



Oversight Procedure 23 — Real Estate Acquisition and Management Plan Review

1.0 PURPOSE

The purpose of this Oversight Procedure (OP) is to describe the review, analysis, and recommended procedures and reporting requirements that the Federal Transit Administration (FTA) expects from the Project Management Oversight Contractor (PMOC) as regards to the project sponsor's Real Estate Acquisition and Management Plan (RAMP).

This review will provide a critical input to FTA's determination regarding the project sponsor's project readiness for advancement and funding. The review will cover the RAMP and related scope, schedule, and cost estimate information.

While this OP focuses on Capital Investment Grant (CIG) projects, which have specific requirements by law, it also applies to all capital projects. FTA will issue Implementation Plans (IPs) to clarify the specific reviews and expected deliverables based on the project types.

2.0 BACKGROUND

On major capital projects, the real property acquisition and relocation components represent substantial risk from both a schedule and budget standpoint. In some situations, scope can also be a significant risk. FTA requires the PMOC team to include and continuously utilize a specialized real estate expert consultant, hereafter referred to as the Real Estate PMOC (RE PMOC). This RE PMOC should have significant experience in early right-of-way (ROW) planning and acquisition; have a working knowledge in the four major areas of Uniform Act compliance (Appraisal, Acquisition, Relocation, and Property Management); and have a thorough working knowledge of Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs ([49 CFR Part 24](#)) and FTA Award Management Requirements ([Circular 5010.1E](#) or most recent version), and the [FTA Project Management Oversight Program Guidance](#).

FTA requires the PMOC to send all reports produced under this OP, including all comments and recommendations for approval, to the FTA Headquarters' Real Estate Specialists for review. Final acceptance of any report produced under this OP shall comply with Section E of the PMOC's Base Contract.

For proper oversight of a project with significant real estate requirements, it is necessary for the real estate expert to be active on the PMOC team beginning early in the project. This is especially relevant when reviewing cost estimates and schedules.

3.0 OBJECTIVES

The reviews under this OP have the following objectives:

- Early and continuous involvement in the real estate program that commences with the National Environmental Policy Act (NEPA) process. Now available as technical assistance.

- Evaluate the project sponsor’s Real Estate Acquisition Management Plan (RAMP) and oversee implementation of defined policies and procedures, real estate acquisitions, and relocations.
- Evaluate the project sponsor’s understanding of, and assure compliance with, all state, local and Federal laws, regulations, and guidance associated with acquiring real estate.
- Evaluate the real estate components of the project scope for completeness, adequacy, consistency, appropriateness of level of detail given the phase.
- Evaluate the real estate cost estimate for completeness, adequacy, consistency, appropriateness of level of detail given the phase.
- Evaluate the real estate schedule for completeness, adequacy, consistency, appropriateness of level of detail given the phase; compatibility of the real estate schedule with the overall project schedule is required as part of the evaluation.
- Identify risks inherent in the project scope, schedule, and cost estimate.
- Evaluate the project sponsor’s effective use of tracking tools to monitor status and avoid negative budget and schedule impacts.
- Evaluate compliance with all governing requirements related to the real estate acquisition program ensure eligibility of reimbursed cost.
- Provide timely reporting by the PMOC of recommended improvements, lessons learned, and best practices based on observations of the project.

4.0 REFERENCES

The PMOC shall become familiar with the following references to Federal legislation, regulation, and guidance before reviewing the project sponsor’s work. These are the principal references, but this list is not exhaustive:

4.1. Legislative

- [Infrastructure and Investment Jobs Act \(IIJA\)](#), Public Law 117-58, effective November 15, 2021 (also known as the “Bipartisan Infrastructure Law”)
- [42 U.S.C. Section 4601](#), Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Pub. Law 91-646, et seq.)

4.2. Regulations

- [49 CFR Part 24](#), Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs

4.3. FTA Circulars

- [C 5010.1E](#) (or most recent version), Award Management Requirements, “Real Property” in Chapter IV, “Management of the Award”

5.0 GRANTEE SUBMITTALS

To perform the review, the RE PMOC should obtain the RAMP and supporting documents such as the real estate cost estimate, schedule, and any applicable agency policies and procedures. In cases of difficulty in obtaining these documents, the PMOC shall notify COR/ACOR immediately.

See Appendix B for sample RAMP table of contents with milestone dates for completion of plan elements. The PMOC shall use the table of contents as a guide for its review.

- Real Estate team organization information should include:
 - Organization chart for the agency;
 - Organization chart for project including the agency's project executive, real estate staff, and consultants;
 - Real estate staff and consultant/contractor functions, resumes, and description of roles and responsibilities for both real estate acquisition and relocation; and
 - Lines of authority including as applicable, the project sponsor's board, chief executive officer, project executive, project staff, real estate staff and consultants.
- Acquisition Plan and Relocation Plan should include:
 - Description of real estate to be acquired for the project;
 - Real estate planning, budgeting, scheduling, tracking, and reporting documents;
 - Discussion of any existing contaminated property based on content of Environmental Site Assessment documents or the NEPA documents and strategy to avoid, value, or remediate such property; and
 - Summary of potential third party agreements.
- An explanation of the process to be used for:
 - Utility relocations;
 - Appraisals and appraisal reviews;
 - Acquisition files including offers, negotiations, and contact logs; and
 - Relocation files including notices, inventories, determinations, claims, payments, and contact logs.
- The real estate schedule should be portrayed in relation to overall project schedule/critical path and should include detail on specific tasks and time required to complete.
- A real estate cost estimate may be submitted as an independent document.

