



NORTH CAROLINA

Department of Transportation



PTRC Lunch & Learn #4

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June 20, 2019

Overview of Session #3

Right of Way

The Uniform Relocation Assistance and Real Property Acquisition Act, AKA -

“The Uniform Act”

- Explanation and expectations
- Consequences of failing to follow
- When does it apply?

Right of Way

Process of acquisition

- Appraisals
- Negotiation
- Just Compensation
- Documentation

Right of Way

Appraisals

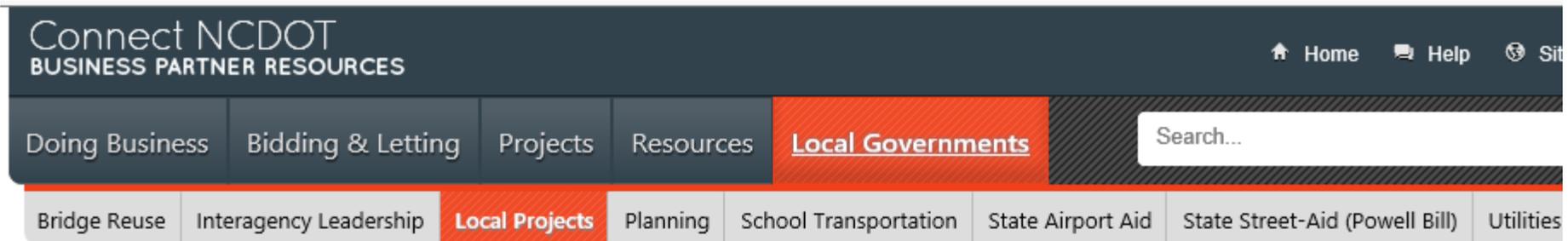
- Three Options:
 - Claim Report
 - ROW Transmittal Summary
 - Appraisal Reports
- Performed by DOT approved appraiser
- Appraisals must be reviewed
- Limited Pool of Appraisers

RESOURCES

NCDOT Connect Site –

<https://connect.ncdot.gov/municipalities/Funding/Pages/default.aspx>

Or, go to connect.ncdot.gov:



RESOURCES

Local Programs Management (LPM) Handbook and Updates

Understand the Requirements of NCDOT and the Federal Highway Administration for federally-funded Projects

[Read More](#) →

[Materials and Tests](#)

[Environmental resource information](#)

[Right of Way Support Information](#)



[Bicycle/Pedestrian Design Guidance](#)

[Professional Services Firms](#)

[Bid Proposals](#)

[NCDOT Construction Manual](#)

Plans and Proposals

- Use NCDOT Standard Specifications
- Include Federal Contract Provisions
- All Documents reviewed by NCDOT
- Engineer's Estimate used to set DBE goal

Advertisement, Award, and Concurrence

- Advertise after construction funding authorization
- Advertise for 3 weeks at a minimum
- Open bids and check if low bidder is:
 - Responsive
 - Responsible
- Award pending NCDOT concurrence

Any discrepancies, please talk to DOT first!

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Typical Project Delivery Steps

Agreement

-----Preliminary Engineering Authorization-----

- *Procure Professional Services*

Environmental Document (required)

ROW Plans (required)

-----Right of Way Authorization-----

- *Acquire Right of Way*
- *Relocate Utilities*

Right of Way/Utility/RR Certification (required)

Final Plans, Contract Proposal and Estimate (PS&E) (required)

-----Construction Authorization-----

- *Advertise and Let Construction Contract*
- *Construct & Administer Contract*

Final Inspection (required)

- *Final Reimbursement*

Fill in the Blank

For property values estimated to be less than \$_____ and uncomplicated, an LGA can provide a claim report in lieu of an appraisal.

Fill in the Blank

For property values estimated to be less than \$10,000 and uncomplicated, an LGA can provide a claim report in lieu of an appraisal.

Multiple Choice

What does the US Constitution guarantee when government acquires property?

- a. Equal and Uniform Protection
- b. Just Compensation and Due Process
- c. Pancakes and Bacon

Multiple Choice

What does the US Constitution guarantee when government acquires property?

- a. Equal and Uniform Protection
- b. **Just Compensation and Due Process**
- c. Pancakes and Bacon

True or False?

If a property owner refuses to sell their property, the LGA cannot move forward with the project.

True or False?

If a property owner refuses to sell their property, the LGA cannot move forward with the project.

FALSE

True or False?

If an LGA is buying property, the Department needs to concur in the offer of just compensation.

True or False?

If an LGA is buying property, the Department needs to concur in the offer of just compensation.

TRUE

Multiple Choice

I must follow the Uniform Act when:

- a. I am being reimbursed with Federal money for the ROW Acquisition.
- b. Any Federal funds are used on the a project.
- c. Never, that's only for NCDOT

Multiple Choice

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- a. I am being reimbursed with Federal money for the ROW Acquisition.
- b. Any Federal funds are used on the a project.
- c. Never, that's only for NCDOT

Multiple Choice

The earliest that I must follow
the Uniform Act:

- a. After a project is programmed in the STIP
- b. After I sign an agreement with NCDOT
- c. As soon as I know that Federal money may be included on a project

Multiple Choice

The earliest that I must follow
the Uniform Act:

- a. After a project is programmed in the STIP
- b. After I sign an agreement with NCDOT
- c. As soon as I know that Federal money may be included on a project

True or False?

I may advertise for a construction contract prior to authorization, as long as I do not award the contract.

True or False?

I may advertise for a construction contract prior to authorization, as long as I do not award the contract.

FALSE

Multiple Choice

Which of the following do I need to get construction funding authorized?

- a. Environmental Document
- b. ROW/RR/Utility Certification
- c. Engineer's Estimate
- d. Final Plans and Contract Proposal
- e. Only c and d
- f. All of the above

Multiple Choice

Which of the following do I need to get construction funding authorized?

- a. Environmental Document
- b. ROW/RR/Utility Certification
- c. Engineer's Estimate
- d. Final Plans and Contract Proposal
- e. Only c and d
- f. All of the above

Multiple Choice

NCDOT has to concur with my award in a construction contract:

- a. When the low bid is greater than \$5,000,000
- b. Only for roadway projects, not sidewalks or greenways
- c. All projects

Multiple Choice

NCDOT has to concur with my award in a construction contract:

- a. When the low bid is greater than \$5,000,000
- b. Only for roadway projects, not sidewalks or greenways
- c. **All projects**

QUESTIONS??