

Right of Way Agent Series

California State Personnel Board Specification

Series established June 13, 1973

Scope

The Right of Way Agent series specification describes five Right of Way Agent classes within the Department of Transportation.

Schem Code	Class Code	Class
KR59	4959	Right of Way Agent
KR50	4965	Associate Right of Way Agent
KR40	4962	Senior Right of Way Agent
KR30	4961	Supervising Right of Way Agent
KR20	4954	Principal Right of Way Agent

Right of Way Agent Series Specification - Class Titles and Codes

Definition of Series

This series describes work concerned with transportation related property acquisition and clearance programs. The work requires coordination with all levels of government and a thorough knowledge of real estate and land title law, appraisal methods and theories, condemnation and landlord-tenant law and the social, environmental and economic impact of transportation facilities on communities. Agents at all levels must have an understanding of engineering concepts and their effect on transportation planning; they must have the ability to successfully communicate with both property owners for acquisition of rights of way and purchasers of State-owned real and personal property.

The scope of activities involved in the Right of Way Program includes: planning and management, training, budgeting, certification and monitoring activities; development and preparation of route estimates; market value appraisal activities; real estate acquisition, including negotiation, condemnation, utility and railroad relocation, coordination with public and private utility owners, transactions with other governmental agencies; relocation assistance to displaced families and businesses; rental and maintenance of acquired properties prior to clearance for construction of the transportation facility; disposal of excess lands through negotiated and public sales; identification and promotion for development of air space and nonoperating right of way; arrangements for the construction of replacement housing when suitable housing is unavailable; review of independent appraisal reports; and serving as an expert witness in condemnation proceedings.

When assigned the responsibility of administering the District's Utility Section, plans and initiates utility facility relocation with public and private utility owners to accommodate proposed highway construction; coordinates development of utility relocation plans between the Design Department and the utility companies. (Does not approve or disapprove railroad or utility companies' engineering plans and specifications for safety and physical adequacy and their impact on proposed or existing transportation facilities; this is done by engineers in Design and/or other district programs.) Secures approval of the Federal Highway Administration, issues official notices for removal and/or relocation of utility facilities; researches public records and prepares Reports of Investigation supporting recommendation of cost liability for utility relocation; prepares and negotiates agreements for reimbursement of utility company costs for State-obligated relocations; prepares Joint and Common Use Agreements to provide for mutual occupancy of highway right of way; makes utility relocation cost estimates for project report, Planning Program and Right of Way budgeting purposes; acts as principal contact for the State

with respect to project detail matters; and acquires fee and easement parcels owned by utility companies when required for highway right of way. Decisions made establish the amount of payment to be made for property or property rights.

Entry Levels

Entry into this series is typically at the Right of Way Agent, Range A, level.

Factors Affecting Position Allocation

Differentiating factors between levels include supervision received and exercised, reporting level, complexity of duties, consequence of error, and degree and significance of public contact. The controlling factor in allocating senior and supervising positions in districts and in the Division of Right of Way will be the scope of program responsibility.

Definition of Levels

Right of Way Agent

This is typically the entry level and training class of the series. Incumbents, under the close supervision of a higher level Right of Way Agent, assist in the various programs and duties of the Right of Way Department while receiving formal and rotational on-the-job training in the major functional areas of appraisals, acquisitions, relocation assistance, utility relocation and property management. They participate in the appraisal process as trainees, perform routine office and field duties involved in the acquisition program, become familiar with the activities involved in management, rental, and disposal of property and participate in the gathering of data pertinent to relocation and moving problems of highway displaces. Decision-making actions are generally restricted and public and interdepartmental contacts are closely supervised.

Typically, Right of Way Agents are capable of some independent action under general supervision. They receive close supervision on projects and activities requiring greater responsibility and technical competence. Decision-making actions are supervised and reviewed. They participate in the appraisal process and in making analytical decisions and evaluating problems, negotiating with property owners on routine acquisitions, offering routine relocation assistance and assisting in studies of housing availability.

Incumbents will assist in the various activities of the Right of Way Program while receiving formal and on-the-job training in one or more of the major functional areas of appraisals, acquisition, relocation assistance, property management, airspace development, excess land sales, utility relocation and planning and management. Incumbents are assigned progressively more complex right of way work as their competence increases.

Associate Right of Way Agent

This is the full journey level of the Right of Way Agent series. Under general direction of a higher level Right of Way Agent, has extensive public contact representing the Department in dealings with property owners, tenants, the public and other agencies; acts 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 freedom of 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 Associate may direct and coordinate several programs, such as Planning and Management, Property Management, Utilities Relocation, Excess Lands, Relocation Assistance or Condemnation. In larger urban districts, is responsible for accomplishment of programs on one or more projects. In the Division of Right of Way, participates in assigned phases of statewide program areas including analysis and recommendations for specific program actions, prepares reports and records and may assist in analysis and development of policy.

