STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

POSITION DUTY STATEMENT

PM-0924 (REV 3/2006)

28-5-002

CLASSIFICATION TITLE Associate Right of Way Agent	DISTRICT/DIVISION/OFFICE Office of Right of Way (Redding)	
WORKING TITLE Associate Right of Way Agent	POSITION NUMBER 928-400-4965-xxx	EFFECTIVE DATE

As a valued member of the Caltrans team, you make it possible for the Department to improve the mobility across California by being innovative and flexible; reporting to work as scheduled; working cooperatively with team members and others; and treating others fairly, honestly and with respect. Your efforts are important to each member of the team, as well as those we serve.

GENERAL STATEMENT:

Under direction of a Senior Right of Way Agent, the incumbent has extensive public contact representing the Department in dealing with property owners, tenants, the public and other agencies. Act as a fiduciary representative of property owners; may lead and direct the work of Right of Way Agents; must be capable of determining his/her own work schedule. Typically, activities involve considerable independent action. In the appraisal and acquisition processes, is responsible for appraising and/or negotiating for all types of properties including relocation or protection of public and private utility facilities. In the planning and management function, is responsible for capital and support budgeting, project scheduling and monitoring, right of way certification, preparation of route estimates, development and implementation of EDP systems and developing and coordinating staff training and development activities. The incumbent may direct and coordinate several programs, such as Planning and Management, Property Management, Utilities Relocation, Excess Lands, Relocation Assistance or Condemnation. Incumbent should have a valid California Driver's License. Incumbent will be required to travel and, as the assignment dictates, lodge overnight for an extended duration as often as once or twice a month.

TYPICAL DUTIES:

PERCENTAGE Essential (E)/Marginal (M)[1] — JOB DESCRIPTION

30% (E) **Appraisal Branch**

Prepare appraisal reports using Replacement Cost New Less Depreciation (RCNLD) method of valuation, Title VI requirements, FHWA minimum requirements; Uniform Act Requirements, outdoor advertising structure payment schedules, sign site value analysis, finding A & B valuation methodology, public sale estimates, rent determination and airspace lease rate/appraisal reports.

[1] ESSENTIAL 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

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30% (E) **Acquisition/Condemnation Branch**

The incumbent must: understand and interpret title reports and the impact of title exceptions on securing acceptable title to real property, prepare Right of Way (RW) contracts, memorandums of settlement, appraisal summary statements, identify subsidiary interest and potential claims for compensation. Must have complete understanding and thorough knowledge of FHWA and Caltrans rules, regulations laws and requirements governing negotiation procedures. Must assure compliance with eminent domain procedures including:

- Notice of Intent (45-day letter) to obtain Resolution of Necessity
- Appearance Requests
- Filing court documents (Lis Pendens, Complaint form, Notice of Deposit and Basis of Appraisal, etc.)
- Securing Order for Possession
- Service of process

25% (E) **Utilities Coordinator**

Investigate location of aerial and underground utilities. Make contact with utility owners for relocation State transportation projects. Interpret State plans for utility owners. Transmit plans to show utility owners the relocation requirements. Plan relocation schedule with owner's representatives; review and negotiate owner's plans, estimates and relocation cost claims; and negotiate Utilities Agreements for relocation work.

Determine owner's liability and make recommendations, as needed to Headquarters for State liability. Assist the Legal Division in making appropriate liability determinations on difficult liability problems.

Correlate Utility and State Design plans and recommend design changes to minimize conflicts and reduce cost of relocations; recommend changes in owner's plans to eliminate unnecessary adjustments. Arrange, coordinate and schedule owner's relocation work to correspond to the State's construction progress.

Coordinate with all departments and act as liaison to all departments on utility matters, including Local Assistance Measure "A" and Consulting Services Branch. Budget for capital outlay and RW support.

Inspect owner's relocation work. Review owner's billing and recommend payment on bills. Assist State auditor in these investigations. Certify RW to be obtained for utility owner's relocations and transfer title to owners.

