

GENERAL DESCRIPTION OF CLASS

The RIGHT-OF-WAY AGENT 2 functions as a specialist in right-of-way appraisal, acquisition/relocation, liaison, or property management. The specialist in the central office reviews and approves the work product submitted by the field right-of-way agents. The specialist in the field office conducts and completes the most complex and sensitive appraisals and acquisition negotiations, and plans, assigns, and reviews the work of lower-level agents in the area of their specialty.

DISTINGUISHING FEATURES

This is the third level of a three-level series. It is distinguished from the lower levels by its responsibility for final review and approval of the work of a specialized area of right-of-way such as appraisal, acquisition/relocation, liaison, or property management; by its responsibility for completing the most complicated appraisals and conducting the most sensitive acquisition negotiations on files characterized by high values, potential damages, and other factors; and/or by its responsibility for planning, assigning, reviewing, and approving the work of lower-level agents in a specialized area. This level requires a complete background of all facets of right-of-way activities (e.g., appraisal theory and practice, real property negotiation techniques, relocation benefit rules and regulations, and property management practices including landlord/tenant law). Employees in this class develop statewide standards for the appraisal of all right-of-way properties and relocation of displaced individuals and businesses through their review and audit functions and conduct compliance reviews of right-of-way acquisition programs undertaken by local governments with the use of Federal highway funds.

DUTIES AND RESPONSIBILITIES

Allocation of positions to this class will depend on the total work performed which may include one or a combination of the duties or tasks listed below.

- 1.Specialist Functions.** Typical tasks: coordinates the management of state-owned property, including taking possession of real property; secures right-of-way clearance through the letting of demolition contracts; plans for the interim use and eventual disposal of surplus agency-owned property; reviews the work of right-of-way agents in the regions to ensure compliance with State and Federal laws and policies in the area of property management; reviews and approves relocation studies prepared by right-of-way agents to ensure conformance with State and Federal laws and policies; reviews appraisals submitted by staff appraisers, independent fee appraisers, and regional appraisers and supervisors to ensure that the estimate of just compensation derived from the appraisal is reasonable and adequately supported; performs statewide audits of project activities; gives final approval for payment of relocation claims and property management services provided on a contractual basis; gives technical advice and assistance to regional and staff appraisers, independent fee appraisers, and other governmental officials, the general public, and regional supervisors when requested.
- 2.Project Planning.** Typical tasks: studies maps, liaison reports, and construction plans to become familiar with properties to be acquired for highway and other public projects; provides input to project design and location through discussion with and written reports to engineers and designers about the affect on and potential damage to the value of the property to be acquired resulting from design and location alternatives; determines through the use of construction plans what the potential effects are of project

property on remaining and adjoining properties; establishes project budget and project time lines for right-of-way activities; conducts field inspections of project property to determine the appraisal approach or approaches to take (i.e., market, cost, and/or income approach); determines the workload of lower-level right-of-way agents or the uniqueness of the appraisal and assigns task to an agent or hires private consultant to perform the work; enters into personal services contracts with fee appraisers, and other service providers conforming with State laws and Federal regulations.

- 3.Appraisal and Negotiation Participation.** Typical tasks: conducts appraisals on all types of real estate such as factories, shopping centers, and other business, industrial properties with potential damages and high value, and properties expected to have high public visibility or sensitivity; negotiates for the purchase of properties needed for highway and other public projects, with an emphasis on complex business and industrial properties of high value and those with high public visibility or sensitivity; assists owners of business or industrial properties to relocate, with an emphasis on those posing the most challenge and those with high public visibility or sensitivity; testifies in court as an expert witness in condemnation cases or other proceedings to support appraisal and relocation estimates on specific properties.
- 4.Related Right-of-Way Activities.** Typical tasks: prepares and presents the state's position in relocation appeal hearings; prepares right-of-way engineering liaison reports to be used by the Highway Design Engineers; provides technical advice to the region supervisor and others in the regional unit in one or more areas of right-of-way such as appraisal, relocation, liaison, or property management; answers inquiries from the public pertaining to past, present, and future right-of-way acquisitions; plans, designs, and presents the agency position at public hearings on planned right-of-way acquisition projects; educates and persuades those in attendance of the correctness of the agency position; answers questions related to the information presented; and defends technical accuracy of information.
- 5.Evaluation of Local Government Right-of-Way Program.** Typical tasks: visits local government right-of-way acquisition office to collect information on local government appraisal/negotiation/relocation efforts on specific projects being partially funded by Federal aid; reviews local government records to determine compliance with Federal and State statutes and funding agency's regulations; assists in the undertaking of corrective actions where necessary and appropriate; records reviewed findings and reports areas of noncompliance to Region Right-of-Way Supervisor; where corrective measures are not appropriately undertaken, recommends withholding of Federal aid reimbursement.
- 6.Local Government Right-of-Way Program Assistance.** Typical tasks: meets with and assists local government personnel interested in starting or improving appraisal/negotiation/relocation activities through instruction in and explanation of Federal and State laws, rules, and regulations; assists local government personnel in addressing particularly difficult right-of-way problems; provides early informal review of local government right-of-way activities to avoid later sanctions.
- 7.Miscellaneous Administrative Duties.** Typical tasks: plans, assigns, and coordinates the work of lower-level right-of-way agents; determines how data is to be analyzed, the format to be followed, the type of information to collect, and when the assignment is due; reviews all assignments as received from agents and fee appraisers to ensure compliance with State and Federal laws; provides input to supervisor concerning staff performance appraisals and promotional merit ratings; provides on-the-job training to new right-of-way agents; counsels agents on work-related activities, providing information, training and assistance to develop agents' appraisal, negotiation, relocation, liaison, and related skills.

