

RIGHT OF WAY MANUAL CHANGE

RWMC 20-01

EFFECTIVE DATE: January 8, 2020

APPROVED BY: *Jennifer S. Lowden* (signature on file)
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PURPOSE:

The Right of Way (RW) Manual is revised annually to update policy, procedure and guidance.

The RW Manual has been updated to comply with California Government Code Section 11546.7, requiring content on the internet to be compliant with accessibility standards (Sections 7405 and 11135, and the Web Content Accessibility Guidelines 2.0). With new font, formatting, and style changes throughout, all content within the RW Manual is now digitally accessible to all users.

Links have been updated throughout the entire manual to correspond to the newly updated Caltrans website.

The RW Manual will begin publishing annual updates in July (instead of January) in order to accommodate legislative updates, etc. The next version of the RW Manual will be published July 2020.

Aside from accessibility features (e.g. reformatting of unnecessary tables, etc.), content revisions were also incorporated and are noted in the following pages.

SUPERSEDED RIGHT OF WAY MANUAL DIRECTIVES:

The following Right of Way Manual Directives (RWMDs) have been incorporated in the RW Manual and are superseded upon the effective date of this RW Manual Change:

RWMD	Title	Effective Date
19-01	Right of Way Manual – Retired and Internal-Only Exhibits	7/1/2019
18-01	Federal Aid Funding Documentation Requirements	9/14/2018

RELATED POLICY AND PROCEDURES:

Summary of revisions includes:

Table of Contents

- Added *Code of Ethics* (previously omitted from Table of Contents).

Chapter 1 – Introduction

- 1.01.06.00, Revisions – updated publications deadlines for July 2020 RW Manual.

Chapter 3 – Programming and Budgeting

- The following sections have been completely updated to clarify current practices and guidance:
 - 3.03.00.00, Resource Management – Support
 - 3.04.00.00, Resource Management – R/W Capital Outlay
 - 3.05.00.00, Federal-Aid Project Funding
 - 3.06.00.00, Monitoring Process

**Chapter 5 – Early Acquisition, Corridor Preservation,
Hardship, and Protection**

- 5.01.04.00, Early Acquisition Funding Options – suspended for further review.

Chapter 6 – Right of Way Engineering

- 6.02.04.04, Director's Deed Numbering – amended policy to allow for multiple parcel numbers on the cover page of deeds.
- 6.09.04.01, Primary Documents – amended policy to allow for multiple parcel numbers on the cover page of deeds.
- 6.15.03.00, Deed Preparation – amended policy to allow for multiple parcel numbers on the cover page of deeds.

Chapter 7 – Appraisals

- 7.10.11.00, Preparation of the Report Analysis for Expert Witness Appraisals – removed reference to Loss of Goodwill appraisals, as Loss of Goodwill appraisals for use in an eminent domain action are no longer reviewed in this manner.
- 7.14.02.02, Dual Report Requirements – added clarification for assignment of appraisers when performing dual appraisals (consistent with Excess Land policy).

Chapter 8 – Acquisition

- 8.16.01.04, Contaminated Properties – clarified delegation and approval authority.

Chapter 9 – Condemnation

- 9.01.06.01, Local Boards – reorganized references to memorandums from 2002 and 2003 – moved content into two new Exhibits:
 - Exhibit 9-EX-8, *Resolution of Necessity (First and Second Level Reviews) Guidelines for Local Agencies Performing Work on the State Highway System.*
 - Exhibit 9-EX-9, *Processing Department Resolutions of Necessity (RON) Through the California Transportation Commission (CTC), County Board of Supervisors (Board), or City Councils (Council).*
- 9.01.08.01, Combined District Condemnation Evaluation Condemnation Panel Review Meetings – clarified exceptions.
- 9.05.01.00, Contract Form – removed reference to Office of Service Contracts.
- 9.05.06.00, Specialty Contracts – updated Contract Requirements sections:
 - Report Delivery
 - Term
 - Payment
 - Termination
- 9.05.07.00, Contract to View and Inspect:
 - Removed reference to Office of Service Contracts
 - Updated “Scope” section.

