Pre-ROW Activities

Before the ROW phase begins, the ROW PM must verify the work program data, plan the project, and procure a consultant, ROW staff or a combination of both.

Verify Work Program Data: The PM should coordinate with the appropriate section in the District ROW office to verify that adequate funding is available in the work program for the project. This procedure requires a comparison of the work program funds with the current project cost to verify that adequate funding is programmed. Programmed funding for the project must also be compared with the project schedule in the Project Scheduling and Management System (PSMS). Adequate funding must be available in the work program for each work program phase and must be available in the year the work under each phase is scheduled.

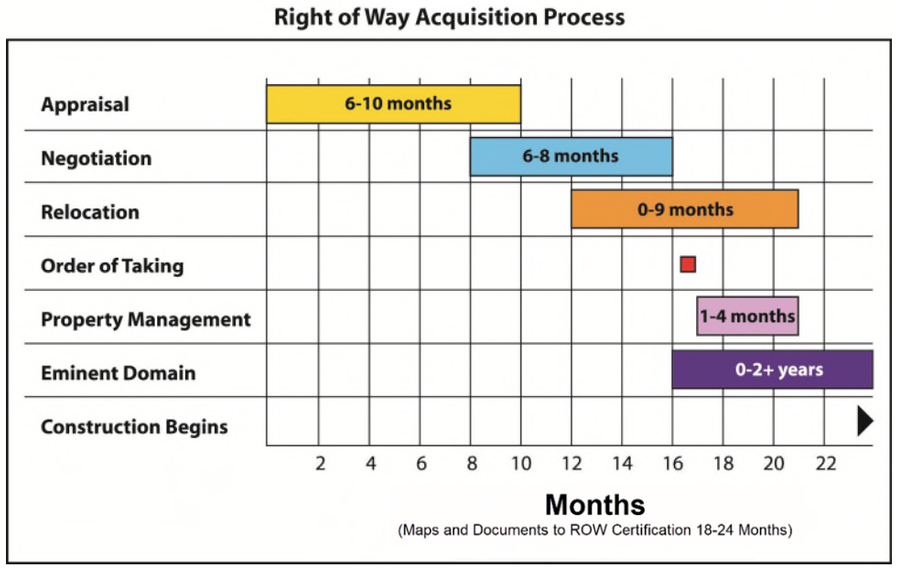
If adequate funding is not programmed for each phase in the year the phase is scheduled, the PM must coordinate with the ROW work program liaison, District Work Program Office and District project scheduling office to resolve funding/scheduling issues.

Plan the Project: The PM must track critical events and activities during the ROW project. ***Figure 1, Right of Way Acquisition Process***, describes the major activities commonly associated with ROW Projects.

It is recommended that prior to the commencement of the ROW project the PM should establish a system to track events and activities occurring during negotiations, relocation, and property management. The tracking method the District chooses is discretionary; but it should include procedures to track events, amounts, and comments. The following list is not intended to be comprehensive or indicative of the exact ROW time period, but to provide a guide to some key events that must be tracked on a parcel-by-parcel basis:

- Delivery of ROW maps, title searches, and conveyance documents

Figure 1



- Appraisal/appraisal review delivery
- Delivery of acquisition notices
- Delivery of initial offers to purchase
- Delivery of eminent domain suit information
- Eminent domain suit file dates
- Eminent domain order of taking dates
- Deposit date of good faith estimate into court registry
- Invoice receipt and approval dates
- Delivery date and amount of any best and final offer

- Date best and final offer accepted or expired
- Agreement dates and amounts including any administrative increase
- Warrant requested/received dates
- Parcel closing date
- Date the Notice to Business Owner was received
- Business damage offer received date and amount
- Deadline date for FDOT to respond to Business Owner's claim/offer
- Delivery and expiration dates of relocation notices
- Relocation payment amounts, approval dates, and delivery dates
- Displacee move dates
- Identification of improvements requiring demolition
- Date of FDOT physical possession
- Dates for asbestos survey and abatement, if required
- Date demolition complete

Procure a Consultant: The initial step in consultant procurement is to develop a scope of services. The PM must identify the broad scope of the ROW project and type of ROW services required. Required ROW services can be determined from review of the current ROW cost estimate, field review of the project, ROW maps, and construction plans. The scope of work must identify:

- The number of ROW parcels to be acquired.
- The interest to be acquired in each parcel (fee, perpetual easement, temporary easement, etc.).
- Vacant parcels.
- Parcels that have improvements located on them.
- Residential parcels.
- Commercial parcels.
- Anticipated business damage claims.
- All displacees by type (residential, business, personal property only, on-premise signs, and so forth).
- Outdoor advertising signs.
- All structures and improvements anticipated to be demolished.
- Any other issue anticipated that may influence the ROW services to be performed.

ROW may detail the anticipated consultant costs in the scope or as a separate estimate for the Professional Services Unit (PSU). Costs should be estimated based on historic hourly rates or unit costs for similar consultant services compared against the estimated hours or unit values required for the project.

As a guideline when developing the project scope of services, the PM might refer to a scope of services previously prepared for a similar project.

The PM must provide a scope of services and estimate to the PSU in order to procure consultant services. For detailed information on consultant procurement and negotiations, the PM should refer to ***PMG 220, Consultant Procurement***, and ***PMG 230, Consultant Contract Negotiations***.

Assign ROW Staff or Joint Staff: Instead of utilizing a consultant, the District ROW Manager may elect to assign ROW services to FDOT staff. The District

ROW Manager or designee will ensure the assigned staff is aware of their duties and responsibilities for the project.

The District ROW Manager may also decide to use a combination of ROW staff and consultants for the project. When joint staff is utilized, the District ROW Manager or designee must ensure that both parties are aware of their roles and responsibilities through the appropriate means of procurement (i.e., assignment for FDOT staff and scope of services for consultants).