RELATIONSHIPS WITH OTHERS

Employees in this class have daily telephone or in-person contact with highway engineers and designers to discuss and obtain project plans and related documents. There is occasional telephone, in-person, or written contact with appraisers, realtors, county and city officials, State and Federal governmental agencies and the general public to provide information on inquiries relating to certain highway right-of-way property, or to respond to complaints relating to the same. Employees have occasional telephone, in-person, or written contact with property owners and/or their attorneys or representatives for appraisals, negotiations, and relocation purposes. There is occasional in-person and telephone contact with lower-level employees, consultants and local government employees involved in the right-of-way process in order to explain and defend the agency's right-of-way program. During litigation, employees in this class have frequent contact with attorneys and other professionals in preparing to defend contested appraisals and relocation benefit determinations on the most complicated and complex right-of-way acquisitions.

SUPERVISION RECEIVED

Employees in this class receive general supervision from a Right-of-Way Agent Supervisor (unit manager) who assigns work orally or through written instructions. The employee is responsible for developing the specific steps involved in completion of the work assigned. Employees work with considerable independence in their area of expertise, with work reviewed through weekly status reports, periodic meetings, and through final reports for consistency and satisfaction of projects and to ensure conformance to federal rules and regulations and applicable State and Federal laws. Employees in this class follow Federal Highway Administration Rules and Regulations, applicable State and Federal laws, Right-of-Way Manual guidelines and practices, and Highway Division's policies and procedures, to ensure that right-of-way activities are consistent with those directives.

GENERAL INFORMATION

Positions in this class require the willingness to work outdoors in all kinds of terrain and weather and the willingness to work a flexible schedule.

KNOWLEDGE, SKILLS, AND ABILITIES (KSA)

Extensive knowledge of real estate and condemnation law.

Extensive knowledge of appraisal theory, methods, and techniques including all approaches to value.

Extensive knowledge of forms and content of legal documents.

Extensive knowledge of negotiation, acquisition, and relocation procedures and practices and their applicable laws, rules, and regulations.

Extensive knowledge of Federal Highway Administration Rules and Regulations, applicable State and Federal laws, Right-of-Way Manual guidelines, and Highway Division policies and procedures.

Basic knowledge of highway engineering methods and practices in relation to planned construction.

Basic knowledge of administrative rules, personnel policies and procedures, and collective bargaining agreements.

Skill in negotiating and acquiring property for highway projects.

Skill in collecting, organizing, and interpreting technical right of way information and summarizing it in written plan.

Skill in writing clear and concise letters.

Skill in reading construction plans and maps.

Skill in following oral and written instructions.

Skill in independently conducting on-site inspections of properties characterized by high values, potential damages, and other related factors and in preparing a supportable and defensible estimate of value acceptable as evidence in a court of law.

Skill in testifying as an expert witness in judicial and quasi-judicial proceedings and in effectively representing the agency under rigorous examination and cross-examination.

Skill in making oral presentations at public hearings or meetings regarding right-of-way matters.

Skill in conducting public auctions of State surplus property.

Skill in discussing change of location or design with engineers in order to minimize right-of-way costs.

Ability to plan, develop, prioritize, and coordinate right-of-way acquisition projects.

Ability to assign and review work of lower-level right-of-way agents for compliance with State and Federal laws and standard appraisal practices, and to recommend in the preparation of performance and promotional evaluations.

Ability to train employees and evaluate progress.

Ability to secure and maintain a valid driver's license at the time of appointment.

Ability to walk for extended periods of time.

NOTE: The KNOWLEDGE and SKILLS are required for initial consideration. ABILITIES may be required for initial consideration, at any time during the selection process, or during a trial service period as a final stage of the selection process. Some duties performed by positions in this class may require different KSA's. No attempt is made to describe every KSA required for **all** positions in this class. Additional KSA requirements will be explained on the recruiting announcement.

Adopted 1/90

Revised

Examples of work are typical of duties assigned to this class. No attempt is made to describe every duty performed by all positions in this class.