Chapter 9 – Condemnation (Continued)

- 9.05.08.00, Amendments to Existing Contracts – revised internal process.
- 9.05.11.00, Report Analysis – clarified loss of goodwill reports.
- 9.06.03.00, Supplemental Payments – revised internal process.
- 9.06.04.00, Right of Way and Legal Expert Witness Contract Process and Payment Guidelines – new.
- 9.06.05.00, Business Goodwill Appraisal Experts – new.

Chapter 10 – Relocation Assistance

- 10.01.03.06, Constructive Occupancy – clarified delegation for constructive occupancy.
- 10.06.05.01, Waiver of Decent, Safe, and Sanitary Standards – clarified delegation for bedroom count provisions.

Chapter 11 – Property Management

- Complete chapter update, including:
 - Modifications to California Landlord-Tenant laws that have implemented since the previous revision.
 - A more comprehensive citation of various State and Federal laws affecting property management
 - Additional context and practical information regarding the Department's policies and procedures, which incorporate various State and Federal laws pertaining to property management.

Chapter 13 – Utility Relocations

- 13.01, Introduction – updated language from “High Risk” to “High Priority” throughout; updated references to Division of Design throughout.
- 13.01.01.02, Definitions – updated “Positive Location” definition.
- 13.01.02.04, Encroachments Within Freeways and Expressways – clarified encroachment policy.
- 13.01.02.14, Greenhouse Gases – new.

Chapter 13 – Utility Relocations (Continued)

- 13.03.03, Positive Location of Underground Facilities – updated to reflect the change of the Utility Conflict Matrix (UCM) to the Utility Management Matrix (UMM) to match the Encroachment Permit Manual (PDPM Chapter 17) throughout.
- 13.03.04.03, Conflict Maps – updated title from “Conflict Maps/Conflict Matrix” to “Conflict Maps.”
- 13.03.05, Utilities on Structures - updated references to Division of Design throughout.
- 13.04.00 – updated language from “Prescriptive Rights” to “Prescriptive Claims” throughout.
- 13.04.03, Master Contracts – added clarification to the Freeway Master Contracts section.
- 13.04.04.05, Perfected Prescriptive Claim – updated/added clarification.
- 13.04.07.02, Contributions in Aid of Construction (CIAC)/Income Tax Component of Contributions and Advances (ITCCA) – updated policy with tax bill, CPUC and FHWA law/guidance.
- 13.04.07.12, Storage Fees – new.
- 13.05.04.01 – Lump Sum Payments – AT&T - section retired as *13-EX-22, Pacific Bell Lump-Sum/Flat-Sum Billing Rates/Forms* was retired in July 2019.
- 13.07.03.00, Standard Clauses – added clarification for approval of non-standard clauses.
- 13.07.03.02, Section II. Liability for Work – updated language from “Prescriptive Rights” to “Prescriptive Claims.”
- 13.07.03.02, Section III. Performance of Work – updated “Travel Expense and Per Diem” clause.
- 13.07.03.04, Section IV. Payment for Work – added clarification to “Loan of Funds – Owner Liability” clause.

Chapter 13 – Utility Relocations (Continued)

- 13.07.03.05, Section V. General Conditions – added clarification to “Certification of Materials for Buy America” clauses.
- 13.07.03.05, Section V. General Conditions – “Greenhouse Gases – For Owner’s Contractor” – new.
- 13.07.03.06, Section VI. Oil Company Clauses (Only) – new.
- 13.07.05.01, Amendments for Payments in Excess of Original Utility Agreement – updated to provide clarification.
- 13.07.06.02, Utility Agreements with Oil Companies – added requirement to use new 13.07.03.06 oil company clauses.
- 13.10.02.01, Prompt Payment of Bills – amended to provide clarification regarding the process/steps to an invoice dispute.
- 13.10.02.06, Final Bills – updated Processing Final Bills steps.
- 13.10.05.00, Delay Charges to Utility Owner – new.
- 13.11.02.05, Prescriptive Rights – updated language from “Prescriptive Rights” to “Prescriptive Claims;” added clarification.
- 13.15.03, Buy America Certification – added clarification regarding Mill Test Report (MTR).

