

## ***Right of Way Program - Performance Measures***

Requested By: **State of California**

Survey Deadline: **April 8, 2014**

Question: The State of California's (CALTRANS) Right of Way program is in the process of preparing a strategic plan. We would like this plan to include a variety of performance measures that will provide a straightforward accounting of how we are performing. Our intent is to be transparent and accountable, and to be a performance-driven program.

**What do you use as performance measures in your State's Right of Way Program?  
And/or, what performance measures would you recommend?**

### **ALABAMA**

### **ALASKA**

### **ARIZONA**

Arizona has the following Performance Measures in place:

1. Number of Administrative Settlements under \$5000.00
2. Number of Entry Agreements
3. Funding sources for ROW on federal-aid projects (ADOT):  
Number of projects with federal-aid funds in ROW  
Number of projects using state funds in ROW
4. Funding sources for ROW on federal-aid projects (LPA):  
Number of projects with federal-aid funds in ROW  
Number of projects using local funds in ROW
5. Number and percent of federal-aid projects that were cleared with conditional ROW certifications
6. Number of federal-aid projects experiencing delays and/or claims due to conditional ROW certification

### **ARKANSAS**

### **CALIFORNIA**

### **COLORADO**

CDOT ROW has many performance measures:

1. FHWA-CDOT Stewardship Agreement Audit Report (**2012-2013 report is attached**)

2. **Quarterly Vital Statistics** (most recent quarterly stats report included as attachment to email)
3. Performance Management Plans with at least one goal per quarter for each staff member
4. Customer Service Surveys distributed at all closings, and other finalization of acquisition and relocation actions (**survey template attached** - also have Spanish version)
5. Annual review and assessment of HQ ROW Unit Work Plan progress (**current Work Plan attached**)
6. Occasional internal audit when another State DOT's ROW or Property Management staff make the news

#### CONNECTICUT

#### DELAWARE

In Delaware we have proposed the following Performance Measures. They are now in effect but no data yet. I have added some clarification to the actual measures (*italics*)

We were looking for information that would actually provide information regarding possible areas of improvement. I am available to discuss if needed.

Bob Cunningham, DelDOT, [robert.cunningham3@state.de.us](mailto:robert.cunningham3@state.de.us)

**a. Clear right of way statement issued within month scheduled (90%)**

*NOTE: This is based upon the schedule established at Final Plans. Due to revisions, funding and other issues, the "scheduled" date could change but this initial date will not.*

**b. Final right of way budget within 10% of semi-final estimate (90%)**

*NOTE: This also will not change due to revisions etc.*

#### DISTRICT OF COLUMBIA

#### FLORIDA

#### GEORGIA

#### HAWAII

#### IDAHO

#### ILLINOIS

#### INDIANA

#### IOWA

The Iowa DOT is also looking to add more performance measures into our work processes and looks forward to seeing the results of this survey.

We currently track two performance measures.

1. Percent of parcels acquired by negotiations. Goal is 85%.
2. The dollar amount of excess land sold per year. Goal is \$ 1 million.

#### KANSAS

#### KENTUCKY

At the present time, Kentucky does not have any measures setup in our State. Due to the work load set by Governor, we only measure by the amount of Construction dollars that are awarded per year.

#### LOUISIANA

#### MAINE

#### MARYLAND

#### MASSACHUSETTS

#### MICHIGAN

#### MINNESOTA

MnDOT's external right of way department measure is "How long does it take to acquire right of way" with a goal of 14 months. This is done by measuring the time frame between construction limits and right of way availability for letting.

#### MISSISSIPPI

#### MISSOURI

Missouri currently uses the following performance measures:

- Rate of property owner satisfaction (*This measure is based on a property owner opinion surveys provided to each property owner following the acquisition of realty rights.*)
- Statewide percent of parcels acquired through negotiations without the need for condemnation
- Right of Way dollars programmed amount vs. actual cost
- Number of excess properties conveyed and gross revenue generated from the sale of excess property
- Excess inventory activity

#### MONTANA

#### NEBRASKA

#### NEVADA

#### NEW HAMPSHIRE

NEW JERSEY
NEW MEXICO
NEW YORK
NORTH CAROLINA
NORTH DAKOTA
OHIO
OKLAHOMA

Attached is a **Performance Measurement Report** which is prepared on a quarterly basis for ODOT.

OREGON
PENNSYLVANIA
PUERTO RICO
RHODE ISLAND
SOUTH CAROLINA
SOUTH DAKOTA
TENNESSEE
TEXAS
UTAH
VERMONT
VIRGINIA
WASHINGTON
WEST VIRGINIA
WISCONSIN
WYOMING

# FHWA/CDOT STEWARDSHIP AGREEMENT ANNUAL AUDIT REPORT FY 2013

Date of Report: October 31, 2013 (for period July 1, 2012 to June 30, 2013)  
 Program Areas: Right of Way, Property Management, Outdoor Advertising  
 CDOT Manager: Scott McDaniel, Director of Staff Branches  
 Richard Zamora, Project Development Branch Manager  
 Dave Wieder, Maintenance & Operations Branch Manager  
 FHWA Manager: Randy Jensen, Program Delivery Engineer  
 Shawn Cutting, Program Delivery Engineer

Was each of the required actions in the FHWA ROW Required Actions List assigned to ROW completed for fiscal year 2013? Yes.

## Describe the activities conducted to accomplish the elements listed in the Right of Way Quality section:

- 1) There are numerous State ROW Manual changes that will be updated as a result of changes in FY 2013, as well as continuous enhancements and clarification to existing material. Said updates will be completed as staffing is available. Certification of changes by FHWA will follow.
- 2) There were no requests for waivers.
- 3) The FHWA Annual Acquisition and Relocation Statistics report was submitted to the State and FHWA on or before November 15, 2012.
- 4) ROW airspace authorizations issued:

**Table 1. FY 2009 – FY 2013 Airspace Authorizations**

Region	FY 2009 Interstate Airspace	FY 2009 Non- Interstate Airspace	FY 2010 Interstate Airspace	FY 2010 Non- Interstate Airspace	FY 2011 Interstate Airspace	FY 2011 Non- Interstate Airspace	FY 2012 Interstate Airspace	FY 2012 Non- Interstate Airspace	FY 2013 Interstate Airspace	FY 2013 Non- Interstate Airspace
1	0	9	0	4	2	3	1	8	0	5
2	0	0	1	2	1	0	0	0	0	0
3	1	4	1	14	0	1	2	7	1	3
4	0	7	1	2	0	10	0	16	0	17
5	0	5	0	1	0	1	0	1	0	5
6	4	1	2	0	1	2	0	0	0	1
<b>Total</b>	<b>5</b>	<b>26</b>	<b>5</b>	<b>23</b>	<b>4</b>	<b>17</b>	<b>3</b>	<b>32</b>	<b>1</b>	<b>31</b>

5) Access break and ROW disposals completed:

**Table 2. FY 2009 – FY 2013 Access Break and ROW Disposals**

Region	FY 2009 Less Than FMV or Interstate Access Break or Disposal	FY 2009 Non- Interstate FMV Access Break or Disposal	FY 2010 Less Than FMV or Interstate Access Break or Disposal	FY 2010 Non- Interstate FMV Access Break or Disposal	FY 2011 Less Than FMV or Interstate Access Break or Disposal	FY 2011 Non- Interstate FMV Access Break or Disposal	FY 2012 Less Than FMV or Interstate Access Break or Disposal	FY 2012 Non- Interstate FMV Access Break or Disposal	FY 2013 Less Than FMV or Interstate Access Break or Disposal	FY 2013 Non- Interstate FMV Access Break or Disposal
1	3	0	1	2	1	1	0	2	0	0
2	0	0	1	2	2	0	0	0	3	0
3	0	0	2	0	2	0	2	0	0	0
4	0	0	0	4	2	9	0	7	2	2
5	0	0	3	0	1	0	0	2	0	1
6	4	4	3	0	1	0	3	0	3	1
<b>Total</b>	<b>7</b>	<b>4</b>	<b>10</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>5</b>	<b>11</b>	<b>8</b>	<b>4</b>

**Table 3. FY 2009 – FY 2013 Access Line Crossing License**

Region	FY 2009 Interstate Access Line Crossing License	FY 2009 Non- Interstate Access Line Crossing License	FY 2010 Interstate Access Line Crossing License	FY 2010 Non- Interstate Access Line Crossing License	FY 2011 Interstate Access Line Crossing License	FY 2011 Non- Interstate Access Line Crossing License	FY 2012 Interstate Access Line Crossing License	FY 2012 Non- Interstate Access Line Crossing License	FY 2013 Interstate Access Line Crossing License	FY 2013 Non- Interstate Access Line Crossing License
1	3	0	4	0	1	0	4	0	6	0
2	0	0	1	0	2	0	0	0	1	0
3	0	0	1	0	2	0	2	0	0	0
4	0	0	1	0	2	0	0	1	1	2
5	0	0	0	0	1	0	0	0	0	0
6	1	2	4	0	1	0	0	0	0	1
<b>Total</b>	<b>4</b>	<b>2</b>	<b>11</b>	<b>0</b>	<b>9</b>	<b>0</b>	<b>6</b>	<b>1</b>	<b>8</b>	<b>3</b>

6) Project Development's Traffic Engineering Branch Sign removal activities FY 2013.

**Table 4. FY 2009 Sign Removal Activities**

<b>FY 2009</b>	<b>Illegal Sign Removal Summary</b>						
Region	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	TOTAL
Written Notice	0	18	1	2	0	7	28
Personal Contact	18	33	7	20	11	27	116
Encroachment on ROW	2008	2456	150	1155	60	268	6097
<b>TOTAL</b>	<b>2026</b>	<b>2507</b>	<b>1177</b>	<b>1177</b>	<b>71</b>	<b>302</b>	<b>6241</b>

**Table 5. FY 2010 Sign Removal Activities**

<b>FY 2010</b>	<b>Illegal Sign Removal Summary (Estimate based on FY 2009 data)</b>						
Region	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	TOTAL
Written Notice	0	18	1	2	0	7	28
Personal Contact	18	33	7	20	11	27	116
Encroachment on ROW	2008	2456	150	1155	60	268	6097
<b>TOTAL</b>	<b>2026</b>	<b>2507</b>	<b>1177</b>	<b>1177</b>	<b>71</b>	<b>302</b>	<b>6241</b>

**Table 6. FY 2011 Sign Removal Activities**

<b>FY 2011</b>	<b>Illegal Sign Removal Summary (Estimate for Region 3 only)</b>						
Region	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	TOTAL
Written Notice	3	6	1	0	6	48	64
Personal Contact	23	12	7	31	16	8	97
Encroachment on ROW	965	873	150	3494	55	247	5784
<b>TOTAL</b>	<b>991</b>	<b>891</b>	<b>158</b>	<b>3525</b>	<b>77</b>	<b>303</b>	<b>5945</b>

**Table 7. FY 2012 Sign Removal Activities**

<b>FY 2012</b>	<b>Illegal Sign Removal Summary (Estimate based on the last four fiscal years)</b>						
Region	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	TOTAL
Written Notice	2	11	1	11	2	20	47
Personal Contact	19	26	5	20	11	18	99
Encroachment on ROW	1601	1782	151	1465	5	276	5280
<b>TOTAL</b>	<b>1622</b>	<b>1819</b>	<b>157</b>	<b>1496</b>	<b>18</b>	<b>314</b>	<b>5426</b>

**Table 8. FY 2013 Sign Removal Activities**

<b>FY 2013</b>	<b>Illegal Sign Removal Summary (Estimate based on the last four fiscal years)</b>						
Region	Region 1	Region 2	Region 3	Region 4	Region 5	Region 6	TOTAL
Written Notice	1	10	0	0	2	19	32
Personal Contact	19	25	50	2	11	18	125
Encroachment on ROW	19	1440	1170	996	42	332	3999
<b>TOTAL</b>	<b>40</b>	<b>1477</b>	<b>1223</b>	<b>1002</b>	<b>60</b>	<b>375</b>	<b>4117</b>

