



MINISTRY OF ENERGY AND MINERAL DEVELOPMENT

ELECTRICITY ACCESS SCALE UP PROJECT (EASP)

TERMS OF REFERENCE

FOR

**PROVISION OF CONSULTANCY SERVICES FOR THE PREPARATION AND IMPLEMENTATION
OF THE RESETTLEMENT ACTION PLANS (RAPS) FOR THE EASP GRID ELECTRIFICATION
PROGRAM**

JUNE, 2022

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LIST OF ACRONYMS/ABBREVIATIONS

CGV	Chief Government Valuer
CDO	Community Development Officer
CPF	Country Partnership Framework
DCDO	District Community Development Officer
DMM	Department of Museums and Monuments
EASP	Electricity Access Scale-Up Project
EDP	Energy Development Programme
ESF	Environmental and Social Framework
ESMF	Environmental and Social Management Framework
GoU	Government of Uganda
GRM	Grievance Redress Mechanism
HIV/AIDS	Human Immuno-Virus/ Acquired Immunity Deficiency Syndrome
HSE	Health Safety and Environment
SEF	Stakeholder Engagement Framework
ESA	Environmental and Social and Assessment
ESS	Environmental and Social Standard
LC	Local Council
MDAs	Ministries, Departments and Agencies
MEMD	Ministry of Energy and Mineral Development
MGLSD	Ministry of Gender, Labor and Social Development
MLHUD	Ministry of Lands, Housing and Urban Development
MOFPED	Ministry of Finance, Planning and Economic Development
MoLG	Ministry of Local Government
MoWT	Ministry of Works and Transport
NDP	National Development Plan
NEMA	National Environment Management Authority
NFA	National Forest Authority
PAPs	Project Affected Persons
PIU	Project Implementation Unit
PWDs	People With Disabilities
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SIA	Social Impact Assessment
SP	Service Providers
UECCC	Uganda Energy Credit Capitalization Company
USEA	Uganda Solar Energy Association
UNRA	Uganda National Roads Authority
VMGF	Vulnerable and Marginalized Group Framework
VMGMP	Vulnerable and Marginalized Group Management Plan
WB	World Bank

1.0 Introduction

The Government of Uganda (GoU) has received funding from the World Bank towards the implementation of the Electricity Access Scale-Up Project (EASP). Part of the funding under this project will go towards implementing both electricity grid infrastructure and connections under the Government Electricity Connections Policy (ECP) and will be implemented on an Investment Project Finance (IPF) and Results Based Finance (RBF) approach under the Ministry of Energy and Mineral Development (MEMD). The EASP will have four components namely:

Component 1: Grid Expansion and Connectivity: Consumer connections (no-pole and one-pole) at-least 1,000,000 households, investments in new grid infrastructure to accommodate additional connections and electricity grid extensions;

Component 2: Financial Intermediation for Energy Access Scale-up: Soft loans through banks to Solar System Dealers to provide solar Systems to Schools, health facilities, water pumping facilities and communities far from the grid. Funds to be administered by Uganda Energy Credit Capitalization Company Limited (UECCC);

Component 3: Energy Access in Refugee Host Communities: This will provide interventions detailed under components 1 and 2 but specifically in the Refugee Hosting Districts.

Component 4: Project Implementation Support and Affordable Modern Energy Solutions.

The grid expansion and connectivity component of EASP aims at increasing access to electricity in all areas of Uganda through, among others, supporting attainment of Government's access goals in a timely manner thereby contributing towards achievement of Government's development goals outlined in the Electricity Connections Policy (ECP), Third National Development Plan (NDP III), Second Rural Electrification Strategy and Plan (RESP 2) and Uganda's Vision 2040. The Project will finance establishment of at least 1 million connections in rural, peri-urban and urban areas by implementing Last-Mile Connections within and outside the Umeme Concession, Network Expansion and Strengthening, Energy Access in Refugee Hosting Districts and Industrial Parks.

Thus, Government of Uganda through the Ministry of Energy and Mineral Development intends to apply part of the EASP facility proceeds towards consultancy services for preparation and implementation of **four** (4) Resettlement Action Plans¹ and supporting with the wayleaves acquisition associated with the construction of grid extension and intensification project in Uganda.

Other key consultancies shall include; Engineering Planning, Design, Procurement Support and Construction Supervision (PDSC) Consultant, Materials and Logistics Service Provider (MLSP), Independent Verification Agent (IVA) and a Marketing and Mobilisation Consultant (MMC).

1.1 Project location

The Electricity Access Scale up Project (EASP) will be implemented countrywide, including all Refugee Hosting Districts (RHDs) – see Figure 1 below². – excluding Kampala. This is because energy is a vital element of Uganda's Vision 2040. The Government of Uganda (GoU) has set a target of 60 percent electricity access level by 2027 and 80 percent electricity access by 2040.

¹ There will be one RAP preparation report and one RAP implementation report per geographical region of the country (i.e., North, East, South and West) according to the project design.

Key project activities

The construction of the electricity distribution lines will be associated with the following key activities:

- i. Clearing of the right-of-ways for medium voltage and low voltage lines;
- ii. Construction or hire of temporary workers' camps and storage facilities for project materials during project implementation.
- iii. Erection of the low voltage reticulation lines to bring supply points close to potential consumers.
- iv. Erection of medium voltage line support structures, accessories and conductors;

The Resettlement Action Plans (RAPs) are a pre-requisite to the implementation of grid-extension lines under the EASP. It is envisaged that the proposed overhead power distribution lines will mainly run within existing road reserves and therefore, will have minimal negative social and environmental impacts.