6.0 SCOPE OF WORK

The specialized RE PMOC is expected to initiate communication with the FTA Headquarters' Real Estate Specialists and COR/ACOR for guidance and policy interpretation prior to starting the review. It is expected that for the duration of the review, the RE PMOC will maintain this communication.

The Prime PMOC is expected to have the RE PMOC in attendance (by phone or in person) any time matters involving real estate are discussed; this includes early involvement in the NEPA process. The RE PMOC shall continue to provide ongoing oversight and monitoring in all areas

involving real estate so that early warning signs can be recognized, and potential issues can be identified and mitigated prior to serious impacts to schedule or budget.

The RE PMOC should focus on four main areas:

- Budget
- Schedule
- Scope
- Compliance

The RE PMOC should oversee the project sponsor's process to ensure compliance with statutory and regulatory requirements including the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (Uniform Act) and applicable FTA circulars. The RE PMOC should determine if the project sponsor's acquisition and relocation scope, schedule, and budget are realistic, reflect the project sponsor's plans and specifications, and agree with the overall project scope, cost estimate, and schedule. Real estate oversight regarding these four areas should be an active process throughout the life of the project and should be scoped to the complexity of the proposed real estate program.

For projects with a significant real estate component, early discussion between the RE PMOC and the grantee are necessary to establish a proper foundation for future activities. The RE PMOC should make special efforts to verify that any proposed mitigation measures can be implemented in compliance with all applicable laws, regulations, and guidance, including 49 CFR Part 24 and FTA Circular 5010.1E.

The scope of real estate acquisition should also be examined by the RE PMOC to determine that real estate acquired for the project is necessary and not more than those property interest's necessary to construct, operate, and maintain the project funded by FTA. This may entail an engineering review by the PMOC or FTA.

The RE PMOC should review the RAMP, scope of real estate to be acquired, cost estimate, and schedule at the milestone points shown in the table in Appendix B, and more frequently if directed by COR/ACOR.

- The PMOC should tailor the review to the information and materials available at the time.
- Prior to the project entering engineering, the PMOC shall check that the project sponsor has identified the necessary parcels, its proposed schedule, potential real estate problems, and possible solutions related to these problems.
- Any environmental documentation and environmental site assessments should also be evaluated for accurate depiction of any real estate acquisition impacts, contamination, and any proposed mitigation measures.
- During engineering, the PMOC shall verify that the
 - Planned real estate acquisitions and relocations are comprehensive,
 - Schedule is coordinated with the critical path of project schedule,
 - Real estate cost estimates are reasonable, and
 - Project sponsor is adhering to the policies and procedures set forth in the RAMP.

If any supplemental real estate services are needed, the PMOC shall be directed accordingly by the COR/ACOR and conducted under OP 3.

For projects other than New Starts, the PMOC shall check for compliance with the requirements of 49 CFR Part 24. At a minimum, the PMOC shall review the RAMP at the milestone points described in Sections 6.1 through 6.3, as appropriate for the project.

6.4. Prior to Engineering

The RE PMOC may provide technical assistance as needed for the development of the NEPA document(s) by reviewing and assessing the adequacy and soundness of the project sponsor's identification of real estate impacts and proposed methods of mitigation (if any) and by ensuring compliance to Federal law, regulation, and guidance.

The RAMP is required to contain information demonstrating an adequate real estate organization with well-defined reporting relationships and responsibilities:

- **Organizational Structure** – Review and assess the adequacy and soundness of the project sponsor's organizational structure as it relates to real estate acquisition management, including:
 - Identification and definition of staff functions with an organizational chart with positions and/or names and contractual functions;
 - Identification of persons to develop the RAMP;
 - Deal with plan changes, corrections, or modifications as a result of negotiations, etc.;
 - Ensure the project sponsor has identified who will be accountable for specific responsibilities such as the person who will be responsible for identifying appraisal problem and developing scope of work;
 - The person responsible for monitoring status of activities required for acquisition and relocation; the persons or parties to establish offers of just compensation; and
 - The person who can authorize administrative settlements and authorize condemnation.
- **Document Control** – Review and assess the adequacy of the project sponsor's document control plan as it relates to real estate acquisition management including ensuring the project sponsor has a sound plan for filing documents, maintenance of documents, and organization of parcel files, acquisition files, relocation files, and condemnation files.
- **Property Management Plan** – Review and assess the adequacy and soundness of the project sponsor's preliminary property management plan, including:
 - Who will perform property management;
 - What is included in the scope of work for property management;
 - Who contracts for demolition;
 - What are the contracting requirements;
 - What are the reporting requirements;
 - Policies regarding rental property for extended possession by tenants and owners;
 - Who will prepare and track excess parcels; and
 - What is the process to evaluate these parcels.