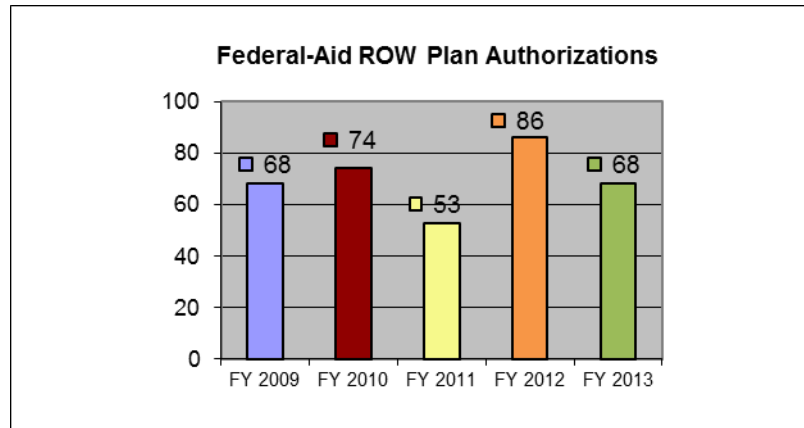
- 7) On-going monitoring regarding the Uniform Act was performed on every project for which Federal participation was sought. All forms were fully completed, and three or more levels of review were done prior to issuance of any funds.

- 8) CDOT authorized 68 ROW Plans for Federal Aid participation projects.

**Table 9. FY 2009 – 2013 CDOT Authorized 68 Plans for Federal Aid Projects**

ROW Plans Authorized	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Federal Aid Projects with ROW	68	74	53	86	68

**Figure 1. FY 2009 – 2013 Federal Aid ROW Plan Authorizations**



- 9) Quality Control (QC) is performed in four functional areas within the ROW process: a ROW plan authorization review, appraisal review, relocation determination approval, and a settlement package checklist. This is CDOT's process for all FY 2013 projects. CDOT has checklists and forms required for every key transaction.
- 10) Staff also conducted a systematic file review process. Scheduled file reviews in FY 2013 included the review of Region 1 files by Region 3, the review of Region 2 files by Region 5, and the review of Region 3 files by Region 4. The results of these reviews were all satisfactory, and each was documented and reviewed with all Regions at the quarterly ROW Managers' Meetings. In addition to the QC focus of this effort, many best practices are shared and implemented by Regions, improving efficiencies and consistency Statewide.

### Performance Indicators

- 1) Conditional Clearances - Percentage of Federal Aid projects with conditional ROW certifications was: 12%.

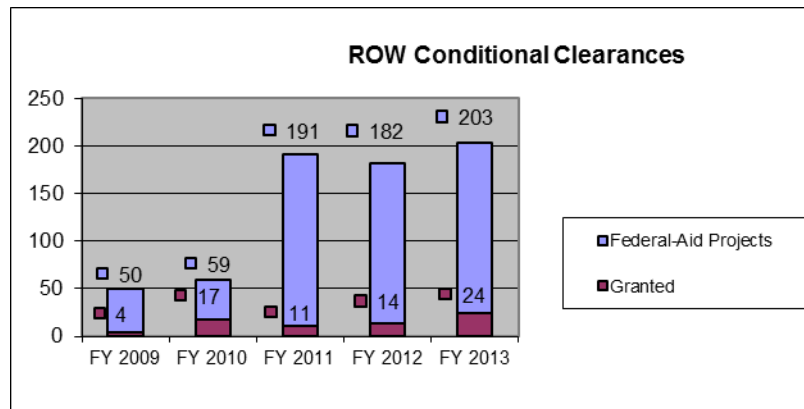
**Table 10. FY 2009 – 2013 Federal Aid Projects with ROW Conditional Clearances**

ROW Conditional Clearances	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Federal Aid Projects with ROW	50	59	191*	182*	203
Conditional Clearances (granted)	4	17	11	14	24
Percentage of Conditional Clearances	8%	29%	6%	8%	12%

\* FY 2011, FY 2012, & 2013 Clearances include a large number of LPA projects.



**Figure 2. FY 2009 – 2013 Federal Aid Projects with ROW Conditional Clearances**

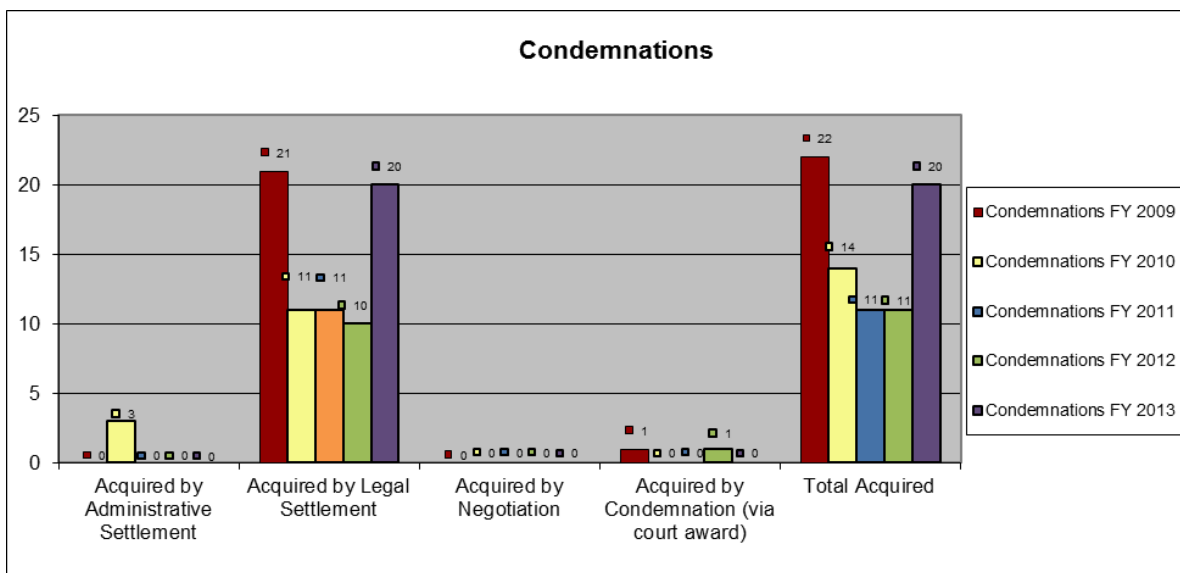


- 2) Condemnations – In FY 2013, 264 acquisitions were conducted. 20 of these acquisitions/cases were forwarded to the Office of the Attorney General for the initiation of condemnation proceedings. None of said parcels were acquired by condemnation (via court award).

