

# RIGHT OF WAY MANUAL CHANGE

## RWMC 20-02

---

EFFECTIVE DATE: July 20, 2020

APPROVED BY: MARK PHELAN  
Acting Division Chief  
Division of Right of Way and Land Surveys

PURPOSE:

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

In order to accommodate multiple anticipated upcoming revisions, the RW Manual will now be published twice a year (at least for the next few cycles): once in January and again in July.

Content revisions were 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SUPERSEDED RIGHT OF WAY MANUAL DIRECTIVES:

The following Right of Way Manual Directives (RWMDs) have been incorporated in the RW Manual and are superseded upon the effective date of this RW Manual Change:

<b>RWMD</b>	<b>Title</b>	<b>Effective Date</b>
20-01	<a href="#">Senior Right of Way Agent Delegation for Approval of Right of Way Contracts</a>	6/8/2020

RELATED POLICY AND PROCEDURES:

Summary of revisions includes:

**Chapter 1 – Introduction**

- 1.01.06.00, Revisions – updated publication deadlines for January 2021 RW Manual. In order to accommodate multiple anticipated upcoming revisions, the RW Manual will now be published twice a year (at least for the next few cycles): once in January and again in July.

## **Chapter 2 – Organization and Policy**

- Section 2.04.00.00 – Right of Way Administration – earlier this year, the Office of Business and Economic Opportunity (OBEO) changed its name to the Office of Civil Rights (OCR); edits have been made throughout this section (as well as other sections of the manual) to update references and hyperlinks to the Office of Civil Rights:
  - 2.04.01.00, Title VI of the Civil Rights Act of 1964 and Related Statutes – updated hyperlink to the Title VI website.
  - 2.04.01.01, HQ Responsibilities – updated references and hyperlinks to the Office of Civil Rights.
  - 2.04.01.02, Region/District Responsibilities - updated references and hyperlinks to the Office of Civil Rights.

## **Chapter 6 – Right of Way Engineering**

- 6.08.02.01, Preamble/Caption – added language to clarify that purpose statements are not to be used in fee grants.
- 6.08.05.00, Licensing Requirements – added language to require that all legal descriptions be accompanied by a responsible charge signature and stamp (or seal), and specifying when that must be part of the description and when it may be opted to use a transmittal.
- 6.10.04.00, “DFA” Series--Appurtenant Rights Including Access Rights – added language to clarify that “DM” series clauses are not to be used in the same deed as “DFA” series clauses.

## **Chapter 7 – Appraisals**

- 7.01.19.00, Report Processing and Record Keeping – updated to include use of electronic file storage of appraisals.

## **Chapter 8 – Acquisition**

- 8.03.08.00, Contracts Approved by District Office of Right of Way – increased delegation amount from \$10,000 to \$25,000.
- 8.50.01.00, General – increased delegation amount from \$10,000 to \$25,000.
- 8.70.01.00, Delegations of Authority – at page 6, increased “RW Contract Approval” delegation amount from \$10,000 to \$25,000.

**Chapter 11 – Property Management**

- 11.01.09.00, Use of Bilingual Agents – earlier this year, the Office of Business and Economic Opportunity (OBEO) changed its name to the Office of Civil Rights (OCR); updated reference and hyperlink to OCR website.
- 11.07.04.00, Advertising – updated reference to the Office of Civil Rights.

**Chapter 13 – Utility Relocations**

- Section 13.03 – Design Phase
  - 13.03.05.00, Utilities on Structures – added clarification.
  - 13.03.05.01, Coordination Requirements – added clarification regarding the Office of Structures Design.
  - 13.03.05.02, Guidelines for Utilities on Structures – added clarification; revised “Seismic Design Requirements” section.
- Section 13.04 – Liability Determination Phase
  - 13.04.08.00, Liability in Dispute – revised section for clarity.
  - 13.04.08.01, Agreement to Disagree – removed section; renumbered following section.
- Section 13.05 – Report of Investigation
  - 13.05.04.00, Lump-Sum Utility Agreements – portions removed regarding delegations.
- Section 13.07 – Utility Agreements
  - 13.07.03.02 – Section II. Liability for Work – removed “II-11. PG&E Master Agreement – Potholing” section; remaining sections renumbered.
- Section 13.08 – Certification Phase
  - 13.08.03.00 – Right of Way Utilities Certification – added clarification; added “Note” section regarding encroachment permits.
- Section 13.10 – Payment Phase
  - 13.10.03.01 – Loan to Owner – added clarification.