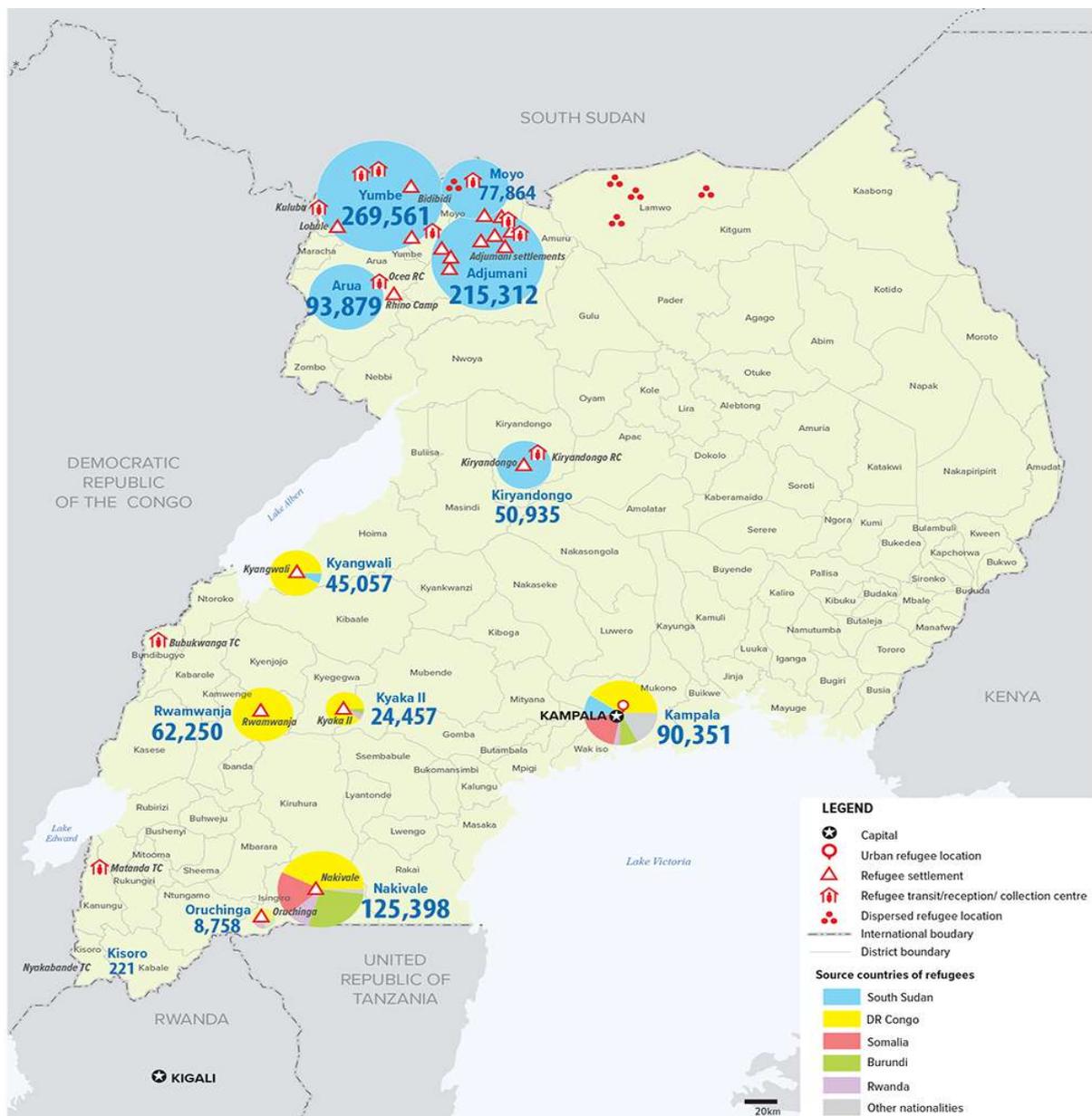


Figure 1: Map Showing the Refugee Settlements and Host Districts/Communities

1.2 Objectives of the Assignment

The objective of the assignment is to prepare and implement the Resettlement Action Plans (RAPs) due to the likely involuntary resettlement during grid densification, intensification and expansion for the Electricity Access Scale Up Project (EASP).

1.2.1 Specific Objectives of the RAPs

The objectives of the RAPs are to:

- a) Determine the scope and magnitude of social impacts resulting in the permanent or temporary acquisition of land and displacement of people.
- b) Avoid or minimize adverse social impacts related to land acquisition.
- c) Provide people with opportunities to participate in the design and implementation of the resettlement program.
- d) Assist displaced people in their efforts to improve their livelihood and standards of living or at least to restore them.
- e) Ensure that all vulnerable and marginalized groups are protected during project implementation by mitigating any potential risks.
- f) Develop valuation methodology and an entitlement matrix for property that will be affected.
- g) Recommend measures to mitigate the negative social impact of project-induced property loss through the provision of appropriate compensation.

The RAP will set the parameters and establish entitlements for Project Affected Persons (PAP), the institutional framework, mechanisms for consultation and grievance resolution, the time schedule and the budget, and propose a monitoring and evaluation system. Through census and socio-economic surveys of the affected population, identify, assess and address the potential economic and social impacts of the project that are caused by damage to trees and perennial crops.

The RAP will include the methodology to be used in valuing losses to determine their replacement value and description of the proposed types and levels of compensation. It will present a definition of affected persons and the criteria for determining their eligibility for compensation. An entitlement matrix defining compensation packages for each category of eligible persons will be drawn as part of the RAP.

The RAP will clearly explain the process of how compensation will be implemented. This includes details of information flows, money transfer to affected people, paperwork and sign off for compensation package approval. The RAP will also define a clear budget commitment from the GoU indicating the source of financing (planned) commitment.

An important part of this process shall be the establishment and clear dissemination of a **cut-off date** after which people moving into the project area will not be eligible to receive benefits under the project. The cut-off date shall be communicated in writing in the *Public Disclosure Notice* to the affected people and displayed at public places such as places of worship, health centres, Local Government offices and it will be published in the local dailies.