**Table 11. FY 2009 – FY 2013 Condemnations – Cases Settled**

Condemnations – Cases Settled	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Total Number of Acquisitions (Acq)	181	169	215	252	264
Parcels Acquired by Region Administrative Settlement/Percentage of Total Acq	0 / 0%	3 / 2%	0 / 0%	0 / 0%	0 / 0%
Parcels Acquired by Legal Settlement/Percentage of Total Acq	21 / 12%	11 / 7%	11 / 5%	10 / 4%	20 / 12%
Parcels Acquired by Negotiation /Percentage of Total Acq	0 / 0%	0 / 0%	0 / 0%	0 / 0%	0 / 0%
Parcels Acquired Using Condemnation (via court award)/Percentage of Total Acq	1 / 1%	0 / 0%	0 / 0%	1 / < 0.5%	0 / 0%
<b>TOTAL (Cases)</b>	<b>22</b>	<b>14</b>	<b>11</b>	<b>11</b>	<b>20</b>

**Figure 3. FY 2009 – FY 2013 Condemnations**



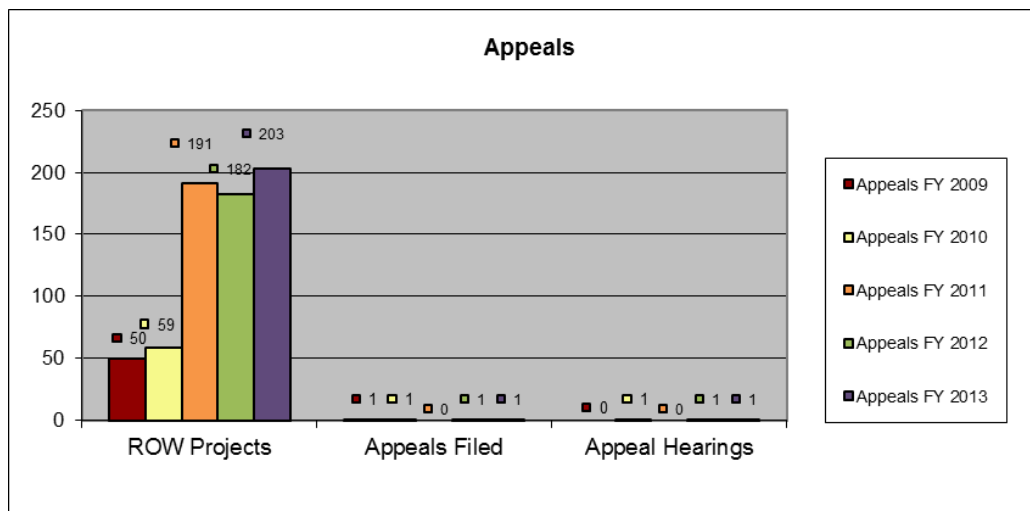
- 3) Appeals – One relocation appeal was filed.

**Table 12. FY 2009 – FY 2012 Appeals**

Appeals	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Appeals Filed	1	1	0	1	1
Appeals that went to Hearings	0	1	0	1	1

- 4) Statewide acquisition settlement at FMV: 57%

**Figure 4. FY 2009 – 2013 Appeals**



- 5) Mid FY 2010, CDOT ROW began the process of surveying the public impacted by ROW acquisition and/or relocation. That survey was a Quality Assurance Review (QAR) effort, and although it was conclusive, CDOT has decided to continue these efforts in order to assure continued high quality customer service to the public. To date, the rate of return on this survey is an impressive 43%. Following are statewide results of said survey for FY2011, FY2012 and FY2013.

**Figure 5. FY 2011, 2012, 2013 ROW Customer Survey**

**Colorado Department of Transportation:  
Right of Way Customer Service Survey  
(FY 2011 Information Summary - STATEWIDE)**

**Appraiser**

How well did the Appraiser explain the appraisal process to you?

Excellent	Very Good	Good	Fair	Poor

Average Ratings: 4.33 \*

How well did the Appraiser work with you when your appraisal visit was conducted?

Excellent	Very Good	Good	Fair	Poor

Average Ratings: 4.20 \*

Were your questions answered in a clear and timely manner?

Yes	No
96.77%	3.23%

Average Ratings: 0.97 \*\*

**Acquisition Agent**

How well did the Acquisition Agent explain the project as it related to your property?

Excellent	Very Good	Good	Fair	Poor

Average Ratings: 4.67 \*

Were you comfortable with the amount of time you had to consider the offer for your property?

Yes	No
97.92%	2.08%

Average Ratings: 0.98 \*\*

Were your questions answered by the Acquisition Agent in a clear and timely manner?

Yes	No
97.26%	2.74%

Average Ratings: 0.97 \*\*

**Relocation Agent**

How well did the Relocation Agent explain the project as it related to your property?

Excellent	Very Good	Good	Fair	Poor

Average Ratings: 4.85 \*

Were you comfortable with the amount of time you had to consider your Relocation offer?

Yes	No
100.00%	0.00%

Average Ratings: 1.00 \*\*

Were your questions answered by the Relocation Agent in a clear and timely manner?

Yes	No
100.00%	0.00%

Average Ratings: 1.00 \*\*

\* Excellent = 5, Very Good = 4, Good = 3, Fair = 2, Poor = 1  
\*\* Yes = 1, No = 0

**Colorado Department of Transportation:  
Right of Way Customer Service Survey  
(FY 2012 Information Summary - STATEWIDE)**

<b>Appraiser</b>					<b>Average Ratings</b>
How well did the Appraiser explain the appraisal process to you?					4.12 *
Excellent	Very Good	Good	Fair	Poor	
How well did the Appraiser work with you when your appraisal visit was conducted?					4.08 *
Excellent	Very Good	Good	Fair	Poor	
Were your questions answered in a clear and timely manner?					0.96 **
Yes	No				
95.83%	4.17%				
<b>Acquisition Agent</b>					
How well did the Acquisition Agent explain the project as it related to your property?					4.59 *
Excellent	Very Good	Good	Fair	Poor	
Were you comfortable with the amount of time you had to consider the offer for your property?					0.98 **
Yes	No				
97.83%	2.17%				
Were your questions answered by the Acquisition Agent in a clear and timely manner?					0.97 **
Yes	No				
96.94%	3.06%				
<b>Relocation Agent</b>					
How well did the Relocation Agent explain the project as it related to your property?					4.57 *
Excellent	Very Good	Good	Fair	Poor	
Were you comfortable with the amount of time you had to consider your Relocation offer?					1.00 **
Yes	No				
100.00%	0.00%				
Were your questions answered by the Relocation Agent in a clear and timely manner?					0.90 **
Yes	No				
90.00%	10.00%				

