

POSITION DUTY STATEMENT

PM-0924 (REV 7/2014)

CLASSIFICATION TITLE	OFFICE/BRANCH/SECTION	
ASSOCIATE RIGHT OF WAY AGENT	SAN BERNARDINO - DISTRICT 8	
WORKING TITLE	POSITION NUMBER	EFFECTIVE DATE
ASSOCIATE RIGHT OF WAY AGENT	908-400-4965-xxx	

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 supervision of the Senior Right of Way Agent the incumbent will be engaged in a variety of journey-level Right of Way activities. The incumbent will have varied assignments to reflect training needs and project delivery needs. Incumbent will be assigned duties in one or more Right of Way functional areas.

TYPICAL DUTIES:

Percentage	Job Description
Essential (E)/Marginal (M) ¹	
20% E	<p>Acquisition Performs functions relating to journey-level acquisition of properties needed for transportation projects or departmental uses, as well as on projects for those counties, local agencies, cities and districts with whom we have cooperative agreements to implement acquisition programs. Agent will negotiate for the purchase or donation of land and improvements. Acquisition assignments will include properties of average to complicated acquisition difficulty such as partial acquisitions or high value properties. Agent will examine and interpret property records and title reports. Agent will prepare and execute the necessary documents for the conveyance of real property. Agent is responsible for full preparation of Memorandums of Settlements and records each transaction. Assists owners in obtaining benefits available to them under the Relocation Assistance Program. Maintains detailed records, files and statistical data in connection with the acquisition function.</p>
20% E	<p>Appraisal and Estimating Prepares appraisals of all types using the most appropriate methodology to value real property and interests in real properties needed for transportation projects or departmental uses, as well as on projects for those counties, local agencies, cities and districts with whom Caltrans has cooperative agreements to perform appraisal programs. Prepares valuation reports for the development of complex airspace lease areas and excess land for disposal. Prepares Replacement Valuation Reports which are used to calculate monetary replacement housing entitlement of eligible residential displacees.</p> <p>Specific tasks include: Securing and examining title reports; personal inspection of property and interviews with owners; preparation of plot plans, descriptions, and area calculations for building improvements; gathering and verifying market data; interviewing real estate brokers, public agency staff, buyers and sellers; analyzing and interpreting data; and contributing to the preparation of written valuation reports.</p> <p>Monitors activities of local agencies and their valuation processes pursuant to State and Federal requirements. Prepares or assists in the preparation of dollar estimates of property needed for future projects.</p>
15% E	<p>Relocation Assistance Program Performs functions relating to the relocation of people, businesses and personal property from properties needed for transportation projects or departmental uses, as well as on projects for other public agencies with whom Caltrans has cooperative agreements to implement a relocation</p>

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assistance program.

Specific tasks include: Contacting and determining eligibility of displacees; explaining the relocation program; determining family needs; and identifying relocation problems and alternate solutions. Prepares relocation surveys, relocation studies and relocation plans through interviews with potential displacees and gathers, assembles and interprets complex data using census data and real estate market data. Processes relocation claims, obtains verifying documents relating to purchasing replacement property and coordinates the disbursement of relocation payments into escrow or to claimant or landlord in a timely manner. Obtains move estimates and negotiates "self-move" agreements, verifies costs and disbursements and coordinates audits with the Internal Audit Section. Maintains files and records of relocations and collects and analyzes relocation records and data for Right of Way reports.

15% E

Airspace

Performs field reviews to ascertain if lessee is adequately maintaining the property; delivers private and legal notices and other documents; and maintains complete and organized files and records. Prepares letters of understanding, market leases and official notices. Promotes and markets other uses of State non-operating right of way.

Excess Land

Performs functions relating to disposing of excess land, maintains an excess land inventory and monitors SB86 resale controls. Specific tasks include: contacting and negotiating with individuals and public agencies for direct sale of property; handling inquiries from the public and governmental agencies regarding the availability of excess land and procedures for buying it. Requests and assembles documents such as maps, appraisals, deeds and escrow instructions required for the sale or exchange of property; secures clearances from other Caltrans departments; processes requests by individuals or other public agencies for the decertification of right of way by requesting an expenditure authorization and coordinating engineering efforts. Prepares newspaper and other advertisements and sales brochures; conducts oral and sealed bid public auctions; and maintains files and records of excess parcels and sales records and data.

Property Management

Ensure the timely removal, through sales and/or demolition contracts, of all improvements from all the right of way required for each construction contract for the Caltrans and by contract with local agencies. Responsible for the rental, maintenance and rehabilitation of State-owned properties that have been acquired for future construction projects. Prepares notices of sales, demolition contracts, maintenance contracts, rental agreements and leases. Inspects property to insure continuing compliance with these contracts and leases. Ensures minimum delinquency on Rental Agreements and Leases by reviewing income and tenant rental applications. Initiates eviction notices, collection efforts and Unlawful Detainer actions, when applicable. Inspects all State-owned properties acquired for future construction projects for dangerous and hazardous conditions and recommends corrective actions as required.

