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FTA's Real Estate Acquisition Management Plan (RAMP)

By Bob Merryman, Senior VP, O. R. Colan Associates/ ORC Training, LLC



A Real Estate Acquisition Management Plan is termed a "RAMP" by the Federal Transit Administration (FTA). It is a written document that details how a grantee (usually a local public agency) will administer the land acquisition program. The document is written by the local agency and must be approved by FTA before any acquisition work may begin. It must lay out in detail how the schedule will be accomplished and any anticipated issues that may arise during the process. If relocation is a probability, it must also be discussed.

FTA requires a RAMP since many of its grant recipients only perform land acquisition work occasionally. With that in mind, FTA wanted to be assured that a planning process was in place for all real estate work. The RAMP is a demonstrable planning effort, and it is required of the local grant recipient even if they propose to use outside contractors to do the real estate work. The document can be prepared in house or by a consultant. The RAMP document can also have several versions, each more detailed as the project progresses. This is a function of the size of the project and requirements of the particular FTA region that has project oversight. However, it is routine to prepare at least two versions: an early preliminary (conceptual stage) RAMP, and a "final" based on engineering plans. The RAMP analysis and content is also an element in the FTA's risk rating of a project.

You can find a copy of this article and a "Model for the Development of a Real Estate Acquisition Management Plan" on our website at [www.orcolan.com](http://orcolan.com/cs/ramp) at the following link: <http://orcolan.com/cs/ramp>. The Model provides an extensive list of subjects that may be applicable to a RAMP document. If applicable, each must be developed and discussed in the document.

US 158 Highway Widening Design Build Project – North Carolina

By Nancy Maieski, Senior Manager



Contractors cleared ROW and will demo the home on the south side of US 158. The displaced family built a home on the remainder. The mother's house was also moved back behind ROW and the site required gravesite relocations.

Everything you may have heard about providing ROW services on a Design-Build contract is absolutely true – you need track shoes for the relentless pace and the constant plan change hurdles. So it has been for the Project Team on the US 158 Highway Widening Project in North Carolina, in the profit center of Senior Project Manager Hugo Solano. The project involves the widening of an 8-mile segment of the 350-mile long US Highway 158 from two to four lanes, between the sleepy towns of Murfreesboro and

Winton - in the state's rural "Inner Banks" region. ORC has been charged to acquire 79 parcels and relocate 18 residents under a one-year contract with the Design-Build contractor S.T. Wooten/ HNTB NC. This was the largest DB project to date in the state, and ORC's first NCDOT-sponsored design build project.

Nancy Maieski, ORC Senior Manager in New Jersey, is the Project Manager (and will resume duties in the Northeast around the end of September), and Stephen Bailey is the ORC ROW Agent. The team was further expanded by contracting two ROW agents from TELICS - a North Carolina ROW firm - to meet an aggressive schedule. After the one-year contract was signed in the spring of 2011, Wooten/HNTB advised that they wanted ROW cleared within nine months of the Notice to Proceed (July, 2012). This meant that appraisal research – not authorized prior to the NTP - would need to be accomplished during the first 4-6 weeks of the project; and relocating all of the residents within nine months, after settling or condemning, would be challenging in the best of circumstances. The NTP was linked to the delivery of 60% complete ROW plans, furnished at the end of October, 2011. ORC set up shop on November 1 in a NCDOT-owned office, and staff was up and running - more like sprinting – from that point on.



Hugo Solano and Nancy Maieski.

NCDOT requires an initial contact with a property owner before an appraisal can be ordered; so, during the first three weeks of the Project while the appraiser was gathering his data, Steve Bailey and Marvin Hearn from ORC's Charlotte office made initial contact with every property owner – no small feat. Also during this time the Project Manager reviewed stacks of Preliminary titles, provided observed and title-driven ROW plan changes to the DB team, and requested legal descriptions from ORC's Gary Scott. The appraiser was provided the first appraisal work order before Thanksgiving. The first reviewed appraisals

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The new alignment veers south behind the acquired home and the family purchased property in town. A Confederate gravesite was left undisturbed on a purchased remnant.

started coming in mid-January, 2012, and negotiations with the property owner were initiated immediately. In order to keep on schedule, appraisal status was monitored on a daily basis, and the appraiser was pushed hard to meet due dates. Every attempt was made to limit the settlement period to three weeks. The ORC team attempted to secure a Right of

Entry Agreement from the property owner during each and every negotiation, and these were granted in about 70% of the cases – so the DB Team could string large tracts together and commence preliminary utility work prior to legal possession.