\* Excellent = 5, Very Good = 4, Good = 3, Fair = 2, Poor = 1

\*\* Yes = 1, No = 0

**Colorado Department of Transportation:  
Right of Way Customer Service Survey  
(FY 2013 Information Summary - STATEWIDE)**

<b>Appraiser</b>					<b>Average Ratings</b>
How well did the Appraiser explain the appraisal process to you? (Please circle one)					3.80 *
Excellent	Very Good	Good	Fair	Poor	
How well did the Appraiser work with you when your appraisal visit was conducted?					3.80 *
Excellent	Very Good	Good	Fair	Poor	
Were your questions answered in a clear and timely manner? (Please circle one)					0.94 **
Yes	No				
94.12%	5.88%				
<b>Acquisition Agent</b>					
How well did the Acquisition Agent explain the project as it related to your property?					4.34 *
Excellent	Very Good	Good	Fair	Poor	
Were you comfortable with the amount of time you had to consider the offer for your property?					0.95 **
Yes	No				
95.45%	4.55%				
Were your questions answered by the Acquisition Agent in a clear and timely manner?					0.93 **
Yes	No				
93.18%	6.82%				
<b>Relocation Agent</b>					
How well did the Relocation Agent explain the project as it related to your property?					4.44 *
Excellent	Very Good	Good	Fair	Poor	
Were you comfortable with the amount of time you had to consider your Relocation offer?					1.00 **
Yes	No				
100.00%	0.00%				
Were your questions answered by the Relocation Agent in a clear and timely manner?					1.00 **
Yes	No				
100.00%	0.00%				

\* Excellent = 5, Very Good = 4, Good = 3, Fair = 2, Poor = 1

\*\* Yes = 1, No = 0

Did your program area encounter problems with the Stewardship Agreement (i.e. lack of understanding, etc.)? No.

## Colorado Department of Transportation: Right of Way Customer Service Survey

We are striving to provide excellent customer service and request your assistance. Please take a moment to fill out this survey and give us your constructive input. Please skip any questions that are not applicable to your experience. Please return this survey to us in the provided envelope, or send to CDOT – ROW, 4201 E. Arkansas Ave., Denver, CO 80222.

### **Appraiser**

1. What was the Appraiser's name who worked with you? \_\_\_\_\_
2. How well did the Appraiser explain the appraisal process to you? (Please circle one)  
*Poor                  Fair                  Good                  Very Good                  Excellent*
3. How well did the Appraiser work with you when you appraisal visit was conducted? (Please circle one)  
*Poor                  Fair                  Good                  Very Good                  Excellent*
4. Were your questions answered in a clear and timely manner? (Please circle one)  
*No                  Yes                  Comments* \_\_\_\_\_

### **Acquisition Agent**

1. What was the Agent's name who worked with you on Acquisition? \_\_\_\_\_
2. How well did the Acquisition Agent explain the project as it related to your property? (Please circle one)  
*Poor                  Fair                  Good                  Very Good                  Excellent*
3. Were you comfortable with the amount of time you had to consider the offer for your property? (Please circle one)  
*No                  Yes                  Comments* \_\_\_\_\_
4. Were your questions answered by the Acquisition Agent in a clear and timely manner?  
*No                  Yes                  Comments* \_\_\_\_\_

### **Relocation Agent**

1. What was the Agent's name who worked with you on Relocation? \_\_\_\_\_
2. How well did the Relocation Agent explain the project as it related to your property? (Please circle one)  
*Poor                  Fair                  Good                  Very Good                  Excellent*
3. Were you comfortable with the amount of time you had to consider your Relocation offer?  
*No                  Yes                  Comments* \_\_\_\_\_
4. Were your questions answered by the Relocation Agent in a clear and timely manner?  
*No                  Yes                  Comments* \_\_\_\_\_

### **Other**

Do you have any other comments or questions about the service we provided? Please feel free to write on the back of this sheet as well. Please include your name and contact information if you would like a response.

## **RIGHT OF WAY PROGRAM WORK PLAN For CDOT Performance Year 2014-1015**

### **2014-2015 Performance Plan Quarterly Program Goals:**

- Complete the Peoria Crossing Project Oversight Report by June 30, 2014.
- Conduct acquisition, appraisal, survey and program management training for all CDOT ROW staff by July 31, 2014.
- Prepare Scope of Work and Begin Process to Hire Consultant to Update the Survey Manual by September 30, 2014.
- In cooperation with FHWA, prepare draft of outreach and training plan for Local Public Agencies and Consultants by December 31, 2014.
- Finalize and Publish Survey Manual Update by March 31, 2015.
- Prepare draft updates the CDOT ROW Manual by July 31, 2015.
- Finalize and publish ROW Manual Updates by December 31, 2015.

### **CDOT Mission:**

To provide the best multi modal transportation system for Colorado that most effectively and safely moves people, goods, and information.

### **Project Development Branch Mission:**

Our mission is to enhance the quality of project delivery statewide through consistency, timeliness and innovation. Our mission is accomplished by providing dedicated support, technical expertise and professional development to our customers both within and outside CDOT.

### **Project Development Branch Vision:**

As leaders, we are the provider of choice for project delivery expertise. We guide the development of policies and procedures. We ensure that CDOT has competent, well-trained staff that is knowledgeable about the regulations and procedures, as well as the benefits of consistent and universal application. We model open and effective communication that promotes a positive cooperative atmosphere and supports innovation and flexibility toward cost effective solutions.

### **Right of Way Program Mission:**

To enhance statewide facilitation of CDOT's Right of Way program through consistency, timeliness and innovations. We accomplish this by providing dedicated support, technical expertise, and professional development to the Regions, other CDOT departments and our external customers.

