

POSITION DUTY STATEMENT

DOT PM-0924 (REV 08/2024)

CLASSIFICATION TITLE Associate Right of Way Agent	OFFICE/BRANCH/SECTION District 5/ Right of Way / General	
WORKING TITLE Associate Right of Way Agent	POSITION NUMBER 905-400-4965-XXX	REVISION DATE 01/10/2024

As a valued member of the Caltrans leadership team, you make it possible for the Department to provide a safe and reliable transportation network that serves all people and respects the environment.

GENERAL STATEMENT:

Under the direction of the Senior Right of Way Agent the incumbent will have extensive public contact representing the Department in dealing with property owners, tenants, the public and other agencies; act as representative of property owners; may lead and direct the work of Right of Way Agents. The incumbent is responsible for more complex assignments related to Appraisal, Acquisition/Condemnation, Utility Relocation, Project Coordination, Planning and Management, Relocation Assistance, Property Management, Excess Land, Airspace and other Right of Way tasks pursuant to established policies and procedures, and applicable State and Federal laws and regulations. Travel may be required as necessary. Possession of a valid California Driver's License is required when operating a state owned or leased vehicle.

CORE COMPETENCIES:

As an Associate Right of Way Agent, the incumbent is expected to become proficient in the following competencies as described below in order to successfully perform the essential functions of the job, while adhering to and promoting the Department's Mission, Vision, Values, Strategic Imperatives and Goals. Effective development of the identified Core Competencies fosters the advancement of the following Leadership Competencies: Change Commitment, Risk Appetite, Self-Development/Growth, Conflict Management, Relationship Building, Organizational Awareness, Communication, Strategic Perspective, and Results Driven.

- **Flexibility and Managing Uncertainty** : Adjusts thinking and behavior in order to adapt to changes in the job and work environment. (Cultivate Excellence - Innovation)
- **Decision Making**: Makes critical and timely decisions. Takes charge. Supports appropriate risk. Makes challenging and appropriate decisions. (Cultivate Excellence - Engagement)
- **Ethics and Integrity**: Demonstrated concern to be perceived as responsible, reliable, and trustworthy. Respects the confidentiality of information or concern shared by others. Honest and forthright. Conforms to accepted standards of conduct. (Cultivate Excellence - Integrity)
- **Conflict Management**: Recognizes differences in opinions and encourages open discussion. Uses appropriate interpersonal styles. Finds agreement on issues as appropriate. Deals effectively with others in conflict situation. (Advance Equity and Livability in all Communities - Engagement)
- **Interpersonal Savvy/Partnering**: Builds constructive and effective relationships, using diplomacy and tact. Is able to relate to a diverse set of individuals. (Strengthen Stewardship and Drive Efficiency - Engagement)
- **Customer Focus**: Considers, prioritizes, and takes action on the needs of both internal and external customers. (Cultivate Excellence - Equity)
- **Communication**: Expresses oneself clearly in all forms of communication. Gives feedback and is receptive to feedback received. Knows that listening is essential. Keeps others in the Division and other functional units informed as appropriate. (Cultivate Excellence - Integrity)
- **Analytical Skills**: Approaches problems using a logical, systematic, and sequential approach. Weighs priorities and recognizes underlying issues. (Strengthen Stewardship and Drive Efficiency - Engagement, Innovation)
- **Business Acumen**: Ability to perform essential functions of position with insight, acuteness, and intelligence in the applicable areas of commerce and/or industry. (Strengthen Stewardship and Drive Efficiency - Engagement, Integrity)

TYPICAL DUTIES:

Percentage Essential (E)/Marginal (M) ¹	Job Description
30% E	Incumbent assists work, and coordinate several additional program areas, such as Planning and Management, Project Coordination, Real Property Services, Relocation Assistance or Condemnation. Participate in training or quality workshops.

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25%	E	<p>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.</p> <p>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.</p> <p>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.</p> <p>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 engineer on utility matters.</p>
20%	E	<p>Acquisition: Performs required negotiation activities to process agreement with property owners relating to acquisition of properties and/or property rights as needed for highway projects or departmental uses in the District, as well as on projects for those counties, local agencies, cities and districts with whom Caltrans has cooperative agreements to implement acquisition programs. Reviews and submits requests to FHWA for functional replacement. Upon approval, initiates the process to identify, appraise and acquire the property needed for functional replacement. Coordinates with the agency affected to ensure that everything has been constructed according to building codes and that all other regulations have been met. Secures, examines, and interprets title reports on property to be acquired, and directs the preparation and execution of necessary documents to secure clear title; coordinates the preparation of deeds, re-conveyance agreements and other documents involving property acquisition. Participates in pretrial and trial proceedings with representatives of the legal division, and concludes negotiations on settlements made during such proceedings. Maintain records, files and statistical data in connection with the acquisition function. Secures and examines title reports and evaluates the effect of easements and other encumbrances. Inspects the subject property and interviews owners regarding any pertinent information. Coordinates Right of Way activities with all branches regarding railroad involvement and acts as liaison between railroad companies and the state.</p>
20%	E	<p>Appraisals: Prepares written appraisal reports and valuation studies for properties to be acquired for highway projects; airspace lease development program; excess land disposal, local agency appraisal pursuant to contract or cooperative agreements in conformance with State and Federal standards. Secures and examines title reports and evaluates the effect of easements and other encumbrances. Inspects the subject property and interviews owners regarding any pertinent information. Measures and prepares description, plot plans of improvements. Conducts search of area to obtain comparable market data. Interviews local building and zoning authorities, brokers, salespersons and other knowledgeable persons for various related information. Analyzes and interprets data obtained in order to ascertain interest rates, land improvement ratios, gross income multipliers, land values and a number of other related factors. Assists in training new employees in the review of valuation reports.</p>
5%	M	<p>Make presentations to the public and attend Project Development Team meetings and or public meetings.</p>