In this regard, the RAP should capture the following key aspects:

- 1) Cadastral surveys and property valuation that informs the RAP with the aim to:
 - a. Delineate private land and properties to be affected,
 - b. Compile an accurate list of the project-affected persons (that is, owners and land users having an interest in the road reserve).
 - c. Establish monetary worth of all perennial, annual crops and trees within the road reserve.

1.3 Scope of Resettlement Action Plans (RAPs)

The scope of services under the assignment will include RAP preparation and implementation. Developing a wayleaves management plan for the project and continuously updating it while taking into account emerging issues.

The objective of involuntary resettlement policy is to avoid or minimize involuntary resettlement and where this is not feasible, to assist displaced people in improving or at least restoring their livelihoods and standards of living in real terms relative to pre-displacement levels or levels prevailing prior to the beginning of project implementation, whichever is higher.

The purpose of the Resettlement Action plans (RAPs) therefore is to identify social impacts from the specific project activities within the project areas that may displace people from land or disrupt their productive resources (businesses, trees perennial crops), and result in the loss of livelihood.

Specifically, the RAP will assess viable alternative project designs to avoid, where feasible or minimize involuntary resettlement and as appropriate, examine adverse social impacts associated with the proposed distribution lines, including clearing of the Right of Way (ROW) and establishment of temporary camps for storage of construction equipment. RAPs will provide guidance on how project-affected persons in the project-affected areas should be assessed and equitably compensated.

Further, RAP assignment will be done through a consultative process. The outcome of the consultations will be reflected in the RAP report and incorporated into the project design as appropriate and will include Detailed Measurement Surveys, a Socio-economic Study and Identification (Census) of PAPs/impacted persons, and Public Consultation and Information Disclosure (PCID). The results of the consultations will be made available to all relevant stakeholders, including the potentially project affected persons.

The RAPs will be prepared consistent with the Government of Uganda's laws and policies, World Bank's guidance provided in its Environment and Social Standards-5 (ESS-5); and the Resettlement Policy Framework (RPF) prepared for the EASP.

The World Bank's Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement objectives are:

1. To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
2. To avoid forced eviction.
3. To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by (a) providing timely compensation for loss of assets at replacement and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
4. To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
5. To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
6. To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

It also ensures that possible adverse impacts of proposed project activities are addressed through appropriate mitigation measures against potential impoverishment risks.

These risks can be minimized by:

- a. Minimizing either impacts on or the number of PAPs or both, to the extent possible.
- b. Preparing a well-designed compensation plan and compensating in a timely manner (prior to project implementation) for losses likely to be incurred, displaced incomes and livelihoods where need arises; and
- c. Obtaining PAPs consent³ to access their land and/or premises for valuation purposes during RAP preparation and or implementation; and to access their land as a wayleave corridor during project implementation.

2.0 RAP Preparation Process/Activities

Under RAP preparation, the RAP Consultant will carry out the following key tasks in close collaboration with the Planning, Design and Supervision Consultant (PDSC) under the supervision of the contract manager of the MEMD's PIU.

- a) Review relevant safeguard documents including among others, the Environment and Social Management Framework (ESMF), Resettlement Policy Framework (RPF) and the World Bank Environment and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement as guiding documents for the development of the RAPs.
- b) Collection and documentation of comments and perceptions of the Project Affected Persons (PAPs) with regard to the activity for effective stakeholder engagement. The consultation process should ensure that women's perspectives/preferences and all vulnerable groups are equally obtained and their interests factored into all aspects of resettlement planning and implementation.
- c) Develop a vulnerability matrix to include female headed households, the elderly, child headed households, the disabled, among others and design interventions tailored to addressing different vulnerabilities with the aim of ensuring their lives are better than before.
- d) Carry out various social economic surveys and studies while raising awareness of the project among communities to be affected. The socioeconomic studies will gather data on livelihoods and income to establish a baseline for developing measures to improving the incomes prior to damage of property. The studies will be carried out paying attention to gender considerations most especially vulnerable households. The RAP shall include the results of a Census Survey on all individuals, households, perennial crops and trees, etc.
- e) Carry out consultations with relevant stakeholders, including potentially affected persons and obtain their views and suggestions regarding social impacts of the proposed project and measures to cover the losses, compensation standards, income restoration measures, institutional arrangements, grievance redress mechanisms etc. The results of the consultations will be made available to all relevant stakeholders, including potentially affected persons through RAP disclosure.
- f) Determine the extent of the impacts due to involuntary resettlement associated with the damage to perennial crops and trees for purposes of construction of the power line, and put in place measures to mitigate those impacts.
- g) Determine the cutoff date and disclose it to the PAPs.

³ Appropriate Consent forms (acceptable to MEMD and the World Bank) have to be developed by the RAP Consultant to ensure that Project Affected Persons (PAPs)'s property is not destroyed or construction activities commenced prior to compensation of the same.