### **ROW Program Vision**

The vision for the CDOT Headquarters Right of Way Program is to make the mission<sup>1</sup> for the ROW Program a reality:

- To have a cooperative, cohesive staff who will go beyond consistency and timely task completion to embrace program innovations.
- To be recognized by the Regions, other CDOT Divisions and Management as being capable of providing dedicated support and technical expertise as needed; and
- To provide leadership and coordination for professional development in each specialty area - this professional development will include training to be provided to the Regions, other CDOT departments, and our external customers such as Local Public Agencies and the consulting communities.

## **Program Core Service: Quality Assurance and Program Delivery**

### **Priority 1**

#### **Maintain Federal Participation: Program Quality Indicators**

Goal: Maintain Federal participation (funding) through quarterly and annual review of four program quality indicators.

Measure: Whether CDOT maintains Federal participation.

Measure: Track and analyze four program quality indicators on a quarterly basis through CDOT's vital statistics reporting and annually through the Stewardship Agreement:

1. Conditional Clearances
2. Condemnations
3. Relocation Determination Appeals
4. Acquisition Settlement Rate using Fair Market Value

Strategy: Maintain good working relationship with FHWA representatives.

Strategy: Comply with the Stewardship Agreement.

Strategy: Submit complete Federal report on or before November 15 each year.

Strategy: Submit required 1099 and 1099 Misc reports in timely manner each year.

Strategy: Maintain the ROW Manual to comply with FWHA re-certification requirements.

### **Priority 1**

#### **Maintain Federal Participation: Relocation Determinations**

Goal: Maintain Federal participation through continued, thorough review and decision-making on all Relocation Determinations.

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<sup>1</sup> To enhance statewide facilitation of CDOT's Right of Way program through consistency, timeliness and innovations. We accomplish this by providing dedicated support, technical expertise, and professional development to the Regions, other CDOT departments and our external customers.

Objective: Maintain rate of review of Relocation Determinations.

Objective: Remain in compliance with the Uniform Act, State law and the Right of Way Manual.

Measure: Comparison of Relocation Determination request receipt dates with decision dates.

Objectives: Issuance of signed Relocation Determination or denial within five business days of receipt of the request 90% of the time.

Strategy: Maintain receipt and completion date tracking system for Relocation Determinations requests.

Strategy: Headquarters Acquisition-Relocation Unit Supervisor keeps this activity as a top priority.

### **Priority 1**

#### **Maintain Federal Participation: Appraisal and Appraisal Review Program**

Goal: Maintain Federal participation by providing and managing an appraisal program to coordinate CDOT HQ and Region policies and procedures in compliance with the Uniform Act and recognized appraisal standards.

Objective: Remain in compliance with the Uniform Act, State law and the Right of Way Manual.

Strategy: Maintain CDOT Qualified Appraiser and Reviewer lists, and system of quality assurance reviews for contract/fee appraisers and reviewers.

### **Priority 1**

#### **Maintain Federal Participation: Acquisition and Relocation Program**

Goal: Maintain Federal participation by providing and managing an acquisition and relocation agent program to coordinate CDOT HQ and Region policies and procedures in compliance with the Uniform Act and recognized appraisal standards.

Objective: Remain in compliance with the Uniform Act, State law and the Right of Way Manual.

Strategy: Write a white paper to document the current state of the fee agent program at CDOT, look at how other State DOTs manage their acquisition and relocation fee agent program, and develop a business case for updating CDOT's fee agent program.

- Create a task force to include representation from CDOT (including the Equal Opportunity group) and the International Right of Way Association to review the white paper findings and recommend updates to the CDOT fee agent program.

Strategy: Maintain CDOT Qualified Acquisition and Acquisition-Relocation agent lists, and begin to design a system of quality assurance reviews for contract/fee agents.

### **Priority 1:**

#### **ROW Plan Authorization**

Goal: Maintain Federal Participation by providing ROW Plan Authorization and issuance of Land Acquisition Approvals.

Objective: Maintain a consistent rate of review of ROW Plans and ROW Plan revisions, and the timely issuance of 462s and LAAs.

Measure: Track ROW Plan Authorization request receipt dates with 462 issuance dates.

Objectives: Issuance of 462s within seven business days of receipt of ROW Plans and ROW Plan revision packages 90% of the time.

Strategy: Maintain statewide tracking system for ROW Plan Authorizations.

Strategy: HQ Survey and ROW Plans staff plans work activity as the highest priority.

Strategy: HQ Survey and ROW Plans staff to maintain positive working relationships with FHWA and Region Survey and Plans staff.

## **Program Core Service: Program Delivery**

### **Priority 2:**

#### **Consistently Maintain the Survey Manual and Update the Survey Chapters in the Right of Way Manual**

Goal: Consistently maintain the Survey Manual (and associated forms), Right of Way Manual chapters 1 and 2 (and associated forms) and Standards and Specifications number 625 and 629 to be in line with current Federal and State requirements.

Measure: If there were Federal or State requirement changes, was the Survey Manual updated?

Strategy: To incorporate changes in Federal and state law, and new FHWA guidelines into the Survey Manual.

Strategy: Include Headquarters and Region survey staff in the process of determining whether any changes need to be made to the Survey Manual, then managing the research, drafting and review processes.

#### **Prepare draft updates the CDOT ROW Manual, Appraisal Chapter, by December 31, 2015.**

### **Priority 2:**

#### **Consistently Maintain the Appraisal Chapters in the Right of Way Manual**

Goal: Consistently maintain the appraisal chapters (and forms) of the Right of Way Manual to be in line with current Federal and State requirements.

Measure: If there were Federal or State requirement changes, were the appraisal chapters of the Right of Way Manual updated?

Strategy: To incorporate changes in Federal and state law, and new FHWA guidelines into the ROW Manual.

Strategy: Include Headquarters and Region appraisal staff in the process of determining whether any changes need to be made to the appraisal chapters of the Right of Way Manual, then managing the research, drafting and review processes.

### **Priority 2:**



### **Consistently Maintain the Acquisition and Relocation Chapters in the Right of Way Manual**

Goal: Consistently maintain the acquisition and relocation chapters (and forms) of the Right of Way Manual to be in line with current Federal and State requirements.

Measure: If there were Federal or State requirement changes, were the acquisition and relocation chapters of the Right of Way Manual updated?

Strategy: To incorporate changes in Federal and state law, and new FHWA guidelines into the ROW Manual.

Strategy: Include Headquarters and Region acquisition and relocation staff in the process of determining whether any changes need to be made to the acquisition and relocation chapters of the Right of Way Manual, then managing the research, drafting and review processes.