Throughout the acquisition process, plan revisions kept coming, sometimes requiring revisions to legal descriptions and appraisals. In some cases this meant a second round of negotiations. ORC instigated many revisions too – predominantly for access breaks that were removed from the design, necessary to minimize appraised damages, restore the intended use of the property, and facilitate settlement. Many properties were passed down through generations for 150 years, and several parcels with unclear chains of title - some with hundreds of unknown heirs - had to be condemned. The ability to acquire properties through settlement or condemnation was impeded by check processing and scheduled court deposit dates, as well as many lengthy closings to clear liens from many properties - delaying proceeds for relocating property owners. Relocations for property owners owning large tracts of family land took even longer, understandably insisting on placing a new home on the remainder, rather than purchasing another “move-in-ready” home on the market. Late plan revisions created two residential relocations and very unhappy property owners who were not expecting to move. The unpleasant process of eviction had to be filed on three property owners, who just refused to leave. Despite these trials and tribulations, the ORC team fully acquired all but six properties within the 9-month accelerated schedule (they await checks, closings or deposit dates in condemnation). All but one property owner is expected to vacate in September.

In the end, the DB Contractor and NCDOT are pleased with ORC’s performance and appreciate the efforts of the entire ORC team in delivering a challenging fast-paced project. NCDOT has since awarded ORC a large acquisition and relocation project in Burnsville, NC just outside of Asheville.

ORC Training Offers New Course



No Federal funds if you do not comply with the Uniform Act! So how do smaller airports learn the steps necessary to comply with the Act?

ORC Training recently developed and delivered a new two-day instructor-led training course – Land Acquisition for Airports – The Basics. This course is targeted at airport employees responsible for land acquisition under the Uniform Act and FAA regulations, as well as those persons responsible for oversight of those activities. The South Carolina Aeronautics Commission hosted the course in Columbia, SC, which was instructed by Bob Merryman, a

national expert in federal land acquisition policies and FAA policies, on August 28-29. Participants included representatives from the South Carolina Aeronautics Commission, the North Carolina and Tennessee Aeronautics Divisions, the Florida and Georgia Aviation Divisions, municipal, county, and metropolitan airports in South Carolina, as well as one person from the Greenville Spartanburg International Airport.



ORC Training worked closely with the SC Aeronautics Commission to develop the course curriculum, which includes an overview of federal-aid requirements for appraisals, negotiations, relocation and real estate disposal. The appraisal process addresses fee simple valuation, as well as a focus on aviation easements, and the basics of appraisal concepts for managers. Acquisition/negotiation covers basic negotiation procedures, closings and settlements, and condemnation. The relocation overview discusses basic eligibility along with moving and replacement housing payment payments. Real estate disposal requirements for airports are also included. As each topic area is explained, the participants work on case studies that illustrate and reinforce the concepts, and allow them to apply them in real life situations. Pictured at left is Bob Merryman facilitating a case study at the training session.

The participants indicated a high level of satisfaction with the course content and the instructor's ability to explain the URA requirements and FAA regulations. Contact Lisa Barnes at 850-907-0400 or lbarnes@orcolan.com for more information about this course.

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Announcing New ORC Associates:



Janice Wardell, SR/WA

Janice Wardell, SR/WA has joined ORC as the new Project Manager for our Little Rock office. In her 20 years in the right of way field Jan has experience on roadway, pipeline and utility projects and she has worked in numerous states including South Carolina, Texas, Oklahoma, Louisiana and Florida. Besides being an SR/WA, Jan also has her relocation certification (R/W – RAC) from the IRWA. Jan will assume the duties of oversight for the various projects being worked from the Little Rock office and will also assist in Business Development activities in the area.



