental heads. According to the social service department head, children involvement in anti social behaviour which include drugs and substance abuse and child prostitution are some of the challenges that the department is finding to be more than challenging to sort out within their jurisdiction. The treasury department indicated that they were finding it difficult to answer up to the financial demands of the other departments. Finally the town clerk indicated that dealing with challenges attributed to political interference was proving to be very trying. Such challenges were found to be negatively affecting performance according to the town clerk.

The interviewees indicated that they intended to intensify sensitization of employees, engaging the management and sourcing for funds from donors to improve infrastructure among many means as a mechanism of responding to the challenges so far not satisfactorily responded to.

4.3 Effects of performance contracting on service delivery at the Municipal Council of Mombasa

The effect of performance contracting on service delivery at the Municipal Council of Mombasa was determined by an assessment of the perception of the interviewees in conjunction with the evaluation reports of the process. The interviewees (departmental heads) considered the level of service delivery by the council before the introduction of performance contracting to be either poor (8 – 66.67%), average (3 – 25%) or fairly satisfactory (1 – 8.33%). This means that according to a majority of the interviewees, the level of service provision by the council to the residents of Mombasa was below its expected level. The clerk's office in particular indicated that the level of service delivery to the people of Mombasa before introduction of performance contracting stood at 30% which was way below the expected level and corroborates the assertion of the departmental heads.

They therefore contend that performance contracting was introduced to improve performance on service delivery, enhance accountability, professionalism and results oriented management. They assert that the persistent under performance or poor performance in some sectors and non performance of other sectors of the council necessitated the introduction of performance contracting. This, it was envisaged would enable the council to reach set targets thus offer better services to its customers and also act as a reward mechanism for the employees.

The effects of the tool according to majority of the interviewees including the council's clerk were promptly felt within the municipality in improved service delivery, improved employee accountability and enhanced team spirit due to its ability to motivate employees to work. This assertion was confirmed by the tool's evaluation reports for the periods ranging between 2007/2008 to 2010/2011 cycles of the project implementation. The condensed section of this report is contained in Appendix II.

The general impression of the report is that all the departments evaluated have registered remarkable improvement in terms of service delivery, in some instances doubling or tripling the various sectors output. For example, according to the report, revenue collection which stood at 1.18 billion in 2007/2008 cycle improved to 1.2 billion in 2008/2009 cycle then 1.23 billion by 2010/2011 cycle. The council's development index which stood at 16% in 2007/2008 cycle shot to 29.8% the following cycle before stabilizing at 30% in the subsequent cycles. The report further shows that garbage collection which stood at 64% in 2007/2008 cycle has since stabilized at 94%. It was also established that the council has since the establishment of performance contracting attained 100% level of enforcement of bye laws and other laws. Other essential sectors including health and education have also not been left behind and seem to have registered similar trends of improvement in service delivery.

According to the interviewees, this remarkable achievement was enabled by the ability of the tool as observed earlier to motivate employees to be result oriented, foster enhanced customer focused service delivery which was then registered in improved service delivery. Its result

oriented approach was said to be the main drive for the employees to be focused on service delivery. This, as earlier intimated culminated in improved employee accountability and transparency and consequently customer and employee satisfaction.

The success of the process has necessitated the need of its roll out across all sectors of the council operations and cascade to the junior most employees. The town clerk categorically stated that it is the intention of the council for all its workers to be involved in the implementation of performance contracting. At the moment the office affirmed that the process is fully embraced at three topmost levels of the council's hierarchy across all the departments of the council and will ultimately be cascaded down to the junior most employee of each department.

It was however felt that the program will die with the introduction of county government. This fear is informed by the uncertainty of the council's existence in the new dispensation. Due to the relevance of the tool in governance and service provision, a majority of the interviewees felt that there is need of the tool to be revised to suit devolved system of governance at the appropriate time. An absolute majority of the interviewees were emphatic that performance contracting will be part of the council work culture.