Senior Right of Way Agent

This is the first supervisory level in the Right of Way Agent series. In a district under general direction, directs and is responsible for the successful completion of a major phase or phases of Right of Way program activities. As principal assistant to the supervising level, assigns, supervises, reviews and approves the work of subordinates; consults with and advises district management and may act as their direct representative in major program areas at either private or public meetings. In the smallest districts, may act as Deputy District Director, Right of Way. Responsibility includes programs and budgets, staff development and training, and Right of Way EDP systems development.

In the Division of Right of Way, administers statewide standards of a major phase of Right of Way activities. Some of the Senior Right of Way positions in the Division of Right of Way supervise lower level Right of Way Agents. Responsibility may include programs and budgets, professional practices, staff development and training and Right of Way EDP systems development. These positions may also advise and consult with district Right of Way Program staff, including review and approval of work from assigned districts. A number of Senior Right of Way Agent positions act as primary staff specialists in the development and implementation of statewide policy, standards, procedures, training programs, legislation and intergovernmental agency liaison in assigned program areas.

Supervising Right of Way Agent

Under general direction, either (1) plans, organizes and directs all right of way work in a district and acts as the District Director's principal assistant; or (2) in large urban districts, supervises a major subdivision of the Right of Way Program and acts as the principal assistant to the Deputy District Director, Right of Way; or (3) in the Division of Right of Way, manages a major phase of the statewide Right of Way Program; acts as a departmental representative, or a staff specialist or consultant in a specific task force, complex project or research study.

Principal Right of Way Agent

Under administrative direction, either (1) plans, organizes, and directs all of the Right of Way activities in a large urban district and acts as a functional staff assistant to the District Director; or (2) in the Division of Right of Way, administers major functional phases of the Right of Way Program in developing and implementing uniform Right of Way management policies, procedures and techniques on a statewide basis; advises and consults with high level district and statewide management; acts as Assistant Chief, Division of Right of Way, determines need, and develops and proposes new programs, directions or legislation.

Minimum Qualifications

Right of Way Agent

EITHER I

One year of experience in the California state service performing the duties of a Caltrans Administrative Technician, Range B, in an assignment involving completion of a formal training plan with emphasis on real estate related topics and rotation to at least three of the following four major Right of Way functional areas: Appraisals, Acquisition, Relocation Assistance and Property Management.

OR II

Experience: Two years of experience performing appraisal or acquisition work involving fair market value as applied to transfer and sale of real property. (Experience in real estate sales or transfers will not be considered equivalent to the appraisal or acquisition work referred to in this requirement.) and

Education: Equivalent to completion of an Associate of Arts Degree. (Additional qualifying experience may be substituted on a year-for-year basis.)

OR III

Education: Equivalent to graduation from college. (Registration as a senior in an accredited college or university or a college or university approved by the California Superintendent of Public Instruction under the provisions of California Education Code Section 94310(b), will admit applicants to the examination, but they must produce evidence of graduation or its equivalent before they can be considered eligible for appointment.)

Associate Right of Way Agent

EITHER I

Two years of experience in the California state service performing the duties of a Right of Way Agent, Range B. (Persons with eighteen months of experience as a Right of Way Agent, Range B, may be admitted to the examination but they must satisfactorily complete two years of experience at Range B before they can be considered eligible for appointment.)

OR II

Experience: Four years of experience in the acquisition of rights of way for governmental or public utility use, including at least two years of experience negotiating for the donation or purchase of lands, improvements, and rights of way for transportation facilities or other public purposes and the making of appraisals of average difficulty and experience in providing relocation assistance to displaced persons and businesses. (Experience in the California state service applied toward this requirement must include at least two years performing the duties of a class with a level of responsibility not less than Right of Way Agent, Range B.) and

Education: Equivalent to graduation from college. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

Senior Right of Way Agent

EITHER I

Two years of experience in the California state service performing the duties of an Associate Right of Way Agent.

OR II

Experience: Four years of experience in the acquisition of rights of way for governmental or public utility use where consideration must be given to socioeconomic and environmental factors, coordinated planning for the relocation of utilities, displaced persons and businesses and the development of replacement housing units and including two years of experience in the independent appraisal and negotiation for acquisition of major and complex real properties involving large sums, condemnation, damages, restriction of access, and similar complicating factors. (Experience in the California state service applied toward this requirement must include at least two years performing the duties of a class with a level of responsibility not less than Associate Right of Way Agent.) and

Education: Equivalent to graduation from college. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

Supervising Right of Way Agent

EITHER I

Two years of experience in the California state service performing the duties of a Senior Right of Way Agent.

OR II

Experience: Five years of progressively responsible experience involving all major phases of the acquisition of rights of way for governmental or public utility use, two years of which must have been in a full supervisory or administrative capacity. (Experience in the California state service applied toward this requirement must include at least two years performing the duties of a class with a level of responsibility not less than Senior Right of Way Agent.) and

Education: Equivalent to graduation from college. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

Principal Right of Way Agent

EITHER I

Two years of experience in the California state service performing the duties of a Supervising Right of Way Agent; or five years of experience in the California state service performing the duties of a Senior Right of Way Agent.