### **Priority 3:**

#### **Quality Assurance Review**

##### QAR #2:

Continue use of customer service surveys, with HQ maintaining a spreadsheet of the results.

### **Priority 3:**

#### Payment Incentive Pilot Program – To be Added to the ROW by December 31, 2015

Goal: Streamline Right of Way program processes and save money through use the addition of the Payment Incentives for Acquisition and Relocation in the Right of Way Manual.

Measure: Whether the ROW Manual has been updated to include additional information on use of incentive payments for acquisition and relocation.

Measure: Number of projects cleared for ad sooner than the minimum 90-day notice.

Measure: Amount of money saved through use of relocation and/or acquisition incentive payments on the property acquisition phase (by comparison to projects not using payment incentives).

Objective: Reduce length of time it normally takes to relocate businesses, residents and/or personal property by 30 days per parcel.

Objective: Reduce the overall average length of time to clear a project for ad by 30 days.

Strategy: Offer payment incentives for accelerated relocation to property owners, tenants and those with personal property on a parcel to be acquired.

Strategy: Educate CDOT ROW staff, fee agents, property owners and tenants about the benefit of using relocation payment incentive program (relocation payment incentives are not taxable).

### **Program Core Service: Technical Assistance**

**Priority 3:**

**Research Assistance and Document Management**

Goal: Provide timely, accurate research assistance to the public, other CDOT departments and the CDOT Regions.

Goal: Through cooperation with others in Project Development, work to establish ProjectWise as the data and document management system for all ROW-related materials.

Objective: To fulfill research expectations of public, other CDOT departments and CDOT Regions.

Objective: Assist all CDOT Regions and Departments with implementation of a shared document indexing system.

Measure: Whether appropriate research assistance is provided in a timely manner.

Measure: Whether research request are appropriately prioritized.

Measure: Whether Open Records requests have been responded to in a complete, timely manner.

Measure: Whether Project Wise is in use as the central data and document repository for all ROW-related documents.

Strategy: Develop a strategy to convert REMS data into a useable, publically-accessible format.

Strategy: Develop a strategy to convert FileNet data into a useable, publically-accessible format.

Strategy: Using temporary aide assistance, scan and index all of the as-built and ROW Plans, verify the scanning and indexing work done, and make these records accessible via Internet.

Strategy: (Continue to try to) Work with DTD or other CDOT IT group to develop a right of way interest ownership layer on one of CDOT's GIS database sets.

**Program Core Services: Customer Service and Training**

**Priority 2:**

**Maintain Positive Relationships between CDOT and the Professional Accreditation (Appraisal), LPA and Consultant Communities in all three Specialty Areas.**

Strategy: Adjust HQ ROW Specialty Supervisors' Focus to Program Management and Program Improvements. Each Specialty Supervisor will:

- Perform outreach to consultants, LPAs and public in each specialty area.
  - Meet with local regulatory, professional and consultant organizations to explain CDOT's program and processes in each specialty areas, as well as CDOT's procurement, contracting, dispute resolution and claims processing.
  - Develop rapport with the regulatory, professional and consultant organizations toward sharing of information and improvement of the CDOT ROW program and processes.

- Prepare training materials and offer training for Region staff and external customers - consultants, LPAs and public from each specialty area.
  - Prepare “shortcut” sheets for vital ROW processes based on:
    - Every Day Counts Initiatives (to be distributed)
    - Uniform Act requirements
    - State procurement rules
    - CDOT contracting processes

**Priority 3:**

**Survey Specialty Training –**

Goal: Improve knowledge and understanding of Headquarters and Region staff as to survey and Right of Way Plan drafting techniques and new technology.

Measure: Determine whether technical training has been offered to CDOT Region staff surveyors at least one time per year by the Headquarters Survey Unit.

Measure: Participation as a presenter in CDOT’s engineer training program.

Measure: Determine whether the participants gained knowledge and understanding of the information provided using exit surveys.

Measure: Determine whether scores on the annual Project Development Customer Service survey have improved.

Strategy: Through training, improve program delivery to ensure the survey and Right of Way Plans work is consistently in compliance with Federal, state and CDOT rules and regulations.

Strategy: Require the Headquarters Survey Unit Supervisor to organize one educational opportunity per year for Region staff.

**Priority 3:**

**Appraisal Specialty Training**

Goal: Improve knowledge and understanding of Headquarters and Region staff as to appraisal and appraisal review processes and skills.

Measure: Determine whether training has been offered at least one time per year by the Headquarters Appraisal Unit.

Strategy: Through training, improve program delivery to ensure the appraisal and appraisal review work is consistently in compliance with Federal, state and CDOT rules and regulations.

Strategy: Require the Headquarters Appraisal Unit Supervisor to organize one educational opportunity per year for Region staff.

**Priority 3:**

**Acquisition-Relocation Specialty Training - Staff to Perform this Work is not Available at this Time**

Goal: Improve knowledge and understanding of Headquarters and Region staff as to acquisition and relocation processes and skills.

Measure: Determine whether scores on the annual Project Development Customer Service survey have improved.

Strategy: Through as-needed, mentoring training, improve program delivery to ensure the acquisition and relocation work is consistently in compliance with Federal, state and CDOT rules and regulations.

Measure: Begin to design and offer training for fee agents on CDOT's policies and procedures.