Chapter 14 – Right of Way Certification

- 14.01.01.01, Definition – listed the four levels of certification.
- 14.02.03.05, Special R/W Certification No. 3 with Work-Around – added where to receive a copy of the Project Oversight Agreement (for PoDI delegations).
- 14.02.03.06, Standard Usage for Special Certification No. 3 with Work-Around – added “Conditional” Cert. No. 3.

Chapter 14 – Right of Way Certification (Continued)

- 14.02.03.07, R/W Clearance Under Special Certification No. 3 with Work-Around –
 - Added clarifying language to advise that RW phase 9 demolition contracts cannot run concurrently with the construction contract.
 - Removed requirement for an approval memorandum to allow the construction contractor to demolish or remove salvable improvements (policy requirement no longer exists).
- 14.02.04.00, Certification Statements – added CFR references per FHWA's request.
- 14.02.05.00, R/W Certification Approval and Distribution – removed HQ Office Engineer (no longer exists).
- 14.03.07.00, Status of Required Utility Relocations – updated guidance to reflect findings of FHWA 2018 National Utility Program Review and concern for more accuracy in the utility coordination process, including reliable relocation schedules.
- 14.03.09.00, R/W Clearance – clarified how salvable improvements should be addressed.

Chapter 15 – Airspace

- 15.04.01.09, Public Agency Right of Way Use Agreements – updated reference to CTC resolution.
- 15.04.01.10, Filming on State Right of Way – updated title of section, clarified Agent responsibility.
- 15.04.01.11, Statute Directed Use – Emergency Shelter and Feeding Program – updated to reflect recently approved Streets and Highways Codes.
- 15.04.01.12, Site Identification for Statute Directed Use – Emergency Shelter and Feeding Program – new.
- 15.04.01.13, Rental Rate for Statute Directed Use – Emergency Shelter and Feeding Program – new.
- 15.04.01.14, FHWA Approval for Statute Directed Use – Emergency Shelter and Feeding Program – new.

Chapter 15 – Airspace (Continued)

- 15.04.01.15, Rental Agreement for Statute Directed Use – Emergency Shelter and Feeding Program – new.
- 15.04.01.16, Term for Statute Directed Use – Emergency Shelter and Feeding Program – new.
- 15.04.01.17, Construction Staging Leases – new.
- 15.04.04.01, Terms and Conditions – added CFR reference.
- 15.06.04.00, Long-Term Leases – Directly Negotiated – updated reference to CTC resolution.
- 15.06.06.00, Public Agency Leases – updated reference to CTC resolution.
- 15.06.08.00, Marler-Johnson Act Park Lease – updated reference to CTC resolution.
- 15.09.01.00, Delegations of Authority – removed footnotes from delegation matrix; updated reference to CTC resolution.

Chapter 16 – Excess Lands

- 16.01, General – added clarification regarding references, delegations and approvals throughout.
- 16.01.03.02, Inventory Parcel – added clarification regarding *RW 7-13, Excess Property Inventory Valuation*.
- 16.01.03.21, Private Sale – updated language.
- 16.01.03.22, Public Sale – updated language.
- 16.01.03.25, Purchase Deposit – updated deposit percentage and timeframe.
- 16.01.05.00, Review of Appraisal Maps – removed; replaced with Parcel File.
- 16.01.05.00, Parcel File – added detail.

Chapter 16 – Excess Lands (Continued)

