

Proposed

POSITION DUTY STATEMENT

PM-0924 (REV 7/2014)

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| CLASSIFICATION TITLE Associate Right of Way Agent | OFFICE/BRANCH/SECTION District 7 - Division of Right of Way | |
| WORKING TITLE Associate Right of Way Agent | POSITION NUMBER 907-400-4965-XXX | EFFECTIVE DATE |

As a valued member of the Caltrans team, you make it possible for the Department to provide a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability. Caltrans is a performance-driven, transparent, and accountable organization that values its people, resources and partners, and meets new challenges through leadership, innovation and teamwork.

GENERAL STATEMENT:

Under the direction of a Senior R/W Agent, the incumbent is responsible for the more complex and technically detailed parcels and for providing current and timely information to management. Maintains both manual records and electronic databases, keeping them current and complete while recovering minimal supervision in performing various R/W functions.

TYPICAL DUTIES:

| Percentage | | Job Description |
|------------|--|--|
| 25% | Essential (E)/Marginal (M) ¹ E | Appraisals: Prepares written appraisal reports and valuation studies for properties to be acquired for highway projects; airspace lease development program; excess land disposal, local agency appraisal pursuant to contract or cooperative agreements in conformance with State and Federal standards. Secures and examines title reports and evaluates the effect of easements and other encumbrances. Inspects the subject property and interviews owners regarding any pertinent information. Measures and prepares description, plot plans of improvements. Conducts search of area to obtain comparable market data. Interviews local building and zoning authorities, brokers, salespersons and other knowledgeable persons for various related information. Analyzes and interprets data obtained in order to ascertain interest rates, land improvement ratios, gross income multipliers, land values and a number of other related factors. Assists in training new employees in the review of valuation reports. |
| 25% | E | Acquisition: Performs required negotiation activities to process agreement with property owners relating to acquisition of properties and/or property rights as needed for highway projects or departmental uses in the District, as well as on projects for those counties, local agencies, cities and districts with whom Caltrans has cooperative agreements to implement acquisition programs. Reviews and submits requests to FHWA for functional replacement. Upon approval, initiates the process to identify, appraise and acquire the property needed for functional replacement. Coordinates with the agency affected to ensure that everything has been constructed according to building codes and that all other regulations have been met. Secures, examines, and interprets title reports on property to be acquired, and directs the preparation and execution of necessary documents to secure clear title; coordinates the preparation of deeds, reconveyance agreements and other documents involving property acquisition. Participates in pretrial and trial proceedings with representatives of the legal division, and concludes negotiations on settlements made during such proceedings. Maintain records, files and statistical data in connection with the acquisition function. Secures and examines title reports and evaluates the effect of easements and other encumbrances. Inspects the subject property and interviews owners regarding any pertinent information. Coordinates Right of Way activities with all branches regarding railroad involvement and acts as liaison between railroad companies and the state. |

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- 25% E Relocation Assistance Program: Under direction determines displaced family needs and assists in the preparation of last resort housing plans and assists in the implementation of such a plan. Assists in the maintenance of replacement housing resource information.
- Obtains bids and estimates for cost of moving commercial and industrial displacees and assists in advising said displacees of alternatives under Federal and State Relocation Assistance laws. Assists displacees in the locating of replacement properties. Prepares valuation reports with recommended rates subject to Senior approval. Conducts surveys, interviews and data gathering for inclusion in relocation studies. Prepares lesser complex housing studies. Prepares relocation assistance claim forms, obtains signatures and then forwards forms for processing leading to the issuance of payments.
- 15% E Planning and Management: Monitors field office operating expenses; Processes work agreements and work plan; Prepares spreadsheets and tracking reports; Monitors various mainframe reports.
- 10% E Local Programs: Consults with and advises local agencies (cities, counties and other quasi-public organizations) regarding Federal and State laws, regulations and procedures relating to all right of way functions. Investigates, verifies and recommends approval to the Program Manager (Senior R/W Agent) of local agencies' expertise and understanding of Federal requirements. Prior to construction, provides the Local Assistance Engineer or Headquarters Right of Way with a certification that Right of Way activities have been performed in compliance with State and Federal Policies and Procedures. Monitors local agencies for compliance with approved qualification statements and for compliance with Federal-Aid Highway Program Manual. Negotiates contracts with local agencies to provide requested right of way services assistance. Reviews draft cooperative agreements and when the agreement is approved, arranges for sub-job designations for segregation of charges and then advises functional areas of charging instructions. Reviews local agency progress and final payment claim.

¹ESSENTIAL FUNCTIONS are the core duties of the position that cannot be reassigned.

MARGINAL FUNCTIONS are the minor tasks of the position that can be assigned to others.

SUPERVISION OR GUIDANCE EXERCISED OVER OTHERS

The incumbent does not directly supervise other staff members, but may act as lead capacity on specific assignments.

