

# COMMON ROW ACQUISITION QUESTIONS

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## ENGINEERING PROJECTS

In the realm of engineering projects, Right of Way (R/W) acquisition is a critical yet often complex component that can significantly impact project timelines and costs. This whitepaper aims to address common questions and provide clarity on the R/W acquisition process, specifically tailored for engineering partners.

The document covers essential topics such as the optimal timing for involving R/W in projects, the variability of acquisition timelines, and the importance of adhering to state and federal procedures. It also delves into the necessity of using prequalified agents, the scope of title and easement research, and the challenges associated with acquiring specific types of parcels.

By understanding these key aspects, engineering partners can better navigate the intricacies of R/W acquisition, ensuring smoother project execution and minimizing potential delays and cost overruns. This whitepaper serves as a comprehensive guide to help engineering professionals make informed decisions and effectively manage the R/W acquisition process.

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### **Question:**

At what stage of the project should R/W be involved?

### **Answer:**

Truthfully, the earlier the better. Once R/W plans are prepared, we can prepare an accurate cost proposal. Allowing at least 6 months from start to finish is ideal for most projects.

### **Question:**

How long should I plan for R/W acquisition in my project?

### **Answer:**

Property acquisition timelines vary based on project size, scope, complexity, and eminent domain authority. The process isn't simply requesting rights and gaining owner agreement. Title searches and appraisals precede negotiations, which depend on owners' willingness and availability. Summer and holidays often complicate owner contact. As a reference point, acquiring 10 parcels usually takes four to six months.

### **Question:**

Do we need to follow the policies and procedures of state government agencies for my project (e.g. Department of Transportation)?

### **Answer:**

The need for a specific process depends on the funding source. Local funds allow flexibility, while state or federal funding requires adherence to strict procedures. With local funds, ORC can offer creative options to reduce scope and fees while achieving desired results. However, if you anticipate future state or federal funding, it's wise to follow the standard process from the beginning to avoid complications.

**Question:**

Are R/W companies prequalified as a firm?  
Do we have to use prequalified agents to perform the work?

**Answer:**

State government agencies require individual prequalification for R/W agents, not firm prequalification. ORC charges fees on a unit basis rather than time and materials. Prequalified agents are mandatory for any project with government funding and are recommended for all projects. This requirement exists for good reason. For instance, ORC has experience rectifying situations where local staff, lacking specialized expertise, encountered difficulties. As a R/W firm, we handle these tasks daily and possess the necessary expertise to navigate potential challenges efficiently.

**Question:**

Can a R/W firm provide title/easement research and cost estimating during design?

**Answer:**

We regularly perform title work, including 42-year titles, 100-year easement searches, and last deed of record requests. While ODOT often includes title work in programmatic design projects, ORC also engages in local public agency work. Sometimes our involvement is purely geographical, retrieving deeds and easements from courthouses across a state. This comprehensive approach ensures thorough and accurate information for various projects and clients, properly identifying all necessary legal documentation.

**Question:**

Can you provide R/W acquisition costs before plans are designed?

**Answer:**

We can provide estimates, but our full scope may change as the project develops. The most critical factor is the appraisal process, including acquisition type and closings, which vary based on complexity often unknown initially. Sometimes, ORC is asked to propose 1-2 years before work begins. Our experience helps make these estimates accurate, but unknowns remain. While we can anticipate many scenarios, flexibility is necessary as project details become clearer over time.

**Question:**

What does a R/W firm need from the design firm to proceed with acquisition?

**Answer:**

Ideally, we need signed and approved plans with legal descriptions, though this isn't always available. The biggest risk is changes to acquisition areas after we've started work. We appraise and make offers based on specific areas, so changes require updated appraisals and new offers. This process takes extra time, costs more, and can delay projects. To minimize risks and setbacks, it's crucial to have finalized information before beginning with appraisals and acquisitions.

**Question:**

What are the most challenging parcels to impact, and should I consider re-designing?

**Answer:**

The most challenging parcels are parking lots, railroads, post offices, parks, and large corporate properties. These involve complex ownership, strict regulations, or public interest, complicating acquisitions. Parking lots are crucial for businesses, railroads have strict requirements, and federal properties have extra oversight. Consider making design changes to your project if it impacts these properties to minimize disruptions, reduce costs, and avoid lengthy negotiations.