



RIGHT OF WAY MANUAL DIRECTIVE

RWMD NUMBER:

20-02

ISSUANCE DATE:

12/1/2020

EFFECTIVE DATE:

Immediately

APPROVED BY:

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SUBJECT:

The U.S. DOT Mandate 1050.2A Assurances and Appendix included in Right of Way and Land Surveys contracts, deeds, permits to enter and other real property documents, as applicable.

PURPOSE:

The purpose of this Directive is to instruct the Districts to add the U.S. DOT Mandate to ensure compliance with Title VI.

Document changes are as follows:

Right of Way Engineering Conveyance Documents:

1. Director's Deed – Easement
2. Director's Deed – Easement (Corporation)
3. Director's Deed – Easement (Individual)
4. Director's Deed – Grant
5. Director's Deed – Grant (Corporation)
6. Director's Deed – Grant (Individual)

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All Right of Way Engineering Conveyance source documents have already been updated on [internal FTP site](#) (internal Caltrans link) – please ensure you're using the most current version.

Right of Way Exhibits and Forms:

1. Exhibit 5-EX-4, Advance Acquisition/Hardship Program (Application)
2. Form RW 8-3, Right of Way Contract – State Highway
3. Form RW 8-4, Right of Way Contract – State Highway – Temporary Easement
4. Exhibit 8-EX-6A, Appraisal Cost/Reimbursement Agreement (with appraiser)
5. Form 8-10, Grant of Right to Take Material
6. Form 8-11, Grant of Right to Dispose of Material
7. Exhibit 8-EX-13, Permit to Enter for Underground Tank Testing for Hazardous Waste
8. Exhibit 8-EX-14, Permit to Enter for Other Testing for Hazardous Waste
9. Exhibit 8-EX-19, Amendment to Right of Way Contract
10. Exhibit 8-EX-20, Assignment of Lease - To State
11. Exhibit 8-EX-23, Right of Entry – Long Form
12. Exhibit 8-EX-24, Right of Entry – Short Form
13. Exhibit 8-EX-25, Possession and Use Agreement
14. Exhibit 8-EX-26, Construction Permit
15. Exhibit 8-EX-27, Permit to Enter and Construct
16. Exhibit 8-EX-32, Transfer of Jurisdiction of State-Owned Real Property (for Department of Parks and Recreation TOJ Transactions)
17. Exhibit 8-EX-33, Transfer of Jurisdiction of State-Owned Real Property (for TOJ Transactions with All Other State Agencies)

REFERENCE:

[U.S. DOT 1050.2A Assurances and Appendices C and D](#)

Assurance 7 of the U.S. DOT Mandate 1050.2A and clauses from Appendices C and D as applicable. Please see the linked mandate above.

BACKGROUND:

The U.S. DOT Mandate 1050.2A Assurances (7) and Appendices (C and D) have been mandated since April 2013. The Assurance and Appendices do not replace the existing Title VI handout but must be included in all contract language. Forms and/or Exhibits will be identified in the Project Delivery functions which will assist the Districts and Agents with including this language.

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EXISTING POLICY OR PROCEDURE:

Right of Way Manual 2.04.01.00, Title VI of Civil Rights Act of 1964 and Related Statutes.

NEW POLICY OR PROCEDURE:

Review [U.S. DOT Mandate 1050.2A Assurances and Appendices C and D](#) and attach them as addendums to the Right of Way Exhibits and Forms listed below until the source documents are updated:

1. Exhibit 5-EX-4, Advance Acquisition/Hardship Program (Application)
2. Form RW 8-3, Right of Way Contract – State Highway
3. Form RW 8-4, Right of Way Contract – State Highway – Temporary Easement
4. Exhibit 8-EX-6A, Appraisal Cost/Reimbursement Agreement (with appraiser)
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RESPONSIBILITIES:

The mandate affects the Exhibits and Forms in the following functional units: Right of Way Engineering, Acquisitions and Condemnation.

LINKS/RESOURCES:

- [U.S. DOT 1050.2A Assurances and Appendices C and D](#)
- [Internal Deed Templates FTP site](#) (internal Caltrans link)

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DISTRIBUTION LIST:

- Acquisition/Condemnation and RWE Functional Councils
- Right of Way Management Board and Surveys Management Board
- Subscribers to the Right of Way Manual update list