KNOWLEDGE, ABILITIES, AND ANALYTICAL REQUIREMENTS

Thorough knowledge of State and Departmental policies and procedures; State and Federal laws, rules and regulations pertaining to acquiring property for public use. Principles of appraising, acquisition, relocation assistance, condemnation, title & escrow, hazardous waste management, expert witness acquisitions, contract management oversight, disposal of public property; real property law; and the State Contract Act.

General knowledge of analytical methods and information sources to perform tasks such as appraisal report formulation and preparation; basic arithmetic; basic algebra; basic geometry; common methods of describing real property; Right of Way Engineering principles; transportation facilities construction and maintenance as related to rights of way. Knowledge of land development and investment practices; Federal Highway Administration policies and procedures that pertain to right of way activities; laws, policies and procedures involving the concepts of transportation facilities and their impact on the community and the environment; policies, procedures and functions of Caltrans Division of Right of Way, Department of Transportation, California Transportation Commission and the Uniform Relocation Assistance Act.

The ability to speak and write English clearly and effectively; read and understand English including engineering terminology and the quasi-legal terminology; assemble and analyze data and be able to understand the factors involved in appraising property and the principles underlying the appraisal process.

A high degree of analytical ability is required – various alternatives must be considered when preparing and appraisal to determine if the conclusions relate appropriately to the market. A Keen analytical and problem-solving aptitude, along with the ability to exercise good professional judgement, is essential.

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The Associate Right of Way agent is required to work independently with minimal guidance from his/her supervisor. The Associate Right of Way agent, under direction of the supervisor, is responsible for advising management on issues that are sensitive in nature. Failure to provide proper advice to management could result in inappropriate action(s) being taken against an employee, financial liability and/or discredit to the department. The Associate Right of Way agent must research existing policies and rules prior to making any recommendation(s) on how to handle any specific issue.

The incumbent is responsible for complying with the Information Practices Act (IPA) by protecting departmental employees' confidential information, including, but not limited to, social security numbers, medical or employment history, education, financial transactions, or similar information. Failure to protect departmental employees' confidential information may damage the Division of Right of Way's reputation as a confidential organization, may result in employee grievances or lawsuits, and, pursuant to California Civil Code section 1798.55, could result in disciplinary action, including termination of employment.

RESPONSIBILITY FOR DECISIONS AND CONSEQUENCES OF ERROR

Failure to process condemnation activities in a timely manner could lead to failure to obtain property rights needed for project delivery. Failure to perform in a competent manner could affect the Division of Right of Way's credibility, cause delays, and create a poor working relationship with other Divisions and Headquarters.

Errors in judgment and decisions could adversely affect the department's ability to meet project target dates and compliance with pertinent laws, reflect badly on the State and the department, and result in missed certification dates, ineffective possession dates, and costly construction delay costs.

Failure in any area of performance could jeopardize or delay acquisition of property by condemnation, cause the loss and/or delay of federal reimbursement, and over-run of allocated funds.

PUBLIC AND INTERNAL CONTACTS

The position requires daily contact with vendors, project delivery team members, attorneys, and headquarters legal and accounting staff. Extensive contact with R/W Management, District Right of Way functional area personnel, Division of R/W, local government entities, County and City officials, Federal Highway Administration and other public agencies. These contacts will be personal, verbal or written, as needed, to perform assignments. Frequent follow-up is needed to assure program requirements are met at all levels. Public contact is also required.

PHYSICAL, MENTAL, AND EMOTIONAL REQUIREMENTS

The employee may be required to sit for long periods of time using a keyboard and video display terminal. The employee will need to access files requiring bending stooping and reaching. Employee must possess the ability to wheel and lift up to 30 lbs. (files, legal briefcase, boxes, laptops, projectors and cumbersome plans).

The employee must have the ability and energy to sustain the mental activity needed for report writing, contract preparation, auditing, problem solving, analysis and reasoning. Must possess the ability to focus on a single task, as well as multiple tasks when necessary.

Driving to meetings, courts, vendor offices, other legal offices, and for service of process for more than two hours at a time may be required.

Must be able to give oral presentations to gatherings of various sizes and at various levels of the Department. Must be composed and articulate in meetings and in telephone conversations. Must be able to respond to changing work priorities.

WORK ENVIRONMENT

While at the base of their operation, employees will work in a climate-controlled office under artificial lighting. Work area may or may not have access to a window. He/She will also use a telephone, office equipment (such as a copier, fax, typewriter, label machine, etc) and sit at a computer keyboard and video monitor for long periods of time. Employee will also be required to travel.

Professional appearance and conduct is essential.

I have read, understand and can perform the duties listed above. (If you believe you may require reasonable accommodation, please discuss this with your hiring supervisor. If you are unsure whether you require reasonable

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accommodation, inform the hiring supervisor who will discuss your concerns with the Reasonable Accommodation Coordinator.)

EMPLOYEE (Print)

EMPLOYEE (Signature)

DATE

I have discussed the duties with, and provided a copy of this duty statement to the employee named above.

SUPERVISOR (Print)

SUPERVISOR (Signature)

DATE