Gregory K. Zieba

Gregory K. Zieba has joined ORC as a real estate appraiser in the Appraisal Division. He will be based out of the Cleveland, OH office and will be dedicated to the northern Ohio market, including Cleveland, Toledo, and all outlying municipalities.

Mr. Zieba previously worked as a real estate appraiser for several leading real estate firms in Illinois, Tennessee and Alabama over his 29 year career. He holds the Senior Designation from the National Association of Independent Fee Appraisers, and he is a Certified General Real Estate Appraiser in Illinois, Tennessee, Alabama, and now Ohio.

As a Certified General Real Estate Appraiser in the State of Ohio (General Real Estate Appraiser #2035), Mr. Zieba is dedicated to expanding his academic acumen through continued education. In this respect, he has completed professional development and continuing education courses sponsored by the **Appraisal Institute**, the **National Association of Independent Fee Appraisers**, and the **American Society of Appraisers**.

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Visit our website for a complete list of current offices or contact Steve Toth at stoth@orcolan.com.

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On the Road with Bob: FTA Real Estate Basic Class, Risk Assessment and Maryland Crab Cakes

By Bob Merryman, Senior VP, O. R. Colan Associates/ ORC Training, LLC



Maryland Crabs

Crab cakes seem to be a food that is only found in Maryland. Yes, I have seen them on the menu in many places, and even ordered them in restaurants outside of Maryland, but they tend to be a big disappointment. Somehow, the fresh, lump crab meat in Maryland is the best. I recently had two opportunities to test my hypothesis.

Maryland DOT and the Maryland Transit Administration jointly sponsored a session of the FTA Real Estates Basics training. Maryland is kicking off a large expansion of their transit system in the Baltimore area. The class was held near the BWI airport in a new state facility and was a great success. In fact, it was an overflow crowd of consultants, DOT personnel, and transit agencies from several states.

But almost as important, the location of the class was very near the prime crab cake restaurant—as measured by “man-on-the-street” responses. The G&M establishment serves huge crab cakes (think tennis ball size), with almost no breading, but full of lumps of fresh (never frozen) crab meat. They were delicious. One cake is more than enough for supper.

It would seem that the trick of making good crab cakes is fresh crab, and very little breading. G&M has learned the lesson well, and while the cakes are expensive, they are worth every penny.

A few weeks after the training session in Baltimore, FTA and the Maryland Transit Administration conducted a Risk Assessment workshop to evaluate a new proposed project. The FTA Risk Assessment process is an evaluation of the risks associated with a specific project viewed from all of the disciplines needed to successfully conclude the project. For example, the transit agency’s assumptions about the right of way budget and schedule are critiqued. FTA uses a process that always involves personnel from outside the local transit agency to provide a fresh look at the project. This allows the grantee an opportunity to evaluate the assumptions used in the schedule and budget. On a project, the issue of adequate allowances for settlements or court awards might be questioned. The transit agency would then explain how it arrived at these amounts, and is free to modify their assumptions. When the process is completed, a risk register is prepared and all of the risks are quantified as to schedule and budget impacts.



Maryland Crab Cake

With the Risk Assessment process taking two days, it allowed two evenings to find a good crab cake in downtown Baltimore. However, given the time of year (mid-summer) crabs are apparently in short supply and many restaurants resort to the use of imported pasteurized or frozen crab. The local staff to the transit agency explained that it would be a chore to find a good crab cake at this time of year. The hotel concierge agreed with that assessment, but did offer one possibility. The bar in the hotel had crab cakes and they used only domestic fresh crab. He jokingly explained that as the crab got more expensive, the crab cakes shrunk in size! Regardless, I decided to try it.

The crab cake from the hotel bar was about one-half the size of the G&M cake, but it was still delicious. The crab meat was sweet and rich, so the smaller size was still enough crab to satisfy my Midwest taste buds. The bar personnel explained that while they always prefer to use local crab, they sometimes resort to other domestic crab, but never rely on imported frozen crab meat.

So my conclusion remains the same - if you get to Baltimore, try the crab cakes. There are none as good anywhere else.

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