In addition, the RAMP should contain, and the RE PMOC should review, the following items:

(Note: It is recognized that these items may be in a preliminary state; however, they must be present)

- **Acquisition Plan/Relocation Plan** – Review and assess the adequacy and soundness of these preliminary plans including the following information:
 - Proposed acquisitions and relocations
 - Map highlighting the parcels proposed to be acquired
 - Spreadsheet to track parcels by
 - ⑩ Description of properties
 - ⑩ Lengths of right-of-way (related to construction segments)
 - ⑩ Dimensions of parcels
 - ⑩ Full and partial takes, easements and temporary easements
 - ⑩ Residential and non-residential displacements/relocations
 - ⑩ Information on major stakeholders, property owners
 - ⑩ Title information
 - ⑩ Foreseeable impacts due to the acquisitions and relocations;
 - ⑩ Identification of properties that may require environmental mitigation (commitment in Finding of No Significant Impact [FONSI] or Record of Decision [ROD] to mitigate); properties requiring contamination remediation (based on environmental site assessments); extensive utility work; or third party coordination
 - Status of appraisals
 - Type of transaction:
 - ⑩ Purchase such as fee simple, etc.
 - ⑩ Acquisition of other property rights, easements, etc.
 - ⑩ Functionally replaced properties (wet lands, park lands, etc.)
 - ⑩ Land exchanges, just compensation or combinations, thereof
 - ⑩ Administrative settlements
 - ⑩ Eminent domain (process and lead-time required to obtain physical possession)
 - ⑩ Relocation/dislocation
 - ⑩ Identification of utility relocations: how they will be handled and associated real estate impacts such as replacement easements
 - ⑩ Identification of potential third-party agreements, how they will be obtained and who, specifically, will be responsible for obtaining them
- **Schedule for the acquisitions and displacements/relocations**, showing:
 - The relationship with the critical path of the project schedule;
 - Schedule for negotiations, offers of Just Compensation, closing/escrows;
 - Schedule for condemnation proceedings should that become necessary; and
 - Should include detailed timeframes for each required activity.

- **Cost estimate for the acquisitions and displacements/relocations**
 - Refer to Appendix C: Estimates for real estate are frequently found to be low and inaccurate. Real estate costs are often the weakest link in the overall project cost estimate. FTA provides a model estimating spreadsheet shown in Appendix C as an assist to RE PMOC in their review of the project sponsor's approach to estimating real estate costs. The spreadsheet may help to ensure that all components are included in the estimate. Supportable realistic allowance should be established to pay for overages related to administrative settlements and adverse condemnation awards. State departments of transportation may have statistical data on administrative settlements and condemnation outcomes that will aid in more accurately estimating real estate costs.
 - The RE PMOC shall review and assess the adequacy and soundness of the project sponsor's preliminary real estate cost estimate, including:
 - The project sponsor's basis for the estimate;
 - Anticipated updates of estimate; and
 - How the estimate will be compared to actual costs as the project progresses.
 - See Appendix C for further discussion. Identify real estate acquisition program risks and recommend mitigation actions by the project sponsor. The overall estimate for real estate must include sufficient cost to meet the contractual service needs of the project. These include title work, appraisals, appraisal reviews, legal and relocation assistance services, with other related costs. In addition, a supportable, realistic allowance should be established to pay for overages related to administrative settlements and adverse condemnation awards.

In reviewing the project sponsor's RAMP, the RE PMOC shall verify the project sponsor has included a short history of the project. Considering the project sponsor's level of compliance with the Uniform Act and other regulations, the RE PMOC shall review and summarize its findings and opinions and provide recommendations.

6.5. In Engineering

When the project sponsor obtains the NEPA determination, usually the ROD or FONSI, the project sponsor is granted pre-award authority for real estate acquisition and agreements with third parties for operations rights, easements, etc. Therefore, it is critical that the RAMP be substantially complete prior to the signing of the ROD or FONSI.

Prior to FTA approval of the Full-Funding Grant Agreement, the RAMP should be fully complete. The real estate schedule should be consistent with the critical path in the project schedule. The RAMP should demonstrate that adequate relocation planning has been accomplished per 49 CFR Section 24.205, including recognition of problems associated with displacement and an evaluation of program resources available to carry out timely and orderly relocations.

The RE PMOC should review and summarize its findings and opinions and provide recommendations with respect to the project sponsor's plans and procedures:

- **Introduction** – Review any updates to the project sponsor’s introduction section of its RAMP and ensure project sponsor compliance with applicable statutory, regulatory, and circular requirements. With consideration of the laws, regulations, etc. that apply to the work, the PMOC should review and analyze the project sponsor’s information for reasonableness within the scope and cost parameters and for completeness and consistency.
- **Organizational Structure** – Review and assess the adequacy and soundness of the project sponsor’s organizational structure including any updates or modifications to the organizational structure, staff functions, responsibilities, and lines of authority.
- **Document Control** – Review and assess the project sponsor’s real estate document control plan and any updates to such plan.
- **Property Management Plan** – Review and assess the adequacy and soundness of the project sponsor’s property management plan including who will perform property management, what is included in the scope of work for property management, who contracts for demolition, what are contracting requirements, what are reporting requirements, statement of policy regarding rental property for extended possession by tenants and owners, who will prepare and track excess parcels, what is the process to evaluate these tracts.
- **Acquisition Plan**
 - **Tracking** – Review and assess the adequacy of the project sponsor’s plan for tracking all required activities associated with acquisition and relocation including who will be responsible for developing, monitoring, and updating the tracking reports on a consistent and ongoing basis. This tracking plan should also include a process through which the RE PMOC can monitor the progress of the real estate program through regular access to the tracking reports.
 - **Plans** – Review and assess the adequacy of the project sponsor’s acquisition plan including who prepares the plans, who can authorize plan revisions, who will track plan revisions, modifies the plans; and what is the process for considering property owner’s request to modify, etc.
 - **Ownership and title information** – Review the project sponsor’s plans for gathering ownership and title information as well as its plan for identifying contractual requirements and whether contracts are in place. Review the project sponsor’s process to update and correct errors and omissions.
 - **Environmental assessments** – Review project sponsor’s plan for identification of parcel specific environmental assessments (i.e., Phase 1, Phase 2, etc.) and how this information will be provided to the appraisers.
 - **Appraisal** – Review the project sponsor’s plan for performing appraisals including appraisal scope of work development, identifying who will perform the appraisals and identifying contracting requirements if necessary and estimated duration of this task. Review what process is in place to insure the identification and resolution of

personality/realty issues at the time of the appraisal. Review the project sponsor's plan for obtaining copies of appraisals and sharing of such appraisals with property owners. Review the adequacy and soundness of the project sponsor's appraisal review process including the following: who will do this task, what is the appraisal scope of work (SOW) for the task in general, what is the turn turnaround time for this work, will the reviewer handle updates of appraisals, will reviewer handle modification of appraisals based on owner claims, will review appraiser review owners' appraisals, will review appraisal be used to support administrative settlements. If contaminated property is involved, will the appraisal SOW delineate the appraiser's responsibility and information to be provided in that regard?

- **Establishment of Offer of Just Compensation** – Review the adequacy and soundness of the project sponsor's plan for establishing an offer of just compensation including identifying responsible staff and the basis of the offer.
- **Negotiations** – Review the adequacy and soundness of the project sponsor's plan for conducting negotiations including the following information:
 - Who will negotiate?
 - What is their authority?
 - When will negotiations start?
 - Who must approve administrative settlements and other concessions to property owners?
 - What is the documentation required?
 - Who signs letter of offer?
 - Will the negotiator also handle relocation payments?
 - How is interface between negotiations and condemnation handled?
 - What documents will negotiator be expected to provide to legal counsel for settlement and condemnation?
 - Will negotiator be present at closing?
 - If consultants will be used, what are the contracting requirements and the duration of the associated lead time?
- **Closing / Escrows** – Review the adequacy and soundness of the project sponsor's plan for handling closings / escrows including the following information:
 - Who will provide this service?
 - How will it function?
 - What is the estimated length of time to deposit funds to escrow for closing?
 - What documents will be necessary?
 - How closings will be conducted?
 - What form of deeds will be used?
 - How will partial releases be handled?
 - How will the expected duration of that process fit into the schedule?
 - How will property taxes be paid and exempted?

- **Condemnation** – Review the project sponsor’s plan for condemnations including the following information:
 - Who will authorize suits?
 - Does the agency have quick-take authority?
 - What is the lead time to obtain court ordered legal/physical possession?
 - Who will file?
 - What is the relationship between the project sponsor and its legal personnel?
 - What authority does attorney have for settlement?
 - What are the progress reporting requirements?
 - What is the expected time frame to obtain possession?
 - How will contamination remediation be addressed with the responsible parties, in the event it is encountered within the project limits?
- **Disposition Plan** – Review and assess the adequacy and soundness of the project sponsor’s re-sale plan including the following:
 - Who will determine when to sell excess land or buildings?
 - What is the disposition of proceeds?
 - What are the agency, State, or local restrictions on the sale of public property?
 - *Note: In the disposal of any excess land, FTA appraisal procedures found in Circular 5010.1E, Chapter IV apply.*
- **Relocation Assistance Plan** (for projects with displacements)
 - Review the adequacy and soundness of the project sponsor’s plan to staff and administer its relocation assistance plan including the method to employ staff or contractors; lead time to employ the staff; and supervision of staff or contractors.
 - Review who is authorized to compute payments, who will approve payments, what is the relocation process to be utilized in the project, what level of advisory services will be needed, and who will provide advisory services. If last resort housing be required what is the justification and how will it be conducted.
 - Determine the estimated time to pay a relocation claim, what authority and controls will be needed for advance payment of claims, what documentation will be retained in the files, what forms will be used.
 - Review the adequacy and soundness of the project sponsor’s Relocation Assistance Plan per the regulatory requirements at 49 CFR section 24.205 including the degree to which it contains the following elements:
 - Description of project;
 - Discussion of displacees’ characteristics and needs;
 - Inventory of available housing;
 - Discussion of non-residential displacees’ needs;
 - Inventory of Non-Residential Property;
 - Discussion regarding concurrent displacements;
 - Needs vs. availability analysis and correlation;