4.4 Discussions of findings

Performance contracting is a branch of management science referred to as a management control systems (GoK, Training Manual, 2005). The process of performance contracting is based on the premise that public enterprise management should be appropriately guided to aim

at improving real productivity and its efforts acknowledged and rewarded by an incentive system. It was introduced to the Municipal council of Mombasa on the prompting of the Ministry of Local Government (MLG) in collaboration with the office of the President as a Government policy of operation.

Performance contracting in local authority was initiated in order to improve on and to control operations in the area of service delivery, customer and employees satisfaction (GOK, 2004). The study findings showed that all the interviewees had noticed positive changes in service delivery. In particular, it showed that 90% of employees were able to deliver as per their service targets. This could be due to the fact that performance contract document is designed to cascade the intended purpose of performance contract initiatives using relevant communication methods that were easily understood. This implied that managers did understand performance contract. The process leading to introduction of performance contracting at the council involved sensitization of the senior management personnel through seminars and workshops as was indicated by the clerk's office. Indeed, all the departmental heads indicated during their interview that they were sponsored for seminars and workshops and it was at such forums that they first learnt of the process of performance contracting. The resulting pay-off of the induction of the officers into the process therefore is the remarkable improvement in the level of service delivery. The finding agrees with those of Nellis (1995) who stated that introduction of performance contract initiatives would enhance better service delivery by public institutions.

Employees' perceptions of an organization are crucial to the success of the organizations since the driving force behind the success rests on them. This is developed overtime and can change

as new procedures, practices and experiences are adopted and acquired. Williams (2004) points out that performance contract have been viewed as a management process that is supposed to improve staff performance. Study revealed that all interviewees concurred of being satisfied with their performance since introduction of performance contract. Staff performance under performance contract has been viewed as an important instrument for the implementation of performance management used to set and improve targets between parties. GOK (2005) on performance contracts in public sector has encouraged use of appropriate technology and value addition advocating for change.

Relevant authorities therefore needs to move fast in sealing all the loopholes still encountered in the process of implementation of this important tool of management to enable not only by the Municipal council of Mombasa to up its service provision level but all the other sectors if the country is expected to make major strides in achieving the millennium development goals and the vision 2030. More information should be given to the lower cadre of employees of all the sectors to prepare them well in advance as they await to receiving and implementing the blue prints of the tool. Doing this early enough would help save a lot of precious time.

CHAPTER FIVE: SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter presents a summary of the findings gathered from the analysis of the data. Conclusions have been drawn from the study and recommendations put forward that may help to deal with the challenge of and the effects of performance contracting on service delivery at the municipal council of Mombasa.

5.2 Summary of findings

The study sought to find out the effects of performance contracting on service delivery at the municipal council of Mombasa. The sample consisted of 11 departmental heads and the town clerk. The study found out that all the departments of the municipality participated in the process indicating 100% response to the research. Analysis of the respondents' demographic characteristics isolated a condition of gender disparity in the distribution of the management position of the council which is male dominated.

Performance contracting was introduced to the Municipal council of Mombasa on the prompting of the Ministry of Local Government (MLG) in collaboration with the office of the President as a Government policy of operation as a mechanism of improving service delivery to the people of Mombasa. The process was initially met with a lot of suspicion, animosity and at times outright hostility by the employees of the council due to inadequate information about it. The situation however improved with passage of time and the process is currently viewed very positive by the officers of the council as a means of offering quality service.

The program is in its 3rd phase of implementation having successfully gone through the first phase, the Ministry (Permanent secretary) – Town clerk/Mayor, then the Town clerk/Mayor – Heads of department phase and currently the Head of department – Heads of section phase. It involves target setting, program implementation and monitoring and periodic evaluation. The analysis isolated financial constraints, shortage of staff, political interference and negative attitude by stake holders, lack of adequate facilities and technical staff as the major sources of challenge to service delivery to the people of Mombasa municipality.

The effects of performance contracting, according to a majority of the respondents including the council's clerk is registered in improved service delivery, improved employee accountability and enhanced team spirit due to its ability to motivate employees to work. Due to the success of the initial phases of the process its roll out across all sectors of the council operations and cascade to the junior most employees is envisaged in the immediate future.