- 16.01.06.00, Map Review Prior to Plans, Specifications, and Estimates (PS&E) – removed; replaced with Parcel Diary.
- 16.01.06.00, Parcel Diary – added detail.
- 16.01.12.00, Discriminatory Rezoning – removed.
- 16.01.13.00, Initiating Zoning Upgrades of Excess Land – removed.
- 16.02.01.00, Inventory – removed/updated wording and reference to a deleted section; added information about Discoverer.
- 16.02.01.01, Creation of Excess Lands – moved from 16.01.02.00; added Decertification as separate method.
- 16.02.01.02, Determining the VTA in Each Case Excess Lands is Created – removed (will add to 16.03).
- 16.02.01.03, Appropriate Assignment of \$1 Value – removed (will add to 16.03).
- 16.02.01.04, Items Not Included in the VTA – removed (will add to 16.03).
- 16.02.01.05, Adjustments to VTA – removed (will add to 16.03).
- 16.02.02.00, Inventory Categories – updated to move portion of section to 16.02.04.00.
- 16.02.03.00, Inventory Category and Updating ELMS Accordingly – updated title; updated “RPRRC” to “RPRR.”
- 16.02.04.00, RPRR and Transmittal of Hold Requests – updated “RPRRC” to “RPRR.”
- 16.02.05.00, Decision Tree for Holds by Division – new.
- 16.02.05.00, Inventory Value – Value at Time of Acquisition (VTA) – moved to 16.01.
- 16.02.05.01, Items Not Included in the VTA – removed.

Chapter 16 – Excess Lands (Continued)

- 16.02.06.00, Detailed Inventory Matrix – updated title and category information for better understanding and clarification on process.
- 16.02.05.02, Adjustments to VTA – removed (will add to 16.03).
- 16.02.06.00, Annual Inventory Review – removed (outdated).
- 16.13.01.00 – removed footnotes from delegation matrix.

Chapter 17 – Local Programs

- 17.04.01.00, Local Public Agency Projects on the State Highway System - Background – updated to point to PEER and Co-Op guidance and corrected Local Assistance Procedures Manual (LAPM) chapter reference.
- 17.05.02.01, Procedures for Obtaining Qualification Status – removed reference to 2-CD sets of procedural manuals (Local Assistance no longer provides a 2-CD sets).
- 17.05.03.01, Caltrans Audits and Investigations - removed mandatory review by CT Audits of a local agency's accounting systems prior to district pre-qualification for performance of right of way work.
- 17.06.01.01, Consultant Qualifications – General – added reference to Uniform Act.
- 17.06.02.01, Consultant Selection Criteria and Guide –
 - added clarification to “Review Appraiser Consultants.”
 - provided clarification to “Acquisition Consultants Responsibilities under the Uniform Act” that payment should always be made prior to possession per 49 CFR 24.102(j).

Exhibit Updates

- Exhibits are located online:
 - [External link](#)
 - [Internal link](#) (internal Caltrans staff link)
- 2-EX-4, *Language Identification Flashcard* – removed flashcard and replaced with updated United States Census Bureau link to document. (7/2019)
- 3-EX-3, *Right of Way Involvement – Project Delivery Process Phase II* – updated flowchart, several areas added; M600 updated from “Contract Acceptance” to “Construction Contract Acceptance.”
- 3-EX-4, *Deputy Directive Number DD-11 – Federal Aid Project Funding* – retired and replaced with [link to DD-11 guidance](#) (internal Caltrans link).
- 3-EX-6, *Right of Way Acquisition Prior to Environmental Approval on STIP Projects* – updated with 2002 policy memo.
- 3-EX-7, *Project Change Requests* – retired and replaced with [link to PMD 022R1 guidance](#) (internal Caltrans link).
- 3-EX-8, *Right of Way Object Codes* –
 - Added federally ineligible object codes
 - Added codes for:
 - Service Contracts
 - Estimated Damages to Excess Land
 - Project Specific Permit
 - Several common travel-related codes
 - Consultant and Professional Services – Project Delivery and Hazardous Waste Related to Project Delivery
 - Removed codes for:
 - 032 – Consultant and Professional Services – Interdepartmental
- 3-EX-9, *Right of Way Final Voucher* – new.
- 5-EX-1, *Early Acquisition Memo* – at the second to last sentence of memo, added “Ready to List date” to clarify use of Ready to List date. (5/2019)
- 6-EX-1, *Numbering System for Parcels, Subparcels and Encumbrances* – examples 13 and 14 have been updated to allow for multiple parcel numbers.