- h) Obtain all cadastral and other relevant information necessary to identify property owners and other persons that are likely to be affected by the project, using maps and drawings that show the land tenure system and affected Persons. Each type of tenure is to be uniquely identified.
- i) Establish a Project Affected People's database and capture photos of all assessed perennial crops and trees cultural property and graves as they appear in the project area;
- j) Prepare resettlement strategies including entitlement matrix and arrangements for implementation that would mitigate adverse socio-economic impacts and grievances. The matrix will indicate the types of assets eligible for compensation, category of the entitled or affected people/institution in terms of land ownership, and the forms of compensatory actions that will be taken for each type of asset. The matrix shall also provide for capturing of key data vulnerable groups and women headed households.
- k) Prepare a stakeholder management process based on the RAP stakeholder engagement plan and execution of public and PAP consultation meetings to prepare all stakeholders on the RAP implementation commencement, grievance redress mechanism, ensuring the public and PAP's understanding of all procedures and issues pertaining to the RAP implementation.
- l) Documenting all stakeholder engagement proceedings including discussions with PAPs.
- m) Prepare strip maps for areas where final designs have been carried out , drawings and data complying with requirements of the in close liaison with the Valuation Division Ministry of Lands, Housing and Urban Development, carry out detailed valuation of all properties affected by the project in order to provide the basis for compensation.
- n) Provide the design consultant with strip maps for incorporation in the detailed designs , update and harmonize the designs with the strip maps in the final RAP report.
- o) Develop Project Environmental Briefs for the different grid expansion schemes.
- p) Deposit at the local authorities in accordance with the Town and Country Planning Act, the resultant strip maps and drawings showing the alignment, property boundaries, including plot numbers, ownership and land tenure systems.
- q) Define RAP implementation arrangements, citing agencies and their responsibilities and detailed roles and responsibilities while making recommendations where some agencies have lean and specific capacities of staff.
- r) Establish RAP implementation monitoring and reporting arrangements both during the project and post project implementation in order to assess the efficiency and effectiveness of the RAP process;
- s) Define implementation schedule in relation to overall project implementation.
- t) Establish costs and GoU commitment of budget including cost of compensation and project monitoring activities.

All activities undertaken should be in line with the World Bank's Environment and Social Framework (ESF) and in particular Environmental and Social Standard 5 (ESS 5): Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.

2.1 Socio-economic studies and project impacts

The socio-economic studies shall be conducted by carrying out consultations with relevant stakeholders, including potentially affected persons, to obtain their views and suggestions regarding the social impacts of the proposed project and agree on the measures to cover the losses. The outcome of the consultations will be reflected in the RAP report and incorporated into the project design as appropriate. The results of the consultations will be made available to all relevant stakeholders, including the potentially project affected persons.

The socio-economic studies shall document standard characteristics of the households affected, including descriptions of production systems, labor, and household organization, and baseline

information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the population to be affected by the project activities, the magnitude of the expected loss of assets (total or partial), and the extent of the effect (physical or economic) with respect to the different income streams.

The study shall contain detailed information on vulnerable and marginalized groups or persons, for whom special provisions may have to be made, especially in the event that relocation is required. In the report, the consultant shall outline the criteria used to identify vulnerable persons.

The consultant shall make provisions to update information on the affected people's livelihoods and standards of living at regular intervals.

The mainstay of the report will be based on the census survey and socio-economic studies that include:

1. The current occupants and an inventory of the assets they are likely to lose, or that are affected by the project, to establish a basis for the design of the resettlement program;
2. Data on vulnerability disaggregated according to age, PWDs, female headed households, child headed households, marginalized communities among others.
The PAPs identified by categories, the inventory of their losses in terms of the physical assets lost i.e. types of standing perennial crops and trees to be destroyed.

Tables and graphs may be used to highlight presentation of the above data, the Consultant shall also identify the project component or activities that will give rise to resettlement; sections of the lines where resettlement shall be practiced; the alternatives and the mechanisms considered to avoid or minimize resettlement prior to project implementation.

- (i) The socio-economic studies shall be confined to the project activities (grid densification, intensification and expansion; and off-grid infrastructure) with the aim of recommending appropriate livelihood restoration strategies and community development action plans for the PAPs along the line. The Consultant can use earlier collected data if available and collect data on social-economic characteristics of the project affected people together with the census and inventory of assets. In order to provide for the socio-economic environment of the area and its environs, secondary data may also be included.
- (ii) The Consultant shall present the findings of the social economic studies that have been conducted earlier or together with the census of the PAPs.
- (iii) In more detail, socio-economic studies should document standard characteristics of households to be affected, including a description of production systems, labour, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the population to be affected by the project activities; the magnitude of the expected loss - total or partial - of assets, and the extent of the effect, physical or economic while bearing in mind the different income streams
- (iv) detailed information on vulnerable groups or persons, for whom special provisions may have to be made. The consultant should outline criteria used to identify vulnerable persons and
- (v) Provisions to update information on the affected people's livelihoods and standards of living at regular intervals.

In addition, studies need to be conducted that describe the following:

1. Land tenure and transfer systems, including an inventory of common property, natural resources from which people derive their livelihoods and sustenance, non-title-based systems (including grazing, use of forest and swamp areas) governed by locally recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area.
2. Patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project. For example, specific community groups like SACCOS or farmer groups that could be disrupted as a result of project implementation.
3. Public infrastructure and social services that will be affected. Based on the findings of the socio-economic survey, the consultant should conclude whether the project will have a significant impact on access to social services like water sources and health centres.
4. Social and cultural characteristics of communities to be affected, including a description of formal and informal institutions (e.g., community organizations, ritual groups, non-governmental organizations) that may be relevant in the consultation or to the design of the resettlement activities, or offer opportunities for synergies in implementation. These should be particularly considered for livelihood restoration activities in areas where similar undertakings by districts and other development partners exist.
5. Social norms, values and practices for community and family level promotion of social cohesion and conflict resolution mechanisms.

2.2 Policy and Legal Framework

The consultant shall analyze the legal framework and document the findings. The work shall cover the following:

1. The scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment.
2. Applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal time frame for such procedures and any available alternative dispute resolution mechanism that may be relevant to resettlement under the project.
3. Relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation and natural resource usage rights, customary law and environmental laws and social welfare legislation.
4. Laws and regulations relating to the agencies responsible for implementing resettlement activities.
5. Gaps, if any, between local laws covering eminent domain and resettlement and the World Bank's resettlement policy and the mechanisms to bridge such gaps. Reference shall also be made to the World Bank Environmental and Social Framework.
6. Any legal steps necessary to ensure the effective implementation of resettlement activities under the project including, as appropriate, a process for recognizing claims to legal rights to land – including claims that derive from customary law and traditional usage.

