

Section 6: Statement of Requirements

Procurement Reference Number: MEMD/SRVCS/12-13/000376/ESDP

TERMS OF REFERENCE FOR CONSULTANCY SERVICES FOR MONITORING THE IMPLEMENTATION OF RESETTLEMENT AND COMMUNITY ACTION PLANS FOR THE PROPOSED KAWANDA-MASAKA 220 KV TRANSMISSION LINES

TERMS OF REFERENCE

1. Background

The Government of Uganda through the Uganda Electricity Transmission Company (UETCL) proposes to implement the Kawanda-Masaka 220 kV Transmission line in order to improve electricity access in Central and Western Uganda and enhance power reliability in these areas.

The project is financed by the World Bank under the Electricity Sector Development Project (ESDP). In order to enhance project quality, it is mandatory to implement the Uganda requirements as well as safeguard policies of the World Bank in a prudent manner. The implementing agency is thus required to comply with the safeguard policies of the World Bank as well as the land acquisition related laws and policies of Uganda.

In order to enhance the project processes within UETCL the Ministry of Energy and Mineral Development intends to engage a consultant to monitor the implementation of the Resettlement Action Plans (RAP) and any community development initiatives. The objective is to ensure that project processes are implemented in a prudent and transparent way.

2.0 Scope of Work:

The work to be undertaken by the consultancy firm includes but not limited to:

- ✓ Monitoring the progress of all resettlement activities including the compensation process in order to specifically restore or even improve the livelihoods of the project affected people and the relevant Community Development Action Plan (CDAP) to generally enhance the achievement of project objectives;
- ✓ Checking the implementation process to enhance compliance with the national and World Bank safeguard policies, especially O.P. 4.12, including completion of the resettlement program.
- ✓ Witnessing the grievance resolution mechanism to ascertain whether the disputes can be resolved amicably and fairly among all parties and in line with the Resettlement Action Plan (RAP).



- ✓ Evaluation of the resettlement and compensation outcomes, through an assessment of the short- mid- and long-term impacts on affected households, their incomes and standards of living, the environment, local capacities, and housing.
- ✓ Witness the implementation process to assess compliance with the project plan as well as guidelines and act independently from the affected residents, the Government of Uganda and UETCL, and advise the implementing team how the process can be improved.

2.1 Objectives of the Monitoring Process

- ✓ To ensure the livelihoods of the PAPs are restored or even made better than prior to land acquisition resulting from the project.
- ✓ To ensure that the vulnerable groups among the PAPs are identified and assisted adequately and appropriately throughout the implementation of the RAP in accordance with its provisions and the relevant O.P. 4.12 clauses.
- ✓ To ensure that the resettlement and CDAP activities deliver the planned outputs /entitlements to the communities.
- ✓ To ensure that the grievance system set up for the implementation of the RAP is functional and implemented in a fair and transparent way.

2.2 Progress Monitoring:

The consultancy firm will ensure that project outputs are delivered on schedule as defined in the overall project plan and quantified for instance:

- amounts of compensation paid in a given month and timeliness of payments;
- number of project affected households paid and /or resettled in a given month;
- progress of construction of resettlement houses;
- number of people completing livelihood restoration training courses;
- number of households receiving income restoration or rehabilitation benefits
- number of consultative meetings held with PAPs and local authorities
- number and types of grievances raised and how they were resolved.

The consultancy firm will document and investigate specific conflict or hardship situations arising from the implementation of the resettlement program that includes compensation. The monitoring keeps track of project implementation efficiency, and indicates whether changes need to be made to make the program operate more efficiently.

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The consultancy firm will enhance the progress monitoring done internally by UETCL using indicators set in the RAP and Project Implementation Plan (PIP) on both monthly and quarterly basis.

The consultancy firm will also check the compliance and RAP and project completion in accordance with the safeguard policies and whether such requirements have been met. Where compliance is not adhered to, the consultancy firm will recommend ways to improve the process.

2.3 Evaluation:

The consultancy firm will evaluate the socio economic outcomes of the project by defining the extent to which the project is achieving the objectives of resettlement and compensation. The new sources of income (livelihoods) established for and by the Physically Displaced Persons (PDPs) if any after the resettlement will be evaluated to determine the extent of the livelihood restoration activities.

The outcome evaluation coupled with output monitoring will indicate whether the program is genuinely working or whether some changes need to be made. The outcome evaluation looks beyond numerical compliance to the longer term impact of program inputs and outputs to determine what works what does not work and what needs to be changed.

The outcome evaluation will be done by the agency using proxy indicators like expenditure and income to determine whether PDPs are re-establishing (or improving) their livelihoods and standard of living. This will include a comparison between the pre-resettlement and post-resettlement situations for the PDPs. The indirect indicators include nutritional status, school attendance for children or any other indicators that will be appropriate for the situation.