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¹ESSENTIAL 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

May be lead and direct the work of Right of Way Agents, Range A and B.

KNOWLEDGE, ABILITIES, AND ANALYTICAL REQUIREMENTS

Thorough knowledge of Federal, State and Departmental policies and procedures; State and Federal laws, rules and regulations pertaining to acquiring property for public use. Knowledge of the principles of appraising, acquisition, relocation assistance, condemnation, utility relocation, title & escrow, hazardous waste management, expert witness acquisitions, contract management oversight, disposal of public property; real property law; and the State Contract Act.

General knowledge of analytical methods and information sources to perform tasks such as appraisal report formulation and preparation; basic arithmetic; basic algebra; basic geometry; common methods of describing real property; Right of Way Engineering principles; transportation facilities construction and maintenance as related to rights of way. Knowledge of land development and investment practices; Federal Highway Administration policies and procedures that pertain to right of way activities; laws, policies and procedures involving the concepts of transportation facilities and their impact on the community and the environment: policies, procedures and functions of Caltrans Division of Right of Way, Department of Transportation, California Transportation Commission and the Uniform Relocation Assistance Act.

The ability to speak and write English clearly and effectively; read and understand English including engineering terminology and the quasi-legal terminology; assemble and analyze data and be able to understand the factors involved in appraising property and the principles underlying the appraisal and other Right of Way processes.

A high degree of analytical ability is required - various alternatives must be considered when preparing an appraisal to determine if the conclusions relate appropriately to the market. A keen analytical and problem-solving aptitude, along with the ability to exercise good professional judgment is essential.

The Associate Right of Way Agent is required to work independently with minimal guidance from his/her supervisor. The Associate Right of Way Agent, under the direction of the supervisor, is responsible for advising management on issues that are sensitive in nature. Failure to provide proper advice to management could result in inappropriate action(s) being taken, financial liability and/or discredit to the department. The Associate Right of Way agent must research existing policies and rules prior to making any recommendation(s) on how to handle any specific issue.

The incumbent is responsible for complying with the Information Practices Act (IPA) by protecting departmental employees' confidential information, including, but not limited to, social security numbers, medical or employment history, education, financial transactions, or similar information. Failure to protect confidential information may damage the Division of Right of Way's reputation as a confidential organization, may result in employee grievances or lawsuits, and, pursuant to California Civil Code Section 1798.55, could result in disciplinary action, including termination of employment.

RESPONSIBILITY FOR DECISIONS AND CONSEQUENCES OF ERROR

Errors in judgment and decisions can adversely affect decision-making, project delivery, compliance with pertinent laws, regulations, guidelines, adverse publicity, individual or class-action lawsuits against the Department, loss of Federal funds and decreased productivity. Failure in any area of performance could jeopardize or delay project delivery, result in inappropriate or unnecessary expenditure of public funds, personal injury or property damage, and possible loss of Federal participation, and loss of public trust.

PUBLIC AND INTERNAL CONTACTS

This position requires extensive public contact representing the Department in dealing with property owners, tenants, the public, and other public agencies. Extensive contact with R/W Management, District Right of Way functional area personnel, Division of R/W, Legal Division, other District functional units, local government entities, County and City officials, Federal Highway Administration and other public agencies. These contacts will be verbal or written, as needed, to perform assignments.

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 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. Must be able to give oral presentations to gatherings of various sizes. Ability to respond to

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changing work priorities. Must be capable to determine his/her own work schedule and perform all needed duties during that time.

WORK ENVIRONMENT

While at their base of their operations, employees will work in a climate-controlled office under artificial lighting. They will use a keyboard and video monitor for long periods of time as well as a telephone. Employees may also be required to travel and work outdoors and may be exposed to dirt, noise, uneven surfaces and/or extreme heat or cold.

This position may be eligible for telework. The amount of telework is at the discretion of the Department and based on Caltrans's current telework policy. While Caltrans supports telework, in-person attendance may be required based on operational needs. Employees are expected to be able to report to their worksite with minimal notification if an urgent need arises. The selected candidate may be required to conduct business travel on behalf of the Department or commute to the headquartered location. Business travel reimbursements considers an employee's designated Headquarters Location, primary residence, and may be subject to CalHR regulations or applicable bargaining unit contract provisions. All commute expenses to the headquartered location will be the responsibility of the selected candidate.

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.)

I agree that by providing my electronic signature for this form, I agree to conduct business transactions by electronic means and that my electronic signature is the legal binding equivalent to my handwritten signature. I hereby agree that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.

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

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