2.3 Land/Property Survey and Valuation

The methodology used in valuing losses to determine their replacement cost, and a description of the proposed types and levels of compensation shall address the requirements of Ugandan law and the requirements set by the World Bank ESS 5. Details of what ought to be done among others includes the following activities.

2.3.1 Property Survey

The property survey shall:

1. Establish the names and particulars of the affected persons, size of land and ownership status, family structure, sizes of other properties, such as houses and gardens, to assist the valuation team in computing the values of affected properties. The PAPS shall be located on strip maps.
2. Obtain cadastral and other relevant information to identify property owners and other persons that are likely to be affected by the project.
3. Document the damage to perennial crops and trees of PAPS, including photographic evidence.
4. The data obtained shall be clearly cross-referenced in the valuation roll and strip maps.

2.3.2 Valuation

Valuation shall be carried out in accordance with the setout scope of work and shall address the following points:

1. Identify the project affected persons using procedures approved by the Chief Government Valuer (CGV) and in line with the World Bank requirements /guidelines to carry out detailed valuation of all, property and livelihoods affected by the project. This will provide the basis for compensation.
2. Ensure the data collection during valuation is done on forms acceptable to the CGV and the process is properly witnessed by the client.
3. Ensure that all PAPS and their affected property are photo documented. This is for ease of identification during disclosure and payments.
4. The valuation exercise shall be witnessed by staff of the project implementing agency or its appointed agent. The project implementing agency or its appointed agent will sign the valuation exercise, together with the consultant and a representative of the local council.

The valuation data base is to be supplied as an electronic document in software determined by MEMD One hard copy each for the client and the consultant shall also be produced.

2.3.3 Resettlement Measures

A description of the packages of compensation tailored to each category of eligible PAPS shall be produced. The consultant will ensure that the resources are allocated efficiently and effectively. Particular interest shall be paid to the component sections below.

2.3.4 Community Participation

To ensure that the RAP is efficient and effective, consultations with stakeholders and project affected persons is of utmost importance and the RAPs should include:

1. A description of the strategy for consultation and development of a stakeholder engagement plan that is gender responsive.
2. Detailed information of the RAP implementation process, timeframe, entitlements, possible risks of the project, the grievance redress mechanism and its functionality, etc.
3. A summary of the views expressed and how these views were taken into account in preparing and implementing the RAP.
4. Institutionalized arrangements through which affected people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups such as People with Disabilities (PWDs), the elderly, indigenous people, ethnic minorities, the landless, child headed households and women are adequately represented.

The consultant will ensure that all consultations are inclusive, meaningful and should cover all issues covered in the RAP.

2.3.5 Grievance procedures

Depending on the project impacts, affordable and accessible procedures for settlement of disputes arising from resettlement measures, including compensation, shall be developed by the Consultant. The grievance mechanisms shall take into account the availability of judicial recourse, community and traditional as well as other existing dispute settlement mechanisms. The assignment will include identification of affordable and accessible procedures for settlement of complaints related to the planning and implementation of resettlement activities. This includes establishing procedures for recording grievances and response times for their resolution.

The consultant shall identify agencies responsible for implementing these procedures and take into account community and traditional dispute settlement mechanisms as well as the availability of judicial recourse.

The consultant shall also check the existing grievance committee formation procedure and align it with the project ESMF in case any gaps are identified during the assignment. The consultant shall ensure that they develop, establish, and manage a grievance redress mechanism (GRM) that provides mechanisms for receiving and responding to all project related complaints and not excluding gender-based violence and sexual complaints during RAP studies and project execution. Grievance redress monitoring indicators will be established and the level of achievement/compliance included as an annex to the grievance periodical reporting.

2.3.6 Approval of the RAP and Valuation Reports

The Consultant shall produce RAP reports and the respective valuation reports. The approval process is as follows:

1. The Consultant will submit the RAP reports to MEMD for review.
2. MEMD will submit the RAP report (excluding the valuation) to the World Bank for review and approval. The MEMD will not wait until the Valuation has been approved by the Chief Government Valuer (CGV).
3. In parallel, the Consultant will submit Valuation Reports to MEMD for review which the latter on completion, will submit to the CGV for review and approval.
4. Once the CGV approves the Valuation Reports, MEMD will submit the full RAP report (including the CGV-approved Valuation) for World Bank review and approval.
5. Once World Bank approval of the full RAP report (including the CGV-approved Valuation) is received, RAP implementation will proceed and the MEMD will commence with payments.

2.4 RAP Implementation Process/Activities

The general objective of the consultancy is to implement the Resettlement Action Plan in accordance with the RAP developed, measures indicated in the Environmental and Social Impact Assessment and the Resettlement Policy Framework.

The consultant will implement the RAP in close collaboration with MEMD as part of this assignment once approval of the valuation reports has been secured from the Chief Government Valuer (CGV) and the World Bank and disclosed.