- Advisory Services; and
- Conclusion.
- **Appeals** – Review and assess the adequacy and soundness of the project sponsor’s plan for conducting administrative appeals such as:
 - What are the legal requirements for administrative appeals?
 - How will the agency establish and staff an appeal function?
 - Who is the recipient of appeal requests?
 - What is the appeal process?
- **Third-Party Real Estate Agreements** – Ensure the project sponsor has identified all third party agreements anticipated and included any draft or executed agreements with third parties that may involve the transfer of real estate interests. This review should also include who will be responsible for negotiating third party agreements, anticipated time required and any potential issues that may involve the transfer of real estate interests.
- **Real Estate Cost Estimate** – Review and assess the adequacy and soundness of the project sponsor’s Real Estate Cost Estimate for acquisitions and relocations including:
 - Review the following:
 - The background of estimate
 - What methodology was used
 - When the estimate was completed
 - What the basis of the estimate was
 - How and when the cost estimate may be updated
 - How the estimate will be compared to actual costs as project progresses.
 - Identify real estate acquisition and relocation program risks and recommend mitigation actions by the project sponsor.
 - Review the cost basis of the estimated allocations for various contractual services necessary for the project. Refer to Appendix C.
- **Acquisition and Relocation Schedule** – Review the adequacy and soundness of the project sponsor’s schedule including its critical path for real estate, established timeframes for acquisition and relocation, schedule for property negotiations for the project and identification of potential difficulties and delays.
 - The PMOC shall also review the project sponsor’s plans for tracking and reporting progress and the dissemination of such progress updates. The real estate program should not be expected to cure the shortfall of time resulting from prior delays in other functional areas of the project development process.

6.6. Requesting FFGA

Prior to FTA award of the Full Funding Grant Agreement (FFGA), the information in the RAMP should be updated if necessary and third-party agreements finalized. Cost estimates and schedules should all be current.

7.0 REPORTS, PAPERS, PRESENTATIONS

The PMOC shall provide the COR/ACOR with a written report, formatted in compliance with OP 01, of their findings, analyses, recommendations, professional opinions, and description of the review activities undertaken, as well as other supporting information.

After the COR/ACOR has transmitted formal acceptance of the report, the PMOC should share the report with the project sponsor. If there are differences of opinion between the PMOC and the project sponsor regarding the PMOC's findings, the COR/ACOR may direct the PMOC to reconcile their findings with the project sponsor and provide the COR/ACOR with a report addendum covering the modifications agreed upon by the project sponsor and PMOC.

When directed by the COR/ACOR, the PMOC shall perform data analysis and develop data models that meet FTA requirements using Microsoft Office products, such as Excel and Word, and use FTA templates when provided.

Upon approval by the COR/ACOR, the PMOC may add other software as required, but they should provide the COR/ACOR with documentation and report data when complete.



APPENDIX A: ACCEPTABLE QUALITY LEVEL

	Desired Outcome	Performance Requirement	Checklist	Acceptable Quality Level	Performance Measure	Monitoring Method
1	The PMOC shall assess the reliability of the elements of project sponsor’s real estate acquisition program.	R1a. The PMOC shall develop and document a process for review and analysis of a project sponsor’s RAMP and supporting documents.	<input type="checkbox"/>	Q1a. Process exists and has been followed.	M1a. Evidence of a documented process.	MM1a. Periodic review by FTA or its agent.
		R1b. The PMOC shall use its process and project management judgment to validate the thoroughness of the RAMP and supporting documents at all phases of the project.	<input type="checkbox"/>	Q1b. The PMOC must assess and provide internal verification that the process has been followed as documented.	M1b. Documented assessment of the reliability of the RAMP and supporting documents.	MM1b. Periodic review by FTA or its agent.
2	The PMOC shall provide oversight, continuous review, and evaluation of project sponsor’s real estate acquisition program to ensure compliance with Federal requirements and project sponsor’s ability to maintain	R2a. The PMOC shall review the project real estate schedule and cost estimates at specific milestones in b), c) and d) below, as well as when directed by FTA, identify possible problems and determine solutions.	<input type="checkbox"/>	Q2a. Professional opinion of the real estate acquisition process as implemented.	M2a. Documented evidence of a thorough review by PMOC for completeness and level of detail of the real estate acquisition program, supported by professional opinion.	MM2a. Periodic review by FTA or its agent.
		R2b. Prior to entering Engineering, the PMOC	<input type="checkbox"/>	Q2b. Professional opinion of the RAMP	M2b. Documented evidence of review	MM2b. Periodic

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its proposed real estate scope, schedule, and budget.	shall provide FTA with their opinion and recommendations of project sponsor’s RAMP and its demonstration of an adequate real estate organization with proper Federal compliance, Organizational Structure, Document Control, Property Management Plan, and Real Estate Acquisition and Relocation Plan.		and supporting documents at this Project phase.	of the RAMP and supporting documents at this project phase, supported by professional opinion.	review by FTA or its agent.
	R2c. In Engineering, the PMOC shall provide FTA with their opinion and recommendations of project sponsor’s RAMP, and specifically as to completeness and integration with the project schedule critical path prior to entry into FD.	<input type="checkbox"/>	Q2c. Professional opinion of project sponsor’s RAMP and supporting documents at this project phase.	M2c. Documented evidence of a thorough review of project sponsor’s RAMP and supporting documents at this project phase, supported by professional opinion.	MM2c. Periodic review by FTA or its agent.
	R2d. Requesting FFGA: The PMOC shall, prior to award of FFGA, verify that all necessary updates to the RAMP are made and third-party agreements finalized and provide FTA with an opinion and	<input type="checkbox"/>	Q2d. Professional opinion of project sponsor’s RAMP and supporting documents at this phase of the project.	M2d. Documented evidence of a thorough review of project sponsor’s RAMP and supporting documents, verification of	MM2d. Periodic review by FTA or its agent.