2.4 Implementation of Community Development Activities

The agency will monitor the implementation of the Community Development Action programme (CDAP). The CDAP aims at providing affected communities with developmental benefits beyond mitigation impacts and compensation for loss of assets. The CDAP implemented within the projects encourages the communities to take the lead in determining which priority projects are implemented. The basic principles used are:

- ✓ Implementing the CDAP on social infrastructure projects such as water health education electricity supply access roads.
- ✓ Allocation of investment resources at each of the host community where PDPs are relocated in order to enable both the host as well as the PDP communities to benefit.
- ✓ The community is encouraged to develop an eligibility criteria for financing projects under the CDAP.

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Beyond the benefits to communities in social infrastructure the CDAP is viewed as a means to enhance community self-reliance in prioritizing projects and enhancing capacity building within the community.

The formula to allocate community development funds to a given community are based on:

- the magnitude of impacts/losses;
- Permanent population living in the host community.

The CDAP will finance only community projects while projects benefiting individuals or companies are not eligible for funding. Examples of typical eligible projects include:

- Upgrades to community schools, including upgrade to buildings, furniture, and school equipment.
- Upgrades to health centres, especially equipment.
- Community water points or upgrades including hand-dug wells and drilled wells.
- Upgrades to access and community roads.
- Connection to public electricity networks.
- Tree planting at resettlement sites and other ecological sensitive zones.

2.5 Implementation Arrangements

The project implementation unit has a dedicated unit that also handles resettlement including compensation issues under the leadership of a project manager. This project team deals with:

- Survey of land, identification of PAPs and valuation of assets lost in the corridor.
- Resettlement of physically displaced persons in the resettlement sites outside the transmission line corridor.
- Cash compensation where the PAPs are paid cash for lost land and other assets.
- Management of compensation information using a database.
- Implementation of the livelihood restoration programmes.
- Identification of vulnerable people among the PAPs.
- Implementation of the Community development.

The consultancy firm will be involved in enhancing the implementation of the above activities. The consultancy firm will liaise with the local governments at LC1, LC2 and LC5 levels to get their opinions about the RAP process.

The consultancy firm's role in the process will aim to enhance "fairness, credibility, and adequacy" and will act independently from the affected residents the Government of Uganda and UETCL. He will advise UETCL on how the process can be improved and attend grievance meetings whenever the affected families are given a hearing.

2.6 Other Activities:

The other project activities that the agency will monitor and oversee include:

- Surveys and valuation of affected properties along the Transmission Line.
- Individual disclosures and payments.
- Grievance procedure, participate in grievance hearing meetings.
- Observe the development of resettlement sites.
- Witness the process of relocation of families.
- Witness the delivery of materials for the PAPs who are resettled within UETCL designated sites.
- Community consultations on community development projects to restore livelihoods.
- Participate in meetings organised by stakeholders about the CDAP.
- Cultural mitigation activities and submit monthly reports on the CDAP."

3.0 Reporting:

The consultancy firm will submit quarterly reports to UETCL & MEMD and the World Bank financing the project. Comments will be provided by UETCL and the financing agency upon which the report will be revised and re-submitted for action.

4.0 Duration of the Service

The monitoring service is expected to last for two years or as may be amended till project completion in accordance with project implementation schedules. On average the implementation of the Resettlement action Plan (RAP) and the construction of a transmission line take two years. However depending on the scope of works for a line it may take more time. The consultancy firm will therefore be required for the monitoring activities during both RAP implementation and construction.

4.1 Financing:

The financing for the assignment will be from the Ministry of Energy and Mineral Development (MEMD).

5.0 UETCL Roles:

- UETCL/MEMD will nominate a Focal Point Person for supervision of the consultancy firm that will be empowered to take all day-to-day decisions required for the implementation of the service. The Co-ordinator shall co-ordinate all the activities connected with the activity and shall be the main link between the consultancy firm and the Lenders.
- The Client will provide the consultancy firm with all available project reports relevant to the assignment.

6.0 CONSULTANCY FIRM' PERSONNEL:

The consultancy firm shall provide all personnel necessary for the provision of the services.

Qualifications and Experience of the Firm.

The Firm shall have a minimum of 10 years' experience in monitoring of such RAPS or similar community services and grievance handling with at least 2 similar assignments in the last 5 years.

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

Position	Description
Project Manager	A Masters Degree in either Environmental Science, or Social Development Economics, or Sociology, or Project Planning and Management and a minimum of 10 years experience in project monitoring and evaluation.
Social Scientist	A Masters degree in social sciences and minimum of 10 years experience in land acquisition issues and mitigation measures related to development projects financed by multi/bi- lateral institutions such as the World Bank.
Field Officer	A Masters Degree in Social Sciences or Survey or valuation and minimum of 5 years experience in resettlement issues.
Legal Officer	A Masters Degree in Law and minimum of 5 years experience in dealing with legal issues of resettlement
Civil Engineer	A Masters Degree in Civil Engineering A minimum of 5 years experience in construction of domestic dwellings

NOTE: Membership to relevant Professional Bodies is highly desirable and it will be awarded points. Certified copies of certificates for membership must be attached.