Exhibit Updates (Continued)

- 6-EX-2, *Example Legal Documents* –
 - Added clarification to bracketed, italicized, and bold italicized instructions (and removed blue font for digital accessibility purposes).
 - Updated the following documents to allow for multiple parcel numbers:
 - Director's Deed Access Exchange
 - Director's Deed Easement
 - Director's Deed Grant
 - Director's Deed Quitclaim
 - Easement Deed
 - Easement Deed Highway
 - Grant Deed
 - Quitclaim Deed
 - Request for Partial Reconveyance

- 7-EX-14, *Poster Panel Removal (English Units)* – biennial update of signboard schedules. (8/2019)

- 9-EX-8, *Resolution of Necessity (First and Second Level Reviews) Guidelines for Local Agencies Performing Work on the State Highway System* – new.

- 9-EX-9, *Processing Department Resolutions of Necessity (RON) Through the California Transportation Commission (CTC), County Board of Supervisors (Board), or City Councils (Council)* – new.

- 11-EX-A, *Residential Rental Agreement (for internal Caltrans use)* – sections updated/added.

- 11-EX-B, *Lease Agreement (for internal Caltrans use)* – sections updated/added.

- 11-EX-C, *Agricultural Lease Agreement (for internal Caltrans use)* – sections updated/added.

- 11-EX-D, *Advertising Structure Agreement (for internal Caltrans use)* – sections updated/added.

- 11-EX-G, *Lease Renewal (for internal Caltrans use)* – updated throughout.

- 11-EX-H, *Assignment of Lease (Where State Is Lessor)* – updated throughout.

- 11-EX-I, *Cancellation of Lease* – updated throughout.

Exhibit Updates (Continued)

- *11-EX-J, Employee Housing Rental Agreement (for internal Caltrans use)* – sections updated/added.
- *11-EX-3, Affordable Rent Tenants* – updated throughout.
- *11-EX-4, Written Notice of Denial* – updated right to dispute consumer credit report information.
- *11-EX-5, Rent Proration Examples* – added rounding instructions.
- *11-EX-6, Landlord’s Notice of Termination* – retired.
- *11-EX-6B, Notice of Right to Inspection* – added initial inspection notice information.
- *11-EX-7, District Right of Way Procedure: Vacating Premises, Unlawful Detainer Actions* – updated throughout.
- *11-EX-7A, Proof of Service Notice* – added “true copy” information; removed references to Code of Civil Procedure.
- *11-EX-7B, Unlawful Detainer Request* – updated Agency title; updated “To” section of memo.
- *11-EX-8, Correction Notice - Unsuitable Conditions* – updated throughout.
- *11-EX-9, Sample Possessory Interest Tax Letter* – updated throughout.
- *11-EX-10, Summary of Contract Processes* – updated throughout.
- *11-EX-12, Liability, Property Damage and Fire Insurance* – updated “Public liability insurance” to “General liability insurance;” updated “Lessor” to “Department.”
- *11-EX-14, Sample Notice to Bidders (for internal Caltrans use)* – updated throughout.
- *11-EX-15, City, County, or Special District Lease (for internal Caltrans use)* – sections updated/added.

Exhibit Updates (Continued)

- *11-EX-18, Notice to Bidders and Interested Parties* – replaced specific information to a sample/placeholder format.
- *11-EX-19, Terms of Auction* – updated throughout.
- *11-EX-20, List of Tenants in Possession* – replaced specific information to a sample/placeholder format.
- *11-EX-21, Inventory* – replaced specific information to a sample/placeholder format.
- *11-EX-22, Bid Proposal* – updated “he” to “bidder.”
- *11-EX-23, Master Tenancy Lease Agreement (for internal Caltrans use)* – updated throughout.
- *11-EX-24, Bid Proposal Mailing Envelope (Sample)* – removed specific parcel info, replaced with template-style language instead. (6/2019)
- *11-EX-25, Notice to Tenant (Relocation Payments Not Forthcoming to New Tenants)* – retired.
- *11-EX-27, Public Notice (Sign for Master Tenancy)* – updated date field and Government Code reference.
- *11-EX-30, State as Lessee Lease Agreement (for internal Caltrans use)* – sections updated/added.
- *11-EX-33, Lease Agreement-Park and Ride Lot (for internal Caltrans use)* –
 - Added section to include visual representation of lease area.
 - Updated dates.
 - Updated “Lessee” to “State.”
- *11-EX-35, Letter of Intent to Vacate—90* – updated throughout.
- *11-EX-36, Utility Removal Letter (Example)* – updated throughout.
- *11-EX-40, Statutory Notice to Former Tenant of Right to Reclaim Abandoned Property* – updated claim information.