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		recommendations of project sponsor's RAMP.			updates and finalization of third-party agreements, supported by professional opinion.	
3	The PMOC shall document its findings, professional opinions, and recommendations in a report to the FTA.	R3. The PMOC shall present its findings, conclusions, and recommendations to FTA and reconcile those recommendations with the project sponsor to the extent possible.	<input type="checkbox"/>	Q3. Reports and presentations are professional, clear, concise, and well written. The findings and conclusions have been reconciled with other PMOC reports and have been reconciled with project sponsor to the extent possible.	M3. PMOC's findings, conclusions, recommendations, and presentation.	MM3. Periodic review by FTA or its agent.



APPENDIX B: SAMPLE TABLE OF CONTENTS FOR REAL ESTATE ACQUISITION MANAGEMENT PLAN

Symbol	▲	Preliminary information required	●	Element to be completed	○	Element to be modified or augmented with additional information as necessary
Legend						

Real Estate Acquisition Management Plan Elements	Prior to Entering Engineering	In Engineering	Requesting Full Funding Grant Agreement	In Bid/Award and/or Construction
Introduction	●	○		
Agency's Real Estate Policies and Procedures referring to applicable statutes, regulations, policies	▲	●	○	
Real Estate Team Organizational Structure	▲	●		
Staff and Contractor functions/resumes/description of roles and responsibilities for Acquisition and Relocation	▲	●		
Lines of Authority	▲	●		
Document Control	●	○	○	
Property Management Plan	▲	●	○	
Disposition Plan	▲	●	○	
Acquisition Process	▲	●	○	
Acquisition Plan	▲	●	○	
Ownership and Title Information	▲	●	○	
Acquisition Schedule, include critical path from Project Schedule	▲	●	○	

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Pre NEPA ROD: Draft Agreements w/RE Third Parties	▲	●	○	
Post NEPA ROD: Executed Agreements w/RE Third Parties		▲	●	○
Cost				
Estimate	▲	●	○	
Appraisals	▲	●	○	
Property Contamination	▲	●	○	
Negotiations/ Offers of Just Compensation	▲	●	○	
Final Costs			●	○
Closing / Escrows	▲	●	○	
Condemnation	▲	●	○	
Relocation Process	▲	●	○	
Relocation Plan – Owner, Tenant information	▲	●	○	
Relocation Schedule, include critical path from Project Schedule	▲	●	○	
Cost				
Estimate	▲	●	○	
Negotiations/Final Costs			●	○
Appeals			●	○



APPENDIX C: REAL ESTATE COST ESTIMATE TEMPLATE AND SUPPORTING QUESTIONS

Cost Estimate Template		Desc/number of parcel	Cost	Subtotal	Total
LAND					
	Fee Acquisitions		\$		
	Full Takes		\$		
	Partial Takes		\$		
	Easement Acquisitions		\$		
	Other Rights		\$		
	TOTAL LAND COST			\$	
	Administrative Settlement Rate of x Administrative Increase = %			\$	
	Condemnation Rate of Award = % x Excess			\$	
	TOTAL LAND/SETTLEMENT				\$
RELOCATION					
	Residential (Owners)		\$		
	Residential (Tenants)		\$		
	Business (Owners and Tenants)		\$		
	Others (Personal Property Moves)		\$		
	Last Resort Housing		\$		
	TOTAL RELOCATION				\$
SERVICES					
	Title Work (Reports, Insurance, Closings)		\$		
	Appraisals		\$		
	Appraisal Reviews		\$		
	Other Services related to acquisition, relocation, property management, etc.		\$		
	Legal (Pre-condemnation)		\$		
	Legal (Condemnation)		\$		

	TOTAL SERVICES			\$
	GRAND TOTAL			\$

SUPPORTING QUESTIONS

Real estate acquisition can significantly affect a project’s cost and schedule because of the number and types of uncertainties and risks. In the RAMP, real estate cost and schedule elements should be fully described along with notations regarding perceived uncertainties and risks on a per parcel basis. The PMOC should discuss the uncertainties with the project sponsor, the likelihood of a negative occurrence, the potential magnitude, and the project sponsor’s plan for mitigating the risk. An example of mitigation is requiring that property acquisition be complete prior to advertising construction contracts. The PMOC should verify the project sponsor understands the potential cost and schedule impacts to the project if real estate acquisition is delayed. To assist the PMOC in reviewing, the following questions are provided:

Cost Impacts

If available, review historical data for real estate acquisition in the immediate project area to assess cost uncertainties.