5.3 Conclusion of the study

Conclusions of the study findings are advanced based on the relationships that were established for each of the different research objectives. From the foregoing summary, it can be concluded that the process of performance contracting implementation at the municipal council of Mombasa has transformed the once inefficient council into a vibrant entity that is able to provide efficient and quality service to its customers. It has moved from being a tool that the employees loathed to one which they look forward to in order to help them achieve their share of service, several challenges notwithstanding.

5.4 Limitation of the study

The major limitation of the study was as regards low number of respondents conversant with performance contracting and relevant independent sources information to guide the research particular as regards the level of service delivery before and during the various stages of implementation of performance contracting.

5.5 Suggestions for further research

From the findings further research are suggested as follows; To begin with, a study on the perceptions of the residents of Mombasa municipality on the quality of service delivery from the Municipal Council of Mombasa is recommended. Also, there is need for a comparative study on the effects of performance contracting on the quality of service provision by various councils within the Republic of Kenya.

5.6 Recommendations for Policy and Practice

From the observations made in the course of this study, the following recommendations are deemed appropriate: The management should employ young skilled workforce to complement the aged human resource available to ease the anxiety of transition. Also, there is the need for the management to prepare the employees by equipping them with enough information before introduction of a new concept or product to help demystify the process of innovation of products and services. Lastly, it is recommended that the management vigorously source for funds to enable the council provide quality service to the residents.

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APPENDICES

APPENDIX I: INTERVIEW GUIDE

Town Clerk Interview Schedule

Introduction

The statements below are intended to gather information about the effects of performance contracting on service delivery at the municipal council of Mombasa. Suggest to the best of your ability your opinion against each of the statements. The information obtained from this interview guide will be treated confidentially and will not be used for any other purpose other than academic. Thanks for accepting to take part in the programme. .

1. What is the Council's mission statement?
2. What is the Council's vision?
3. What are the objectives of the Council?
4. What necessitated the performance contracting?
5. Who initiated the performance contracting?
6. Do the politicians play any role in performance contracting processes?
7. Which steps have been undertaken for the introduction of performance contracting to the Municipal Council of Mombasa staffs?
8. What is the perception of the staff on performance contracting?
9. To what extent has the performance contracting affected delivery of services?
10. Were specific teams mandated the responsibility to implement the performance contracting? If yes, give details.
11. What steps have you taken to ensure the performance contracting is achieved and maintained?

12. Were there any short term monitoring processes for the performance contracting implementation? If yes, give details.
13. Were those who achieved targets rewarded? If yes, give details.
14. How do you allocate resources?
15. How does the top management embrace the performance contracting?
16. What was the level of service delivery before introduction of performance contracting?
17. What are challenges experienced in delivering of services?
18. Has there been improvement in service delivery on introduction of performance contracting?
19. Who are the players in the implementation of performance contracting?
20. What are the challenges faced in the implementation of performance contracting?
21. How have you responded to the challenges?
22. Which challenges have been impossible to overcome?
23. How do the impossible challenges affect the performance?
24. What is the future of performance contracting in the council?

Head of Departments Interview Schedule

The statements below are intended to gather information about the effects of performance contracting on service delivery at the municipal council of Mombasa. Suggest to the best of your ability your opinion against each of the statements. The information obtained from this interview guide will be treated confidentially and will not be used for any other purpose other than academic. Thanks for accepting to take part in the programme

1. Gender
2. Name of department
3. How long have you worked at Mombasa municipal council?
4. How long have you been the head of this department?
5. What was the level of service delivery before performance contracting?
6. What necessitated performance contracting?
7. What was your response initially and now on the performance contracting?
 - i. Initially
 - ii. Now
8. How was it communicated to you?
9. Were you involved in the formulation and implementation of performance contracting?
10. How did the employees view and respond to performance contracting initially and now?
11. How were the employees informed and involved in the performance contracting process?
12. How has performance contracting affect service delivery?
13. Describe the performance contracting framework and how it was implemented?
 - i. Framework
 - ii. How it is implemented

