ATTACHMENT I

RIGHT OF WAY SUPPORT CONSULTANT QUALIFICATIONS

ACQUISITION CONSULTANTS

Acquisition consultants are to be used when rights are to be acquired, whether those rights are temporary, permanent, in fee, or easement, or compensable damage payments are to be made as a result of the project.

Acquisition Consultants must possess:

- Real Estate Broker's or Salesperson's License (when under the direct supervision of a Real Estate Broker) as issued by the CA Department of Real Estate (required by law). All Right of Way Contracts must be approved for content and signed or initialed by the Real Estate Broker.
- Minimum two (2) years of experience in the acquisition of rights for eminent domain purposes.
- Knowledge of the Uniform Relocation and Real Property Acquisition Policies Act and state Eminent Domain Law. By signing the Right of Way Contract, the Broker or Principal of the Company acknowledges responsibility for maintaining a complete file on each parcel.
- Specific knowledge and experience appropriate for the proposed project.

Acquisition Consultants Responsibilities under the Uniform Act:

- Ensure establishment of just compensation by local agency prior to initiation of negotiations.
- Expeditious acquisition within 30-days of approved appraisal.
- First Written Offer should be presented in person when possible.
- Summary Statement (basis for the appraisal) to be included with the first written offer.
- Owner to be given responsible time to consider offer and present material relevant to value determination (i.e. 30 days and a minimum of 3 contacts).
- Payment is required before taking possession unless date of possession clause is used in contract.
- Local agency is responsible for payment of all incidental expenses (title, escrow, surveys, prepayment penalties, etc.)
- Preparation of Administrative Settlements when it is reasonable and in the public interest.
- Diary entries including confirmation of delivering Title VI information if project is federally funded.

APPRAISAL CONSULTANTS

Appraisal consultants are to be used on projects where property rights are to be acquired for a project, whether those rights are temporary, permanent, in fee, or easement, or compensable damages accrue to property as a result of the project. The appraiser measures the fair market value of the rights to be acquired.

Appraisal Consultants are required to possess:

- Appropriate Appraisal license as issued by the CA Office of Real Estate Appraisers in accordance to the degree, complexity and value of the appraisal required:
    - Residential License for any non-complex 1- 4 family property with value of 1 million and nonresidential property with a transaction value up to $250,000.
    - Certified Residential for any 1- 4 family property without regard to transaction value or complexity and nonresidential property with a transaction value up to $250,000.

    - Certified General for all real estate without regard to transaction value or complexity.
- Appraisal License is required by law for transportation projects on or off the State Highway System.
- Minimum two (2) years experience of appraisal of rights for eminent domain purposes.
- Successful completion of a course in appraisal of partial acquisitions for public agencies.
- Knowledge of the Uniform Relocation and Real Property Acquisition Policies Act and state eminent domain Law. Work samples provided by the consultant should be reviewed by the LPA.
- Specific knowledge and experience appropriate for the proposed project.

Appraiser Responsibilities under the Uniform Act:

- Property owner must be notified in writing of agency's decision to appraise.
- Property owner or designee must be given opportunity to accompany appraiser during property inspection.
- Responsibility of sending Title VI information.
- Diary entry of notifications and contacts.
- Appraisal to contain minimum recognized standards for public acquisition (Zoning, Property Rights to be acquired, Highest and Best Use Analysis, Comparables, Improvements Acquired, Damages, Cost to Cure, etc.)
- All appraisals must contain Appraiser and Review Appraiser Certificates.

RELOCATION CONSULTANTS

Relocation consultants are to be used when there are occupants and/or personal property within the project area that must be relocated outside the project area. Occupancy may be residential or nonresidential, including agricultural uses. Relocation specialists may be used to prepare the relocation impact documents (part of the environmental clearance document) in the planning stage. A consultant proficient in both acquisition and relocation may be retained for both functions under the "caseworker" approach.

Relocation Consultants must possess:

- Minimum two (2) years of experience at the working level providing public agency relocation assistance.
- Knowledge of the Uniform Relocation and Real Property Acquisition Policies Act and state eminent domain Law.
- Specific knowledge and experience appropriate for the proposed project.