In collaboration with the Planning, Design and Supervision Consultant (PDSC) under the supervision of the contract manager at MEMD, the consultant shall have the following key tasks:

- 1) Ensure that all wayleaves are fully acquired prior to the commencement of construction works.
- 2) Review and update the RAP report (Valuation and socio-economic survey report and livelihood plan) to ensure project affected persons are well recorded and the information indicated in the report is current to facilitate the implementation process and identify areas for discussion with the MEMD.
- 3) Correct any justified misalignment that may be found in the field with RAP procedures and the area of coverage of the project at no extra cost to the MEMD.
- 4) Prepare, collect, interpret and examine wayleaves documentation on behalf of MEMD.
- 5) Using the established register of PAPs, undertake verification and disclosure of compensation packages / entitlements (in accordance with the valuation report approved by the Chief Government Valuer) to bonafide PAPs.
- 6) Prepare and submit PAPs payment packages (in accordance with the valuation report approved by the Chief Government Valuer) to the Ministry for effecting payment.
- 7) Capture and update the valuation report with any missing photos of all assessed properties, cultural property and graves as they appear in the project area. Conduct surveys of the damaged property and the wayleave as required from time to time in accordance with complaints received from the PAPs and in line with recommendations from the Chief Government Valuer (CGVs) during RAP Implementation.
- 8) Propose revisions of compensation and resettlement packages (through supplementary valuation reports) in accordance with the CGV and the dispute resolution mechanisms recommendations. Continuously popularize the grievance mechanism and train Grievance Redress Committees constituted during RAP preparation stage in order to facilitate the effective management of registered grievances.
- 9) The Consultant shall also submit the following reports:
 - a. Monthly progress reports on the activities carried out during that month, emerging issues, challenges, propose recommendations and proposed activities for the next month in a format agreed upon by both parties.
 - b. Monthly Work Plans: Work plans for following months shall be submitted in the monthly meeting along with the current monthly report clearly showing site visits, targets v/s achievements, and various other elements. The Consultant shall document in full details, the consultation/counseling processes, and a full description of the training imparted (or facilitated) as part of the assignment. The progress achieved in compensation as per entitlements shall be documented and shall be submitted as a part of the monthly progress report.
- 10) Carry out any activity/assignment as may be necessary for effective implementation of the RAP in close collaboration with teams from MEMD and local leaders,
- 11) Document all the outstanding RAP cases, manage, monitor and ensure all grievances are resolved, including representation of the Ministry of Energy and Mineral Development in court regarding RAP implementation issues.
- 12) Prepare a monitoring and evaluation framework for the approval of the client, undertake monitoring and evaluation of RAP implementation and produce monthly and quarterly progress reports and the final RAP implementation report.

13) Submit monthly RAP Implementation progress reports to the Client. In the course of the implementation of the RAP, should it be realized that there are omissions (previously known to the consultant) in the approved RAP which complicate the implementation process, a supplementary RAP shall be prepared by the consultant at no cost to the MEMD.

The consultant shall also revise the RAP reports developed to incorporate any comments from CGV and World Bank at no extra cost. The consultant shall be required to be on-ground to support the MEMD team before works start to validate all the documentation for RAP including; ensuring that the RAP report(s) capture all PAPs and undertake any supplementary RAPs taking into consideration emerging RAP issues.

2.4.1 Provision of Legal Services

- 1) Upon instruction from MEMD, provide legal representation to specific PAPs (at no extra cost to MEMD) in order to facilitate:
 - a) Acquisition of Powers of Attorney where applicable. This applies to absentee PAPs that cannot easily be available during the RAP process.
 - b) Provide co-ownership agreements. This is where more than one PAP has a stake on land where damage to perennial crops and trees will occur.
 - c) Process consents including acknowledgements by land owners of the existence of other parties (tenants) on their land where damage to perennial crops and trees will occur; and
 - d) Provide any other relevant documents associated with the compensation and resettlement process.
- 2) Represent Ministry of Energy and Mineral Development in court during the court cases.
- 3) Keeping proper records of all transaction and disputes and associated resolution mechanisms.
- 4) Offering legal advice on the available option of resolving conflicts/disputes.
- 5) Providing detailed reports on progress of RAP implementation and all work carried out and legal challenges/complications encountered, giving alternative solutions to the problems identified.

2.4.2 Managing the RAP Implementation Process

- 1) Acquire the necessary approvals and authorizations from the relevant parties to facilitate the implementation process.
- 2) Handling of queries and clarifications from the Employer and the PAPs.
- 3) Submitting the payment requests to the Ministry for processing.

2.4.3 Training of PAPs

- 1) Sensitize the PAPs on RAP outcomes and implementation process.
- 2) Carry out a training needs assessment, sensitization and implement a training program for the PAPs to help build their capacity to utilize their compensation packages profitably in order to improve their livelihoods.

3.0 Organizational Framework

The organizational framework for preparing and implementing the RAP resettlement should be clearly outlined. This includes:

1. Identification of Agencies responsible for delivery of resettlement measures and provision of services.
2. Arrangements to ensure appropriate coordination between Agencies and jurisdictions involved in implementation.
3. Any measures needed to strengthen the implementing Agencies' capacity to design and carry out resettlement activities, including technical assistance.
4. Provisions for the transfer of responsibility for managing facilities and services provided under the project to Local Authorities or the re-settlers.

4.0 Implementation schedule

An implementation schedule shall be prepared. The schedule will cover all resettlement activities, from preparation to implementation. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

4.1 Costs and budget

Tables shall be produced that show itemized cost estimates for all resettlement activities, including allowances for inflation, implementation and monitoring of the RAP and other contingencies and timetables for expenditures. Further sources of funds and arrangements for timely flow of funds should be indicated. The RAP will reflect the GoU/MEMD financial commitment of the RAP costs and budget. This should be fully discussed and sources of the budget be included in the RAP.

4.2 Monitoring and Evaluation

The purpose of monitoring and evaluation is to report on the effectiveness of the implementation of the RAP, including disbursement of compensation and effectiveness of public consultation, amongst others. Monitoring and purposeful evaluation will be key factors for the successful resettlement activities.

Therefore, the monitoring and evaluation framework for RAP implementation will be integrated with the Project Implementation Information Management System (PIIMS) under the PDSC to capture compensation data (baseline and post resettlement) for monitoring and evaluation purposes as well as after completion of activities;

4.2.1 Monitoring and Evaluation Indicators

The Consultant will use baseline survey data generated during RAP preparation for measuring and evaluating the success of the RAPs.

