

REAL ESTATE ACQUISITION MANAGEMENT PLAN

A Model for the development of a Real Estate Acquisition Management Plan (RAMP)

1. GENERAL.

The purpose of a RAMP is to guide the assessment of real estate goals and the methodology for real estate acquisition. RAMPs are the recipient's planning tool. If done correctly, they will identify schedule issues, difficult parcels, the need for expanded advisory assistance, and staff issues. For projects participating in the New Starts or Small Starts programs, RAMPs are required as part of the Project Management Plan (PMP).

2. RAMP CONTENT.

a. Introduction.

- (1) Short history of pertinent elements of project;
- (2) Control agreements; intergovernmental contracts, pending solicitations, etc.,
- (3) Legal requirements; The Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended (Uniform Act), various state laws, local requirements, etc.,
- (4) Geographical description of the project,
- (5) Physical description of proposed acquisitions, number of parcels, total acquisitions, partial acquisitions, anticipated number of relocations, etc.,
- (6) Acquisitions, partial acquisitions, anticipated number of individuals and businesses that require relocation, etc. and
- (7) General outline of process and authority to condemn.

b. Organizational Structure.

- (1) Identification of staff functions;
- (2) Identification of contractual functions;
- (3) Identification of the source of the plan, and the process for plan changes, corrections, modifications as a result of negotiations, etc.;
- (4) Party that can establish the offer of just compensation; and
- (5) Party that can authorize condemnation.

c. Acquisition Schedule.

- (1) Set out the timeframe for acquisition, relocation, and total length of time needed,
- (2) Date for initiation of negotiations for the project,
- (3) Difficulties and potential delays,
- (4) How will progress reporting be handled and who will receive this information
- (5) Identification of a critical path for right-of-way(s).

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d. Real Estate Cost Estimate.

- (1) Background of the estimate; when was it done, and what was the basis of the estimate,
- (2) Need for any update of the cost estimate, and
- (3) How will the estimate be compared to actual costs as the project progresses.

e. Acquisition Process.

Recipients must have procedures and processes to acquire real estate. This may be demonstrated in the RAMP or through detailed procedures attached to the RAMP. The procedures should detail how the tasks of real estate acquisition and relocation will be accomplished and should be appropriate for the complexity and size of the project.

- (1) Plans—who prepares, who can modify, what is process for considering property owner’s request to modify, etc.;
- (2) Ownership and title information—how is this gathered, what is the contractual requirements, are those contracts in place, and what is the process to update and correct errors and omissions;
- (3) Appraisal—who will do the appraisals, what are the contracting requirements if necessary, what is the estimate duration of this task, how many copies of the appraisals will be obtained, and will the appraisals be shared with property owners;
- (4) Appraisal Review process—who will accomplish this task, what is the scope of work of the task in general, what is the turnaround time for this work, will the review handle updates of appraisals, will the review handle modification of appraisals based on owner claims, will the review be used to support administrative settlements, and is FTA Concurrence required;
- (5) Establishment of Offer of Just Compensation—who does this and what is the basis of this offer;
- (6) Negotiations—who will negotiate, what is their authority, who must approve administrative settlements and other concessions to property owners, what documentation is required for the negotiations’ process, who signs the letter of offer, will the negotiator also handle relocation payments, how is the interface between negotiations and condemnation handled, what documents will the negotiator be expected to provide to legal for settlement and condemnation, and will the negotiator be present at closing;
- (7) Administrative settlements – who will handle these, how do they originate, who prepares the document(s), who can approve settlement, and is FTA concurrence is required;
- (8) Closing/Escrows—who will provide this service, how will it function, what is the estimated length of time to deposit funds to escrow for closing, what documents will be necessary, how will closings be conducted, what form of deeds will be used, and how will property taxes be paid and exempted; and
- (9) Condemnation—who will authorize lawsuits, who will file, what is relationship between the recipient and its legal personnel, what authority does attorney have for settlement, what are the progress reporting requirements.

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f. Relocation Process.

A recipient must plan for relocation activities per regulatory requirements. However, the extent of the planning should be commensurate with the number, complexity, and type of displacements. A recipient must be able to demonstrate available comparable replacement housing for every residential displacement:

(1) Staffing and Administration—how will the relocation function be staffed, who is authorized to compute payments, who will approve payments, what is the relocation process to be utilized in the project, what level of advisory services will be needed, who will provide advisory services, what is the claims payment process, what is the time to pay a relocation claim, what authority and controls will be needed for advanced claims, what documentation will be retained in the files, and what forms will be used;

(2) What is the anticipated extent of displacement, types of displacement, availability of replacement housing and business sites, contemplated problems associated with the displacement; and

(3) Appeals—what are the legal requirements for administrative appeals, how will the agency establish and staff an appeal function, who will receive appeal requests, what is the appeal process.

g. Other Components.

(1) Document Control—how are documents filed, what length of time will original paper documents be maintained, what is the organization of parcel files, condemnation files, etc., and what is the contents of a typical file;

(2) Property management—who will perform the property management tasks, what is included in the Scope of Work for property management, who contracts for demolition, what are the contracting requirements, what are the reporting requirements, and what is the statement of policy regarding rental property for extended possession by tenants and owners;

(3) What are the contracting requirements, the reporting requirements, statement of policy regarding rental property for extended possession by tenants and owners, and policy regarding rental of property not immediately needed for project; and

(4) Real Property Reporting Requirement—who will prepare and track excess parcels, what is the process to evaluate these tracts, who will determine when to sell the excess property, how will the disposition of proceeds be distributed, and what are agency, state, or local restrictions on the sale of public property.

h. Appendix materials.

(1) Copies of internal procedures for various functions, such as relocation and negotiation; and

(2) Copies of acquisition and relocation brochures with a statement as to the need to update any of these documents.