OR II

Experience: Five years of progressively responsible experience involving all major phases of the acquisition of rights of way for governmental or public utility use, three years of which must have been in a full administrative capacity. (Experience in the California state service applied toward this requirement must include at least two years performing the duties of a class with a level of responsibility not less than Supervising Right of Way Agent.) and

Education: Equivalent to graduation from college. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

Knowledge and Abilities

Right of Way Agent

Knowledge of: Analytical methods and information sources which will be used to perform tasks such as appraisal report formulation and preparation; basic arithmetic; basic algebra; and basic geometry.

Ability to: Speak and write English clearly and effectively; read and understand English including engineering terminology and the quasi-legal terminology found, for example, in statutes relating to the California Department of Transportation and in the laws, policies, rules and regulations relating to the appraisal and acquisition of property for public purposes; common methods of describing real property; State and Federal relocation assistance requirements; assemble and analyze data and be able to understand, for example, the factors involved in appraising property and the principles underlying the appraisal process; the effect on property values of deed and tract restrictions, zoning ordinances, setbacks, tax and improvement assessments, easements, and encroachments; make accurate mathematical computations and calculations; reason quickly, logically, and creatively in unique and stressful situations; establish and maintain cooperative relationships with individuals contacted in the course of their work, an example of which is the ability to conduct successful right

of way negotiations with the public and with representatives of other governmental organizations; follow directions; and organize workload.

Associate Right of Way Agent

Knowledge of: All of the above, and the development of replacement housing; organization and procedures of the Department of Transportation and transportation facilities construction and maintenance as related to rights of way; land development and investment practices; Federal Highway Administration policies and procedures relative to right of way activities; laws, policies and procedures involving the concepts of transportation facilities and their impact on the community and the environment.

Ability to: All of the above, and lead and direct the work of others; make accurate real property appraisals, including the appraisal of complex parcels involving severance damages and benefits; manage, operate, maintain and coordinate clearance of rental properties acquired by the State; effectively coordinate and apply community and environmental concepts and guidelines to the Right of Way Program; conduct private and public sales, conduct complex negotiations, confer with attorneys; develop and prepare capital and support budgets; monitor project scheduling; coordinate right of way certification; prepare route estimates; develop and implement EDP systems; coordinate staff training and development activities; analyze complex situations accurately and adopt or recommend an effective course of action.

Senior Right of Way Agent

Knowledge of: All of the above, and property values and the effect of economic trends upon value and price and on the cost of construction of the improvements with particular reference to metropolitan areas; principles of public administration, including personnel management, budgeting, and supervision; goals, objectives, policies, organization and procedures of the Department of Transportation as related to right of way in transportation facility construction and maintenance; the social and economic impact of public improvements; the Department's safety, health, affirmative action and labor relations program objectives; a supervisor's role in safety, health, affirmative action and labor relations and the processes available to meet these program objectives.

Ability to: All of the above, and plan, organize, direct and make decisions involving the work of a right of way staff; effectively contribute to the Department's safety, health, affirmative action and labor relations program objectives.

Supervising Right of Way Agent

Knowledge of: All of the above, and principles of public administration including capital program, personnel management, program development, budgeting, and supervision; goals, objectives, policies, organization and procedures of the Department of Transportation as related to right of way activities; general management principles and practices; management problem-solving methods; principles of policy development and formulation of principles and practices of disseminating public information.

Ability to: All of the above, and plan, organize, and direct or make decisions involving the work of a large Right of Way staff; develop program direction and concepts; establish and maintain liaison, communication, and a cooperative relationship on interdepartmental levels.

Principal Right of Way Agent

Knowledge of: All of the above, and principles, procedures and organization required in the management of a major-sized governmental unit; interagency, executive, and legislative relationships.

Ability to: All of the above, and plan, organize, and manage major statewide programs; establish and maintain cooperative relations with the major engineering staffs in Headquarters and districts and with public and private organizations contacted in the course of work; work and consult with legislative and other high level governmental officials.

Special Personal Characteristics

All Levels:

Require an interest in and aptitude for real property negotiations and appraisal work, sales ability and the ability to make effective oral presentations before the public, willingness to work at odd hours, and to travel throughout the State.

Supervising Right of Way Agent

Principal Right of Way Agent

Must demonstrate effective administrative ability.

Class History

Class	Date Established	Date Revised	Title Changed
Right of Way Agent	11/01/1988	--	--
Associate Right of Way Agent	04/18/1932	01/09/1990	06/24/1944
Senior Right of Way Agent	12/09/1935	01/09/1990	06/24/1944
Supervising Right of Way Agent	04/23/1954	09/25/1990	--
Principal Right of Way Agent	08/04/1960	09/25/1990	--

Right of Way Agent Series History - Dates Established, Revised, and Title Changed

Updated 6/3/2012