The Consultant shall also consider the following monitoring and evaluation indicators for measuring and evaluating the success of the RAP:

- a) Social Services in the impacted areas: Improvement of the social amenities in the power line corridor if any; status of the new availed social services; Availability of power, water, educational facilities;
- b) Means of Livelihood: Improved means of livelihood of the affected population; PAPs employed on project sites, their categories and estimated earnings;
- c) Income generation activities: Increase in income generation; demand and supply of goods and services during project implementation by the affected people;
- d) Community participation in the RAPs preparation: PAPs participation, participation of local leaders, understanding of the compensation / resettlement complaints/ grievance procedures,

effectiveness of community meetings, roles of local communities in PAPS verification and social organization of the affected community after project.

5.0 Duration of the Assignment

The consultant shall establish a detailed work program for four years. The estimated staff time inputs should be provided in accordance with the consultant's professional judgment and knowledge of the local conditions and needs. The consultancy assignment will be executed within 4 years.

A time-based contract shall be signed for the assignment based on the person month for each consultant. The consultant shall show the costs of the proposed services in accordance with the contractual arrangements. The consultant shall provide for both remuneration and reimbursable expenses in their proposal.

6.0 Firm staffing requirements, qualifications and key outputs

6.1 Key Personnel for the Consultancy Firm

Within the technical proposal, the Consultant shall elaborate on the envisaged logistical setup and deployment of appropriate skills for execution of the assignment. The Consultant shall present the staffing schedule in a manner that clearly shows the stage and duration where each of the proposed team members is planned to be involved in the project.

The firm must have at least 10 years' experience in RAP preparation and implementation with demonstrated experience of working on World Bank funded projects with at least six completed assignments (three assignments for development of RAP and three assignments in the Implementation of the RAP).

An organogram reflecting the responsibilities of each staff member and line management setup of the proposed team shall be part of the proposal.

Since the project will be executed in four geographical regions simultaneously, the consultant will provide four similar field teams of personnel; one team per region with the exception of the RAP specialist, lawyer and accountant. The consultant shall provide all the personnel necessary for the completion of the assignment. The following key personnel shall be included as a minimum requirement for the consultant's personnel:

Table 1: The following key personnel shall be included as a minimum requirement for the Consultant's personnel:

Position and No.	Minimum Qualifications and Experience	Indicative staff Person-months
RAP Specialist/Team Leader One (1)	A Team Leader should have at least 10 years of previous professional experience in RAP preparation for power projects and shall have significant experience in the World Bank's RAP safeguard policies evidenced by similar works carried out and financed by the World Bank. Post graduate qualifications in Social Sciences, Land economics Valuation or Surveying or related qualification.	26

	<p>Must have successfully prepared three (3) and implemented three (3) Resettlement Action Plans for linear projects supported by donors in the last Ten (10) years.</p> <p>Experience in the development and maintenance of project databases, for resettlement action plans, stakeholder engagement and grievance management, and overall project management and capacity building for project partners, third parties and project affected people.</p>	
<p>Sociologist(s) Twelve (12)</p>	<p>A Sociologist with at least an Honours Bachelor's Degree in Social Sciences, Social Sector Planning, Development Studies, sociology, social work and social administration, anthropology or related fields. Must possess a minimum of Eight (8) years' related experience in social surveys, community consultations, grievance management, resettlement/mitigation, preparation of Resettlement Action Plans, social impact assessment, land acquisition and implementation of RAP.</p> <p>He/She should have demonstrated experience on application of Environmental and Social Safeguard Policies of the World Bank. He or she must have experience in Land Acquisition for infrastructure development projects and in managing issues related to involuntary resettlement. Should have knowledge of the prevailing Land Acquisition Act and land acquisition processes and other related laws.</p>	314
<p>Valuer(s) Twelve (12)</p>	<p>A University Degree in Land Economics; or a degree in survey or the equivalent with eight (8) years' experience in property valuation and must be registered by the Surveyors Registration Board (SRB) with a valid practicing certificate. Experience in working on World Bank projects or similar International Financiers.</p>	314
<p>Surveyor(s) Four (4)</p>	<p>An Honours Bachelor's Degree in Survey and a minimum of Eight (8) years of experience in surveys of land for acquisition, land demarcation, cadastral surveying, and community consultations. Must be registered with the Uganda Surveyors Registration Board. Experience in working on World Bank projects or similar International Financiers.</p>	112
<p>Lawyer One (1)</p>	<p>A University Degree in Law and a Post Graduate Diploma in Legal practice, with eight (8) years' experience in practice in Ugandan Land Law; significant experience in handling issues of involuntary resettlement as evidenced from similar works carried out and financed by the World Bank or similar International Financiers.</p>	11
<p>Accountant (1)</p>	<p>A University Degree in Business Accounting and at least eight (8) years of experience working on similar projects.</p>	15
TOTAL INDICATIVE PERSON MONTHS		792

6.1 Expected Outputs for RAP Development and Implementation

The Consultant shall prepare and submit the reports (all in English) to the MEMD. The reports shall be in both hardcopy (three coloured sets) and softcopy format. The Client will provide comments on each report within two (2) weeks of submission, and the Consultant will be expected to incorporate the Clients Comments into the final report(s) within 2 weeks.

The Consultant will be required to produce and submit five (5) copies of principal reports and documents. At each reporting stage, the Consultant shall also be required to submit to MEMD an electronic copy, using software (Word; Excel (all tables); CAD (all drawings) specified by the client. In addition, all data collected during the assignment shall be availed on request by the client at any stage of the project.

This highlights the main deliverables from this assignment and they are expected to be completed in accordance with the timeframe provided.