Exhibit Updates (Continued)

- 11-EX-41, *Statutory Notice to Person Other Than Former Tenant of Right to Reclaim Abandoned Property* – updated claim information.
- 11-EX-42, *State Space Allowances Standards* – added reference to State Administrative Manual; updates to Job Titles.
- 11-EX-43, *Executive Order D-16-00* – retired and replaced with [link to Executive Order D-16-00](#).
- 11-EX-44, *Notice of Termination of Tenancy and Notice to Quit* – updated throughout.
- 11-EX-46, *Documentation of Residential Fair Market Rental Rate* – updated “Property Manager” to “Senior Right of Way Agent.”
- 11-EX-47, *Uninhabitable Conditions* – updated throughout.
- 11-EX-49, *Department of Transportation, Division of Right of Way, STAR Program Agreement* –
 - Updates to Hazardous Materials section
 - Added Exhibit title to Stormwater Pollution Prevention Fact Sheet attachment.
- 11-EX-50, *Modular Lease Agreement* – updated throughout.
- 11-EX-51, *Pet Application* – updated insurance information section.
- 11-EX-52, *Pet Addendum* – added field for “Tenancy No.” and clarified copy of proof of insurance requirement.
- 11-EX-53, *Nominal Value Nonresidential Rental Appraisal* – on Instructions page, updated Nominal Rent value from \$2,500 to \$2,400. (6/2019)
- 11-EX-54SW, *Residential Storm Water Inspection (for internal Caltrans use)* –
 - Added “Are areas kept free of trash and litter?” to most categories of Activities.
 - Added “Supervisor’s Comments” section.
- 11-EX-55, *Non-Residential Property Inspection (for internal Caltrans use)* – added “12. Use of Property at Inspection” field.

Exhibit Updates (Continued)

- *11-EX-55SW, Storm Water Inspection (Non-Residential) (for internal Caltrans use) –*
 - Added “Are areas kept free of trash and litter?” to most categories of Activities.
 - Added “Supervisor’s Comments” section.
- *11-EX-56, Residential Property Occupancy and Vacancy Inspections (for internal Caltrans use) –*
 - Updated introduction paragraph.
 - Updated “Account No.” to “Tenancy No.”
- *11-EX-58, Property Occupancy and Vacancy Inspections – new.*
- *11-EX-59, Unimproved Property Inspection – new.*
- *11-EX-60, Notice of Belief of Abandonment – Residential – new.*
- *11-EX-61, Notice of Belief of Abandonment – Non-Residential – new.*
- *11-EX-62, Statutory Notice to Former Tenant of Right to Reclaim Abandoned Property – Non-Residential – new.*
- *11-EX-63, Statutory Notice to Person Other Than Former Tenant of Right to Reclaim Abandoned Property – Non-Residential – new.*
- *11-EX-64, Bed Bug Information Sheet – new.*
- *11-EX-65, Vacancy Report – new.*
- *11-EX-66, Flood Disclosure Addendum – new.*
- *11-EX-67, Notice to Terminate Non-Residential Tenancy – new.*
- *11-EX-68, 3-Day Notice to Correct Breach of Covenant – new.*
- *11-EX-69, 60-Day Notice to Terminate Residential Tenancy – Just Cause – new.*
- *13-EX-17, Liability in Dispute Utility Agreement Example – updated “Utility Agreement No.” on pages 2-3 for consistency.*

Exhibit Updates (Continued)

- *13-EX-26, R/W Utility Certification* –
 - Section I: removed Option E.
 - Section II: removed “CURE Conflict” column.
 - Section II, Relocation Schedule column: revised language to “construction window.”

