STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

POSITION DUTY STATEMENT

PM-0924 (REV 7/2014)

CLASSIFICATION TITLE	OFFICE/BRANCH/SECTION	
Associate Right of Way Agent	D3/North Region Division of Right of Way	
WORKING TITLE	POSITION NUMBER	EFFECTIVE DATE
Associate Right of Way Agent		

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 general direction of a Senior Right of Way Agent, the incumbent is responsible for complex assignments related to the Appraisal and Acquisition/Condemnation activities pursuant to established policies and procedures, and applicable State and Federal laws and regulations. Incumbent is responsible for appraising and/or negotiating for all types of properties including relocation or protection of public and private utility facilities. Incumbent serves as a fiduciary representative of property owners. May act as a lead and direct the work of Right of Way Agents.

Incumbent will be required to travel and as necessary will lodge overnight for an extended duration. Possession of a valid California Driver's License is desirable.

TYPICAL DUTIES:

Percentage	Essential (E)/Marginal (M)[1]	Job Description
30%	E	Appraisal Branch Perform detailed field investigations and research. Obtain and develop market data, analyzes severance damages, access right issues, larger parcel determination and valuation of integrated equipment and curative damages in conjunction with the preparation of appraisal reports required prior to right of way purchases. 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.
30%	E	Acquisition/Condemnation Branch Examine 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. Review and identify subsidiary interest and potential claims for compensation. Assure compliance with eminent domain procedures including Notice of Intent (45-day letter) to obtain Resolution of Necessity, Appearance Requests, Filing court documents (LisPendens, Complaint form, Notice of Deposit and Basis of Appraisal, etc.) Securing Order for Possession and 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. 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. 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. 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. 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.
10%	E	Make presentations to the public and attend Project Development Team meetings and or public meetings.
5%	M	Incumbent may assist and coordinate several programs, such as Planning and Management, Property Management, Utilities Relocation, Excess Lands, Relocation Assistance or Condemnation. Participate in training or quality workshops.

[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.

SUPERVISION OR GUIDANCE EXERCISED OVER OTHERS

None. May act in a lead capacity.

KNOWLEDGE, ABILITIES, AND ANALYTICAL REQUIREMENTS

Must have complete understanding and thorough knowledge of FHWA and Caltrans rules, regulations laws and requirements governing negotiation procedures. 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. 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 be familiar with California real estate law, methods of financing, appraisals and negotiation policies and procedures. 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. Incumbent must have ability to communicate, both verbally and in writing to large or small groups, Department management, public entities and individuals. Incumbent must also have the ability to use computers, spreadsheets and graphics. Ability to work independently or as a member of a team; communicate effectively with the public in a manner reasonable to their comprehension.

RESPONSIBILITY FOR DECISIONS AND CONSEQUENCES OF ERROR

Typical activities involves considerable independent action. 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.

PUBLIC AND INTERNAL CONTACTS

Extensive public contact representing the Department in dealing with property owners, tenants, the public and other

agencies. Contact with various officials, staff and the general public through direct contact, public hearings and meetings, as required. Daily contact with project delivery team members, and occasionally confers with representatives for Headquarters, FHWA, other State Departments and other district personnel.

PHYSICAL, MENTAL, AND EMOTIONAL REQUIREMENTS

May be required to sit for extended periods of time using a key board and video display terminal to prepare reports and documents. Must be able to move large or cumbersome plans and diagrams from one location to another. Ability to perform some periods of field reviews. 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. Must be able to remain calm, patient, and professional when dealing with the public and internal customers on sensitive issues. Ability to respond to changing work priorities. Must be capable to determine his/her own work schedule.

WORK ENVIRONMENT

While at their base of operation, incumbent will work in a climate-controlled office under artificial lights. However, due to periodic problems with the heating and air conditioning, the building temperature may fluctuate. When in the field, fluctuating temperatures can be expected. May be subject to various terrain, noise, odors, and dusty atmosphere. Incumbent will be required to travel and will mandate periodic overnight stays. A valid drivers license is required when operating a state-owned vehicle.

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