6.1.1 RAP Preparation Deliverables

S/N	Title of the Report	Brief description of deliverables	Timelines for submission from contract signature
1.	Inception report with the valuation methodology for RAP preparation	The inception report will contain a work plan which indicates the phases of the planned activities, the implementation schedule, key deliverables and milestones. Valuation methodology will indicate the methodology for carrying out valuation.	Three weeks
2.	Draft Asset valuation report	The report will consist of <ul style="list-style-type: none"> An inventory of all the PAPs (These should be geo referenced) and their assessed properties (perennial crops, trees) with their respective values and photographs. Values of perennial crops and trees using the respective district compensation rates as per the provisions of the national laws. An applied disturbance allowance of 15% as provided for in the Land Act, Cap. 227 	3 months
3.	Draft Resettlement Action Plan	<ol style="list-style-type: none"> Executive Summary Background and Introduction RAP Objectives and guiding principles Potential Impacts Census and Socio-Economic Studies Legal and Policy and Institutional Framework 	2 months

		7) Development of entitlement matrix 8) Eligibility criteria 9) Valuation of and compensation for losses 10) Resettlement measures 11) Stakeholder and Community Engagement 12) Grievance Mechanism including the procedure 13) Monitoring and Evaluation Framework 14) Conclusion and Actions to be undertaken 15) Appendices	
4.	Final RAP preparation reports	RAP preparation reports approved by the client and the World Bank	3 months
5.	Final Asset valuation reports	Completed property assessments and computation of values approved by the CGV.	5 months
6.	RAP implementation reports approved by MEMD and the World Bank	Monthly updates on the status of compensation effected.	Monthly basis from commencement of RAP implementation
7.	A Management Information System in an excel format	The system will be used in monitoring and evaluation project progress in line with the planned implementation	Every 2 months

RAP Implementation Deliverables

S/N	Title of the Report	Brief description of deliverables	Timelines for submission from contract signature
	Inception Report	Details of the understanding of the assignment, methodology for carrying out the assignment	Three weeks
	Disclosure and consent report	<ul style="list-style-type: none"> • PAPs sensitization and Training Report • Grievance Resolution Report – including re-surveys, • Re-evaluations, • CGV approvals, • Disclosures and updated database of PAPs. 	4 months
	Resettlement and compensation management reports (Bi-weekly progress reports).	Progress, challenges and recommendations	Every two weeks throughout project implementation

	A draft RAP completion report	A detailed report of all RAP preparation and implementation activities undertaken throughout the project life detailing the status of compensation.	6 months prior to project completion
	A RAP Closure Report	A World Bank and MEMD approved RAP completion report	At project completion

7.0 Reporting and Meetings

7.1 Reporting Requirements

The Ministry will be in charge of the overall management and supervision of the assignment and will be represented by the Contract Management Team under the supervision of the Grid Expansion Manager. The day-to-day engagement of the RAP Consultant with MEMD will be through the Project Implementation Unit's Senior Wayleaves Officer.

The MEMD and the World Bank shall review and approve the draft reports. The Consultant shall be required to address all sets of comments on the developed RAP reports from MEMD and the World Bank at no extra cost.

The Planning, Design and Supervision Consultant (PDSC) will assist the MEMD PIU with the day-to-day supervision of the RAP Consultant by virtue of the fact they will be in the project area concurrently with the RAP consultant. Therefore, extensive collaboration is expected between the PDSC and the RAP Consultant during both RAP preparation and implementation.

All reports shall be submitted in **five (5) hard copies and one (1) electronic copy** and addressed to the Permanent Secretary – MEMD with copy to the EASP PIU Project Manager, Grid Expansion Manager and Senior Wayleaves Officer and the PDSC (the Consultant shall share a copy of each monthly RAP implementation progress report with the PDSC).

7.2 Meeting Requirements

Following the submission of reports, the Consultant will avail appropriate personnel for review meetings with the client and the PDSC during the entire project period. The review shall be for the purposes of:

- 1) Assessing progress.
- 2) Obtaining signoffs on proposals made to the design consultant in respect of minimizing project impacts on the environment.
- 3) Exchanging information and data relevant for the successful accomplishment of the entire assignment.

The nature of the meetings, agenda and locations (e.g., project site, MEMD offices, and consultant's offices) shall be agreed upon by the Client's Contract Management Team in agreement with the design consultant.

8.0 Client's input to the assignment

- a) The Client has dedicated staff and Project Manager who will provide overall direct technical supervision to the consultant's team and shall be empowered to take all day-to-day decisions required for the successful implementation of the assignment and preparation of credible reports.
- b) The designated team will facilitate linkage between the Consultant with the Client as well as with CGV, NFA, MGLSD, District Local Governments, Project Affected Persons and other relevant stakeholders.
- c) The Client will provide to the Consultant with all available documents, reports, any relevant studies, maps and documents pertinent to the assignment.
- d) The designated team will also ensure that the client synchronizes the work plans of the Contractors, Engineering Consultant with those of Safeguards Consultant for mutual operations and support to deliver the projects. These will include joint meetings, planning, joint field work, report sharing and follow up amongst the Contractors, Engineering and Safeguards Consultants.
- e) Set up a RAP implementation committee to oversee the smooth implementation of the RAP and also;
- f) Engage the key stakeholders, and keep them updated on the RAP implementation;
- g) Oversee formation of RAP committees, and Grievance Resolutions Committees.
- h) Facilitate the activities of Grievance Resolution Committees and the Lawyer during the court cases;
- i) Ensure adaptation of RAP and maximum participation of PAPs in the RAP implementation, monitoring and post resettlement;
- j) Take financial responsibility for payment or compensation and other resettlement costs;
- k) Participate in verification of valuation items;
- l) Ensure timely payments of PAPs;
- m) Monitor progress of RAP implementation and ensure timely delivery of the wayleave to the Contractor;
- n) Nominate a Contract Manager who shall be empowered to take all day-to-day decisions required for the development and implementation of the Project's RAP.
- o) Assist in obtaining necessary approvals from Government Agencies that may be required for this assignment.