Certify utility compliance on projects for advertising. Prepare and process legal documents perpetuate owner's prior property rights. Prepare reports for and request through Headquarters any reports that require Federal Highway Administration (FHWA) authorization to process with utility relocations. Initiate FNM-76 request for Federal funding.

Certify compliance with the State's policy on high and low risk underground facilities. Prepare request for freeway encroachment approvals. Review and comment on District Utility encroachment Permits. Advise resident on utility matters.

Coordinate and schedule utility relocations with the Contractor's operation. Review and prepare special instruction for inclusion in contract special provisions. Review and recommend as to utility facilities on proposals to dispose of excess land.

10% (E) Make presentations to the public and attend Project Development Team meetings and or public meetings.

5% (M) Participate in training or quality workshops.

SUPERVISION EXERCISED OVER OTHERS

The incumbent generally works independently on assigned projects and programs. He/she may act as lead person on a specific project or assignments, and may be required to perform all major functions of the Senior Right of Way Agent in their absence and assume responsibility for section activities, coordination and direction, as specified.

KNOWLEDGE, ABILITIES AND ANALYTICAL REQUIREMENTS

Must have full working knowledge of determination of property highest and best use, zoning and its effects on highest and best use, partial taking and damage analysis, contributory improvement value, curative damage payments, and income capitalization techniques. Must have ability to read and understand plans, drawings and maps, and assess the affect of a proposed project on private properties, utility companies and businesses. Must have complete knowledge of the Uniform Relocation and Acquisition Policy act and ensure strict adherence to all Federal and State rules, regulations, and laws as may be applicable within an assigned function. Incumbent must be familiar with California real estate law, methods of financing, appraisals and negotiation policies and procedures. Incumbent must have ability to communicate, both verbally and in writing to large or small groups, Department management, public entities and individuals. Broad knowledge of real estate, condemnation law and their application to acquisition of private property by public agencies, together with complete familiarity with Eminent Domain proceeding are required. Incumbent must also have the ability to: use computers, spreadsheets and graphics; work independently or as a member of a team; communicate effectively with the public in a manner reasonable to their comprehension.

CONSEQUENCE OF ERROR/RESPONSIBILITY FOR DECISIONS

The incumbent is expected to use their own judgment in undertaking and accomplishing assigned responsibilities within prescribed guidelines as provided in the RW Policy Manual, procedural handbooks and related material. Errors in work could result in failure to meet project target dates, inappropriate or unnecessary expenditure of public funds, and personal injury or property damage and possible loss of Federal participation in projects.

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PUBLIC AND INTERNAL CONTACTS

Requires the incumbent have the ability to make effective verbal and written presentation to individuals and groups. Public contact is extensive and involves various officials, staff and the general public through direct contact, public hearings and meetings, as required. Regularly confers with project delivery team members, and occasionally confers with representatives for Headquarters, FHWA, other State Departments and other district personnel on any and all matters pertaining to the RW unit.

PHYSICAL, MENTAL AND EMOTIONAL REQUIREMENTS

The incumbent must have the ability to conduct on-site reviews, (i.e. measuring structures and evaluating property); ability to drive safely to remote locations in a single duration (up to 6 hours); ability to hear, see, and walk over uneven surfaces for right of way functional purposes including, but not limited to appraising and real estate negotiations; ability to sustain mental activity needed for report writing, problem solving, analysis, and reasoning; ability to focus on single tasks, as well as multi-tasks when necessary; ability to remain calm, patient, and professional when dealing with the public and internal customers on sensitive issues; ability to respond to changing work priorities; ability to sit for extended periods of time using a key board and video display terminal to prepare reports and documents; and ability to move large or cumbersome plans and diagrams from one location to another.

WORK ENVIRONMENT

While working in the office of operation, incumbent will work in a climate-controlled office under artificial lights, and will sit for long periods of time using a keyboard, video display terminal and telephone. Incumbent also will be required to travel and, as the assignment dictates, lodge overnight for an extended duration as often as once or twice a month.

I have read, and understand the duties listed above and can perform them either with or without reasonable accommodation. (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)	DATE
EMPLOYEE (Signature)	DATE

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

SUPERVISOR (Print)	DATE
SUPERVISOR (Signature)	DATE

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