1. **Cost of appraisals, review appraisals, survey, title, and closing:** Has escalation of appraisals versus the timing of actual acquisition been taken into account?
2. **Damage to remainder:** Have additional costs that may be incurred due to partial acquisitions been taken into account? (Partial acquisitions also tend to be impacted more frequently by design changes that occur when acquisition is initiated prior to final design.)
3. **Cost of Settlement:** Has the potential increase between negotiated costs versus appraised cost been considered? Was an acquisition incentive program approved by FTA and implemented appropriately?
4. **Court and Legal Costs:** If settlement cannot be reached have court and legal costs been considered?
5. **Cost to Cure:** Was the cost to cure considered and addressed in the appraisal scopes of work, where the cure may be economically justified?
6. **Relocations:** Have all the costs of relocating the business or residence (for example replacement and moving costs) been included in the estimate? Were the replacement housing payment negative equity (underwater mortgages) and protective rental cost to preclude subsequent occupants included in the cost estimate addressed in the relocation plan approved by FTA?
7. **Demolition:** Is the cost of demolition included in the real estate or overall project estimate?

Schedule Impacts

The PMOC should study the project sponsor’s detailed real estate acquisition schedule with an eye to schedule uncertainties. The schedule should display the need date of each parcel and each step required to achieve that date.

1. **Appraisal:** Has the time to order and receive appraisals been considered?
2. **Environmental Assessments:** Has time to order Phase 1 and 2 been factored into the schedule in order to provide the reports to the appraiser for consideration?
3. **Offer:** Is a minimum time period allowed for the property owner to accept the offer considered in the development of the schedule? Federal guidelines suggest a minimum of 30 days.
4. **Negotiations:** If the initial offer is not accepted by the property owner, what is the amount of time the project sponsor has allocated to take additional measures prior to proceeding to condemnation (if project sponsor has the authority for condemnation)?
5. **Quick-Take, Condemnation or Eminent Domain Process:** Check the amount of time estimated for adequacy, of lead time for acquisitions that are dependent on court ordered legal and physical possession.
6. **Project sponsor's Board approval:** Check the adequacy of the amount of time between offer acceptance or the settlement is reached and the project sponsor's Board approval. County commission or higher-level approval may be required by some agencies.
7. **Review time by funding agencies:** Has time been allowed for potential multiple-agency concurrence (Federal, State, and local)?
8. **Title:** Following all approvals and concurrences, what is the time needed to transfer ownership?
9. **Relocation:** Has the time for relocating a business or residence been accounted for?
10. **Schedule milestones:** Are the real estate clearance schedule milestones compatible with the project schedule for segments being advanced to construction?

Other

The project sponsor must account for the need for coordination between real estate acquisition and construction activities. As noted above, resequencing of construction due to delayed real estate can result in major cost and schedule impacts to the project.

1. **Experience of Grantee:** Experience of the project sponsor's real estate staff and consultants is critical to reduce uncertainties and risks to the project. Are they experienced in acquiring real estate in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Act (URA)?
2. **Other Parties:**
 - a) **Third-party acquisition, such as real estate to be acquired by a local agency or entity such as a city:** Consider the experience of the local agency in real estate acquisition under Federal acquisition laws.
 - b) **Acquisition of parcels from railroads:** Has the time and cost associated with obtaining agreements for acquiring parcels, obtaining easements, and performing legal reviews by project sponsor and railroad been considered?
 - c) **Negotiations with a private or public utility agency:** Does the agency have the time and ability to perform in a timely manner? Does it have cost estimating and scheduling

ability? Consider “Prior Rights” documentation and the potential resultant replacement easement or right of way for utility companies. Consider the reasonableness of utility relocation and “betterments” in the project cost.

3. **RAMP:** Does the RAMP adequately describe the steps required for acquisition?
4. **Design development:** Consider the level of design development when considering the real estate requirements for the project. Are the requirements for real estate adequately developed with respect to the number, type, and size of parcels needed?
5. **Parcels:** Have the types of acquisitions been defined by full or partial take, permanent or construction easement, or air rights?
 - a) **Special types of parcels:** Certain types of parcels traditionally take longer to acquire and to provide relocation services — e.g., low-income housing and religious facilities. Consider these as well as “functional replacement properties” (certain publicly owned facilities — e.g., firehouses — that may need to be functionally replaced prior to displacement of the subject).
 - b) **Joint Development/Transit-Oriented Development (JD/TOD):** Does the property have the potential to achieve JD/TOD? Does the project sponsor have experience with JD/TOD and with FTA related guidance?
6. **Potential of hazardous materials:** Has a search of historical uses of the parcel(s) been conducted? Have the cost and time to provide environmental mitigation been factored in?