WORK PROCESS OUTPUTS	Activity Code	1 <sup>st</sup> Qtr SFY-2014	2 <sup>nd</sup> Qtr SFY-2014	3 <sup>rd</sup> Qtr SFY-2014	4 <sup>th</sup> Qtr SFY-2014
<b>1. Appraisals Conducted (Appraisal Branch)</b>					
a. # of Preliminary / Scoping Estimates Prepared					
b. # of Appraisal Reports Prepared					
c. % of Appraisal Reports accepted without the need for updating					
d. # of Appraisals of Surplus ODOT Property Completed					
e. # of Appraisals of Leases for ODOT Property Completed					
f. # of Appraisal Reviews Conducted - Regular Projects					
g. # of Review of Legal Appraisal					
h. # of Appraisals of Mass-Transit Completed					
i. # of Review Appraisals - Other Gov. Agencies					
j. # of Parcel - Appraisal Prep for Consultant Fee Work					
<b>2. Acquisitions Negotiated &amp; Secured (Acquisition Branch)</b>					
a. # of Parcels Secured - Regular Projects					
b. # of Parcels Secured with an Administrative Settlement - Regular Projects (This measure is a subset of measure a. above)					
c. # of Parcels Condemned - Regular Projects					
d. # of Waiver Valuation Parcels prepared and approved by ODOT					
e. # of Special Assignments Secured					
f. # of Local Public Agency Agreements Secured					
g. # of Project Agreements Prepared - Local Public Agency Projects					
h. # of Local Public Agency Parcels Checked Prior to Acquisition					
i. # of Local Public Agency Parcels Reviewed After Acquisition					
j. # of Local Public Agency Projects Cleared for Letting					
<b>3. Owners, Tenants &amp; Business Relocation (Relocation Branch)</b>					
a. # of Residential Relocations Completed					
b. # of Residential Relocation offers requiring recalculation due to an Administrative Settlement					
c. # of Business Relocations Completed					
d. # of Local Public Agency Project Drive-outs Completed					
e. # of Preliminary Estimate Drive-outs Completed					

f. # of Initial Drive-outs Completed					
g. # of Public Hearings / Meetings Attended					
h. # of Scoping Estimates Prepared					
i. # of Clearance Contracts Completed					
j. # of Improvement Removal Contracts Completed					
<b>4. Utilities Relocated (Utilities Branch)</b>					
a. # of Utility Relocation Work Orders Issued					
b. # of Scoping Estimates Prepared					
c. # of Programming Estimates Prepared					
d. # of Utility Relocation Plans Completed (As Planned Plans)					
e. # of Projects requiring a Utility Information Sheet for Const. Letting					
f. # of Utility Permits Processed					
g. # of Plan-in-Hand Inspection and Reports Prepared					
h. # of Claims Processed					
i. # of Citations / Administrative Decisions Processed					
<b>5. Mapping Documents Prepared (Mapping Branch)</b>					
a. # of Parcels Prepared					
b. # of Special Instruments Prepared for Legal & Business Services Div.					
c. # of Requests for Verification of Present R/W					
d. # of Preliminary Estimates Prepared					
e. # of Plan-in-Hand Inspection and Reports Prepared					
f. # of Secured Parcels Verified					
g. # of Verifications for Legal & Business Services Division					
h. # of Parcels Prepared for Condemnation					
i. # of Revisions Processed					
j. # of Highway System Removals Prepared					
k. # of Improvement Removal Plans Prepared for Relocation					
<b>6. Condemnation Completed (Legal &amp; Business Services Div.)</b>					
a. # of Parcels (ODOT Staff)					
b. # of Parcels (Fee Consultant)					
<b>7. Claims Processed (Business Office)</b>					

a. # of Claims Processed					
<b>8. Leases / Disposals Completed (Legal &amp; Business Services Div.)</b>					
a. # of Parcels (ODOT Staff)					
b. # of Parcels (Fee Consultant)					
<b>9. Project Management Functions (Project Management Branch)</b>					
a. # of Scoping Estimates Prepared					
b. # of Scoping Meetings Attended					
c. # of Programming / Funding Requests Prepared					
d. # of Project Agreements Prepared - Regular Projects					
e. # of Project Agreements Secured - Regular Projects					
f. # of Advance Acquisition Requests Researched					
<b>10. Registration and Permits (Outdoor Advertising Control Branch)</b>					
a. # of Permit Applications Received					
b. # of New Permits Issued					
c. # of Permit Renewal Notices Sent					
d. # of Permits Renewed					
e. # of New Outdoor Advertising Licenses Issued					
f. # of License Renewal Notices Sent Out					
g. # of License Renewals					
h. # of Illegal Notices Sent					
i. # of Illegal Sign Cases Resolved					
j. # of Legal Nonconforming Signs Removed (Grandfathered)					
k. # of Conforming Signs Removed or Permits Cancelled					
l. # of Illegal signs removed					
<b>11. Overhead Functions (Overhead Branch)</b>					
a. # of Open Records Act Requests Completed					
b. # of Contracts Prepared					
c. # of Fee Contract Evaluations Completed					
d. # of projects funded as a result of the EDC Initiative					

<b>CLIENT BENEFITS / IMPACTS</b>	<b>1<sup>st</sup> Qtr</b>	<b>2<sup>nd</sup> Qtr</b>	<b>3<sup>rd</sup> Qtr</b>	<b>4<sup>th</sup> Qtr</b>
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	SFY-2014	SFY-2014	SFY-2014	SFY-2014
<b>1. Required Property Acquired with Minimal Disruption</b>				
a. % Acquisitions Accomplished by Target Date (Project Management Br.)				
b. % Parcels Acquired through Negotiation (Business Office)				
c. % Parcels Acquired by Condemnation (Business Office)				
d. # of Parcels Acquired through Jury Trial (Business Office)				
e. # of Parcels Acquired through Settlement (Business Office)				
<b>2. Departmental Costs Controlled</b>				
a. Total Cost of Acquisition and Clearance (Business Office)				
b. Total Cost of Utility Relocation (Business Office)				

<b>STRATEGIC OUTCOMES</b>	1 <sup>st</sup> Qtr SFY-2014	2 <sup>nd</sup> Qtr SFY-2014	3 <sup>rd</sup> Qtr SFY-2014	4 <sup>th</sup> Qtr SFY-2014
<b>1. Efficient Construction Process Supported</b>				
a. % of Projects Certified for the Scheduled Letting (Project Management Branch) *** Does Not Include LPA Projects or On-System Projects w/ No R/W ***				
b. % of Projects Delayed Due to Difficulties in Acquiring R/W and/or Relocating Utilities (Project Management Branch)				
c. % of Federal Aid Construction Projects Letting with Conditional R/W Certifications (Type II or III Certifications Only) (Project Management Branch)				
d. % of R/W Projects Over Budgeted Amount (Business Office) (1)				
e. % of R/W Projects Under Budgeted Amount (Business Office)				
f. % of Utility Projects Over Budgeted Amount (Business Office) (1)				
g. % of Utility Projects Under Budgeted Amount (Business Office)				

(1) Original Programmed Amount + 3% Per Year Inflation Adjustment = X  
Final Expended Amount Should be No More Than 5% Above X