**Chapter 14 – Right of Way Certification**

- Section 14.01.00.00 – Introduction – edits throughout to clarify Design Build guidance:
  - 14.01.03.00, Projects Exempt From R/W Certification – added clarification regarding federal reimbursement and permanent repair projects.
  - 14.01.04.01, Input to PRSM and ROWMIS – updated PCMS language to PRSM.
  - 14.01.11.00, R/W Certification for Design Build Projects – added clarification, removed outdated language.
  - 14.01.11.02, R/W Certification Flexibilities for Design Build Projects – added clarification, included “Release for Construction (RFC)” information.
  - 14.01.11.03, R/W Certification Process for Design Build Projects - added clarification, included “Release for Construction (RFC)” information and example portion.

**Exhibit Updates**

- 6-EX-2, *Example Legal Documents* – along with digital accessibility updates, added two new templates: Acquisition Deed Transmittal and Director’s Deed Transmittal.
- 6-EX-8, *Vesting Information and Signature Blocks* – replaced blue bracketed text with black bracketed text; updated acronym for California Corporations Code from “(CCC)” to “(CORP).” (2/2020)
- 7-EX-2, *Summary of Comparable Data* – “Date” column revised to “Recording Date” for clarification. (3/2020)
- 8-EX-15A, *Appraisal Summary Statement* – in “List of Principal Transactions” section, revised “Sale Date” to “Recording Date.” (1/2020)
- 8-EX-15C, *Valuation Summary Statement* – in “List of Principal Transactions” section, revised “Sale Date” to “Recording Date.” (1/2020)
- 10-EX-27, *Processing MSA Claims* – updated hyperlink to Department of General Services at Item 8. (6/2020)

- 11-EX-12, *Liability, Property Damage and Fire Insurance* – No revisions to content; exhibit designated for internal Caltrans use (available on internal Caltrans site only). (3/2020)
- 11-EX-13, *Recommendation and Approval Form for Archive Copy of Lease* – No revisions to content; exhibit designated for internal Caltrans use (available on internal Caltrans site only). (3/2020)
- 11-EX-58, *Property Occupancy and Vacancy Inspections* – No revisions to content; exhibit designated for internal Caltrans use (available on internal Caltrans site only). (3/2020)
- 11-EX-59, *Unimproved Property Inspection* – No revisions to content; exhibit designated for internal Caltrans use (available on internal Caltrans site only). (3/2020)
- 11-EX-65, *Vacancy Report* – No revisions to content; exhibit designated for internal Caltrans use (available on internal Caltrans site only). (3/2020)
- 13-EX-13, *Notice to Owner Transmittal Letter* – at “cc:” section at end of document: updated “Project Development” title to “Project Engineer;” added “Utility Engineering Workgroup” title to “cc:” list. (6/2020)
- 13-EX-6, *R/W Utility Estimate Worksheet and R/W Data Sheet Instructions* – at Item 3. Parcel Data (Support), added strikethrough at U5-8.
- 13-EX-26, *R/W Utility Certification* – at Section II – Listing of All Utility Owners – updated terms used (Notice to Owner, Agreement Date, and Utility Owner).
- 14-EX-3, *Right of Way Certification* – at Item #4, “Status of Required Utility Relocations,” at table for utilities in conflict with relocation: changed “Utility Agreement Date” to “Agreement Date.”
- 14-EX-13, *Design-Build Certification* –
  - Item #4, “Status of Required Utility Relocations,” at table for utilities in conflict with relocation: changed “Utility Agreement Date” to “Agreement Date.”
  - Updated language at Item #7, “Compliance with Relocation Assistance Program” to be consistent with recent changes to 14-EX-3, *Right of Way Certification*.

- 14-EX-15, *Construction Manager/General Contractor (CM/GC) Certification* –
    - Item #4, "Status of Required Utility Relocations," at table for utilities in conflict with relocation: changed "Utility Agreement Date" to "Agreement Date."
    - Updated language at Item #7, "Compliance with Relocation Assistance Program" to be consistent with recent changes to 14-EX-3, *Right of Way Certification*.
- 

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](#).

Anyone can propose an update to the RW Manual! Simply visit the [RW Manual website](#) and submit a "Right of Way Manual Revision Request." (Please save the document to your local drive prior to completing to access all features).

Other comments and suggestions for improvement to the RW Manual may be submitted to [RWManual@dot.ca.gov](mailto:RWManual@dot.ca.gov).