APPENDIX D: ACRONYMS

Acronym	Term
ACOR	Alternate Contracting Officer's Representative
ADA	The Americans with Disabilities Act
AGC	Associated General Contractors of America
ATC	Alternative Technical Concepts
AVS	Associate Value Specialist
BEA	Bureau of Economic Analysis
BLS	Bureau of Labor and Statistics
BRF	Beta Range Factor
BY	Base Year
CATEX or CE or CX or Exclusion	Categorical Exclusion
CCIP	Contractor Controlled Insurance Program
CE	Categorical Exclusion
CER	Cost Estimating Relationship
CFR	Code of Federal Regulations
CIG	Capital Investment Grant
CLIN	Contract Line Item Number
CM	Construction Manager

**TPM-20 Office of Capital Project Management
Project Management Oversight**

Acronym	Term
CM/GC	Construction Manager/General Contractor
CMAR	Construction Manager at Risk
COR	Contracting Officer's Representative
CPM	Critical Path Method
CPTED	Crime Prevention Through Environmental Design
CR	Constructability Review
CVS	Certified Value Specialists
DB	Design-Build
DBB	Design-Bid-Build
DBE	Disadvantaged Business Enterprise
DBF	Design-Build-Finance
DBFOM	Design-Build-Finance-Operate and Maintain
DBOM	Design-Build-Operate and Maintain
DEIS	Draft Environmental Impact Statement
DF	Designated Function
DHS	Department of Homeland Security
DTS	Department of Transportation Services
EA	Environmental Assessment
EIS	Environmental Impact Statement

**TPM-20 Office of Capital Project Management
Project Management Oversight**

Acronym	Term
EMP	Emergency Management Plan
ENR	Engineering News-Record
EPCM	Engineering/Procurement/Construction Management
ESWA	Early Systems Work Agreement
FEIS	Final Environmental Impact Statement
FEMA	Federal Emergency Management Agency
FFGA	Full Funding Grant Agreement
FHWA	Federal Highway Administration
FLSSC	Fire/Life Safety and Security Committee
FONSI	Finding of No Significant Impact
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
GAO	Government Accountability Office
GC	General Contractor
GC/CM	General Contractor/Construction Manager
GMP	Guaranteed Maximum Price
HAZMAT	Hazardous Materials
IP	Implementation Plan
LONP	Letter of No Prejudice

**TPM-20 Office of Capital Project Management
Project Management Oversight**

Acronym	Term
LPA	Locally Preferred Alternative
MBE	Minority Business Enterprise
MCC	Management Capacity and Capability
MDBF	Mean Distance Between Failures
MPO	Metropolitan Planning Organization
NEPA	National Environmental Policy Act
NTE	Not-to-Exceed
NTP	Notice to Proceed
O&M	Operation and Maintenance
OCIP	Owner Controlled Insurance Program
ODCs	Other Direct Costs
OHA	Operational Hazard Analysis
OIG	Office of Inspector General
OMP	Operations and Management Plan
OP	Oversight Procedure
P3	Public Private Partnership
PCMG	Project and Construction Management Guidelines
PD	Project Development
PDM	Project Delivery Method

**TPM-20 Office of Capital Project Management
Project Management Oversight**

Acronym	Term
PHA	Preliminary Hazard Analysis
PMO	Project Management Oversight
PMOC	Project Management Oversight Contractor
PMP	Project Management Plan
POP	Project Oversight Plan
PTASP	Public Transportation Agency Safety Plan
QA/QC	Quality Assurance/Quality Control
R&D	Research and Development
RAMP	Real Estate Acquisition Management Plan
RAP	Rail Activation Plan
RCMP	Risk and Contingency Management Plan
RET	Risk Evaluation Tool
RFI	Request for Information
RFP	Request for Proposal
RFQ	Request for Qualifications
ROD	Record of Decision
ROW	Right-of-Way
RSD	Revenue Service Date
S/DBE	Small/Disadvantaged Business Enterprises

**TPM-20 Office of Capital Project Management
Project Management Oversight**

Acronym	Term
SABCE	Stripped and Adjusted Base Cost Estimate
SABS	Stripped and Adjusted Base Schedule
SAVE	Society of American Value Engineers
SCC	Standard Cost Category
SCIL	Safety Certifiable Items List
SGR	State of Good Repair
SIT	System Integration Testing
SITP	Systems Integration Test Plan
SOP	Standard Operating Procedure
SOW	Scope of Work
SSCVR	Safety Certification Verification Report
SSGA	Small Starts Grant Agreement
SSI	Sensitive Security Information
SSMP	Safety and Security Management Plan
STIP	Statewide Transportation Improvement Program
SYGA	Single Year Grant Agreement
TAR	Travel Authorization Request
TBM	Tunnel Boring Machine
TCC	FTA Office of the Chief Counsel

**TPM-20 Office of Capital Project Management
Project Management Oversight**

Acronym	Term
TCRP	Transit Cooperative Research Program
TIFIA	Transportation Infrastructure Finance and Innovation Act
TIGER	Transportation Investment Generating Economic Recovery
TIP	Transportation Improvement Program
TOD	Transit-Oriented Development
TPE	FTA Office of Planning and Environment
TPM	FTA Office of Program Management
TRB	Transportation Research Board
TSA	Transportation Security Administration
TVA	Threat and Vulnerability Assessment
URA	Uniform Relocation Assistance and Real Property Acquisition Act
U.S.C.	United States Code
VE	Value Engineering
VECP	Value Engineering Change Proposals
WBE	Women Business Enterprise
WBS	Work Breakdown Structure
YOE	Year of Expenditure