- *14-EX-3, Right of Way Certification* – updated to reflect findings of FHWA 2018 National Utility Program Review and concern for more accuracy in the utility coordination process, including reliable relocation schedules:
 - Added “Bid Opening” project milestones.
 - 6. Parcels covered by Resolution of Necessity – modified terms.
 - 4. Status of Required Utility Relocations – removed “Concurrent with Construction” language.
 - 10. Certification – added CFR references per FHWA.
 - Added clarification to delegated approvals of Division Chief and FHWA Realty Officer.

- *14-EX-4, Sample Minimum Certification* –
 - 4. Status of Required Utility Relocations – updated “none required” language, added Buy America language.
 - 8. Cooperative Agreements – new.
 - 10. Certification – added CFR reference.
 - Removed cc: to HQ Office Engineer.

- *14-EX-9, Sample Right of Way Special Certification No. 3 with Work-Around* –
 - Added “Bid Opening” project milestones.
 - 6. Parcels covered by Resolution of Necessity – modified terms.
 - 4. Status of Required Utility Relocations – removed “Concurrent with Construction” language.
 - 10. Certification – added CFR reference.

- *14-EX-13, Design-Build Certification* –
 - 4. Status of Required Utility Relocations – removed “Concurrent with Construction” language.
 - 10. Certification – added CFR reference.
 - Added clarification to delegated approvals of Division Chief and FHWA Realty Officer.

Exhibit Updates (Continued)

- *14-EX-15, Construction Manager/General Contractor (CM/GC) Certification* –
 - 4. Status of Required Utility Relocations – removed “Concurrent with Construction” language.
 - 10. Certification – added CFR reference.
 - Added clarification to delegated approvals of Division Chief and FHWA Realty Officer.
 - Removed cc: to HQ Office Engineer.

- *17-EX-6A, Appraisal Review Checklist* –
 - Updated types of appraisal reports.
 - Added clarification of “intended users” vs. “other users.”
 - Distinguished between “extraordinary assumptions” and “assumptions.”

- *17-EX-10, Design-Build Certification* –
 - 4. Status of Required Utility Relocations – removed “Concurrent with Construction” language.
 - 7. Compliance with Relocation Assistance Program – updated language for consistency with Chapter 14 Certifications.
 - 10. Indemnification – updated “non-matching funds” language.
 - 11. Certification – added CFR reference.
 - Added clarification to delegated approvals of Division Chief and FHWA Realty Officer.

- *17-EX-13, Construction Manager/General Contractor (CM/GC) Certification* –
 - 4. Status of Required Utility Relocations – removed “Concurrent with Construction” language.
 - 10. Indemnification – updated “non-matching funds” language.
 - 11. Certification – added CFR reference.
 - Added clarification to delegated approvals of Division Chief and FHWA Realty Officer.
 - Removed cc: to HQ Office Engineer.

- *17-EX-18, Right of Way Certification* –
 - 6. Parcels covered by Resolution of Necessity – modified terms.
 - 7. Compliance with Relocation Assistance Program – updated language for consistency with Chapter 14 Certifications.
 - 10. Indemnification – updated “non-matching funds” language.
 - 11. Certification – added CFR references.
 - Added clarification to delegated approvals of Division Chief and FHWA Realty Officer.

Form Updates

- Forms now located exclusively in the Caltrans Electronic Forms System (CEFS):
 - [External link](#)
 - [Internal link](#) (internal Caltrans staff link)

- *RW 02-02, Right of Way Title VI Discrimination Complaint* – removed from Table of Contents (form previously removed from manual policy; replaced with *OBEO-002, Title VI and Other Discrimination Complaint Form*).

- *RW 03-02, Inverse Condemnation* – updates to “Notifications” and “Payments” sections.

- *RW 03-03, Expert Witness Contract Request* – complete update for consistency with updated policy in Chapter 3, along with formatting updates (previously *Form “RWEXPW”*).

- *RW 10-30, Claim for Relocation Assistance – Nonresidential* – added new category “B” which corresponds to eligible expenses under 49 CFR 24.303.

The [Right of Way Manual](#) is located on the [Division of Right of Way and Land Surveys website](#).

To receive email update notifications, visit our [subscription sign-up](#).

Comments and suggestions for improvement to the RW Manual may be submitted to RWManual@dot.ca.gov.