15% E

Condemnation

Responsible for preparing and maintaining an organized system involving every Right of Way Condemnation file assigned. Expected to be involved in every aspect of the eminent domain action from the adoption of the Resolution of Necessity by the California Transportation Commission (CTC) to the filing and recordation of the Final Order of Condemnation. Review legal documents and assist in the filing of legal pleadings. Process payments for Judgments and other court costs and fees in a timely manner and in accordance with the California Code of Civil procedures. Track and effectuate service of process of defendants in a timely manner by personal service or any other legal method as prescribed by law. Prepare or cause to be prepared various legal forms and pleadings. Personally deliver or cause to be personally delivered Judgment warrants, as necessary. Perform skip search and due diligence of property owners using electronic databases available to Caltrans and document all due diligence efforts. Develop and maintain a Right of Way Condemnation Spreadsheet for all assigned files. Maintain a general

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knowledge and status of each legal action.

15% E

Utilities Relocation

Prepare route estimates based on possible utility relocations. Serve as the State's point of contact with utility owners, project delivery teams, utility company representatives and any other involved parties. Coordinate positive location requirements for all high/low risk utility facilities within the project limits. Prepare E-76 project information. Obtain and analyze data to allocate costs between owner and State for required utility adjustment work and present this information in a Report of Investigation. Assist in preparing requisition and/or review the following: encroachment requests, high/low risk exceptions, Design Agreements, Notices to Owner, Utility Agreements, Encroachment Permits, and Right of Way Certifications for proposed construction projects. Verify all utilities with affected utility owners to include all work associated with assisting the Project Engineer in generating existing utility location maps.

Responsibilities include, but are not limited to, the relocation or removal process of utility facilities that are either in physical conflict or violation of Caltrans' utility accommodation policy for transportation projects. Establishing, documenting and maintaining utility files is mandatory. Diversity and complexity involved in the utility process and the potential safety impacts makes it imperative to thoroughly document each action taken over the life of the project. Verify relocation bills and process for payment. Process property right conveyances to utility owners to include recordation of deeds and verification or recordation. Property right conveyance include: Joint Use Agreements, Consent to Common Use Agreements, Directors Deeds, and Easements. Provide oversight activities to Local Program Assistance and consultants on State highway projects funded by others.

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

None.

KNOWLEDGE, ABILITIES, AND ANALYTICAL REQUIREMENTS

Must have thorough knowledge of Federal and State laws, rules, and regulations, and policy guidelines relative to right of way matters, together with policies and procedures of the California Transportation Commission and the Department of Transportation. The incumbent must have specific knowledge of real property law, eminent domain law and appraisal terminology and methodology, real property.

Must have the ability to speak and write English clearly and effectively; assemble and analyze data; understand the effect on property values of deed and tract restrictions and other real estate principles.

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.

RESPONSIBILITY FOR DECISIONS AND CONSEQUENCES OF ERROR

Errors in judgment and decision making can adversely affect project delivery, result in adverse publicity, cause individual or class-action lawsuits or claims against the District and/or the Department, and may result in the loss of Federal or local funds. Failure to resolve product delivery issues on schedule could adversely affect project funding and/or the assumption or perception of the State expending unnecessary money and increasing liability.

PUBLIC AND INTERNAL CONTACTS

This position requires extensive public contact representing the Department in dealing with property owners, tenants, the

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public, and other public agencies. There will be contact with Right of Way Management, District Right of Way functional area personnel, Division of Right of Way, local government entities, county and city officials, Federal Highway Administration and other public agencies. These contacts will be verbal or written, as needed, to perform assignments.

PHYSICAL, MENTAL, AND EMOTIONAL REQUIREMENTS

May be required to sit for long periods of time using a keyboard and video display terminal. Must possess the ability to move up to 35 pounds such as files, boxes, laptops, projectors and cumbersome plans.

Must have to ability to conduct on-site reviews (i.e., measuring structures and evaluating property). Must be able to drive to remote locations in single duration which could be up to six hours. Must be able to evaluate properties for Right of Way railroad related matters.

Must have the ability to sustain the mental activity needed for report writing, auditing, problem solving, analysis and reasoning. Possess the ability to focus on single tasks, as well as multi-tasks when necessary.

Must be able to give oral presentations to gathering 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 the operation, will work in a climate-controlled office under artificial lighting. Use a keyboard and video monitor for long periods of time as well as a telephone. May also be required to travel and work outdoors and may be exposed to dirt, noise, uneven surfaces and/or extreme heat or cold.

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 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