14. What are the merits and demerits of the framework?

i. Merits

ii. demerits

15. What were the roles and powers of the employees in the various stages of the framework?

i. Roles

ii. Powers

16. How did you ensure the performance contracting is embraced and enhanced?

17. What challenges have you faced since introduction of performance contracting?

18. How have you responded to the challenges?

19. Are there challenges you have not responded to?

20. How do you intend to respond to them?

21. What has performance contracting achieved?

22. Has performance contracting been fully embraced?

23. What is the future of performance contracting in the council?

**APPENDIX II: EVALUATION REPORT OF PERFORMANCE CONTRACTING
FOR THE YEAR 2007 - 2011**

CRITERIA CATEGORY	UNIT	wt	Status 2007/08	Target 2008/09	Achievement	Classification	Wt	Status 2009/10	Target 2010/11	Achievement	classification
Revenue Collection	KShs	10	1.18 B	1.47B	1.2B	Good	10	1.23 B	1.57 B	1.23	Good
Cost Reduction or Savings	KShs	2	29.2M	33 M	22.6M	Fair	2	26.5	12.2	-	V. Good
Utilization of Funds as Programmed Activities	%	3	121	100	100	V. Good	3	109.25	100	112	Poor
Development index	%	3	16	32	29.8	Good	3	30	25	7.7	Good
Review or Compliance with Strategic Plan	%	2	100	100	100	V. Good	10	100	100	100	V. Good
Disposal of idle assets	%	1	63	100	80	Good	5	69	x + 5	71.51	Good
ISO Certification	%	1	5	33	45	Excellent	5	2	1	0	Fair
Corruption eradication	%	2	75	100	95	Good	2	100	100	100	Good
Prevention of HIV infections	%	1	80	100	100	V. Good	2	100	100	100	V. Good
Statutory Obligations	%	2	100	100	100	V. Good	3	63	75	70	V. Good
Development /review by – laws	%	0.5	100	100	100	V. Good	2	100	100	100	V. Good
Enforcement of By-laws	%	0.5	100	100	100	V. Good	2	100	100	100	V. Good
Enforcement of Other laws	%	0.5	100	100	100	V. Good	2	50	60	55	V. Good
Master plan	%	0.5	10	40	40	V. Good	2	50	70	75	V. Good
Infrastructural plans	%	0.5	10	40	40	V. Good	15			100	V. Good
Garbage Collection	%	1	64	100	90	V. Good	0.5	20	100	100	V. Good
Provision of litter bins	Nos	0.5	150	400	300	Good	1	100	100	55	Good
Construction or maintenance of drainage	Km	1		2.5	2.621	V. Good	0.5	7	7	75	V. Good
Development Control	%	1	N/A	100	100	V. Good	0.5	100	100	100	V. Good
* Tree Planting	No	1	20,163	1.2M	1.26M	V. Good	0.5	100	100	100	V. Good
* Develop/maintain Public Parks	%	1	100	100	100	V. Good	1	2	2	55	V. Good
a. Rehabilitation of dispensaries	Nos	1	2	1	1	V. Good	0.5	89.8	100	75	V. Good
b. Vaccination	%	0.5		100	100	V. Good	0.5	250	300	100	V. Good
c. Immunization	%	1	80	100	100	V. Good	0.5	782,848	1,000,000	100	V. Good
Antenatal clinics	%	1	N/A	100	100	V. Good	0.5	126	120	7	V. Good
Pest control /Mosquito control	%	1	N/A	100	100	V. Good	1	100	100	100	V. Good
Burial of unclaimed bodies	%	0.5	N/A	100	100	V. Good	1	100	100	2	V. Good
Maintenance of cemeteries	%	0.5	3	100	100	V. Good	0.5	100	100	98	V. Good
Maintenance of public toilets	%	0.5	N/A	100	100	V. Good	0.5	70	100	125	V. Good
Construction/maintenance of classrooms	Nos	1	2	4	8	Excellent	0.5	N/A	35	100	Excellent

