

STATE OF MONTANA

JOB DESCRIPTION

Montana state government is an equal opportunity employer. The State shall, upon request, provide reasonable accommodations to otherwise qualified individuals with disabilities.

Job Title: Right of Way Bureau Chief Position Number: 60003 Location: Helena

Department: Transportation Division and Bureau: Engineering/Right of Way

Section and Unit: N/A

Job Overview: The Right of Way Bureau acquires and manages land needed for transportation systems, provides assistance and payments to individuals and businesses relocated by highways, designs the right of way, and arranges for relocating utilities that conflict with highway construction. This position is Chief of the Right of Way (ROW) Bureau. The position is responsible for providing professional administrative and engineering oversight of bureau activities and right of way projects; directing the development and implementation of ROW program methods, policies, and technology; and administering Right of Way Bureau budget, policies, and equipment.

The position is responsible directing and overseeing a range of programs including Design Plans, Appraisal, Acquisition, Utilities, Access Management, Outdoor Advertising Control, and Land Management operations and activities. Due to the unique and relatively unprecedented nature of Access Management programs, the incumbent is required to develop innovative strategic plans, engineering standards, and operating principles within minimal guidelines or assistance.

Essential Functions (Major Duties or Responsibilities):

Right of Way Program Development and Administration (Essential Function) 35%

- Directs the development and implementation of ROW program methods, policies, and technologies to ensure consistency and reasonableness of ROW rules and requirements.
- Directs, plans, and coordinates the Bureau's involvement in MDT's planning, design, construction, and maintenance programs; develops short and long-term plans and program objectives to ensure the MDT Right of Way program remains current with federal and other national standards; develops cost-effective implementation plans for new practices and technologies affecting Right of Way design.
- Develops design, appraisal, acquisition, utility relocation, access management, Outdoor Advertising Control, and land management policies, procedures and specifications that agree with State and federal requirements. Conducts periodic policy reviews to identify ways to expedite the ROW process and meet ready dates in a more timely and efficient manner.
- Oversees the development and implementation of the Bureau's Access Management Section programs to ensure the effective, efficient, and legal administration of program operations and activities.

- Provides technical consultation and department representation for national ROW methods and procedure development to ensure that the State's interests are represented, establish uniform ROW standards, and design methods, and assess necessary changes to MDT ROW programs or policies.
- Researches, develops, reviews, and recommends implementation strategies for new technology and advancements related to right of way designs, appraisals, acquisitions, utilities, land management, access, and related issues that may affect MDT operations.
- Develops proposed legislation and administrative rules pertaining to right-of-way programs to increase program efficiency while promoting the interests of the MDT, landowners, and traveling public.
- Maintains liaisons with the Federal Highway Administration, District offices, other MDT divisions, and State as well as local agencies.
- Directs the preparation of reports, studies, summaries, research proposals, special reports, instructions, and procedures related to right-of-way projects as directed by the Director and Administrator to ensure sound judgment and business practices are incorporated.
- Provides expert guidance and oversight to engineering staff on construction projects and recommends changes that should be made on future contract plans to correct ROW difficulties and to improve the efficiency of the ROW planning process.
- Provides expert guidance and technical consultation to MDT Chief Council, MDT Staff Attorneys, and Staff Attorneys with Tort Claims Division of the Montana Department of Administration in negotiating legal settlements arising either from condemnation filed on behalf of MDT or Action filed by private citizens against the State of Montana seeking legal relief from damage to their land resulting from highway construction or actions taken by MDT personnel.

Right of Way Project Oversight

35%

- Provides administrative and engineering oversight of bureau activities and right-of-way projects to ensure all design, appraisal, acquisition, utility relocation, land management, access, and related support activities are conducted in a cost-effective and timely manner.
- Develops and coordinates preliminary field review and ROW studies to facilitate the preparation of projects for bid.
- Coordinates the attainment of necessary resources and information to complete ROW processes so projects can be let to bid.
- Directs the final review of all right-of-way plans, legal descriptions, deeds, exhibits (e.g., plat to deed, proposed designs, designated take areas, etc.), etc. for accuracy and compliance with State, federal, and administrative requirements.
- Organizes and conducts monthly project status, letting review, and project specific review meetings to coordinate problem resolution and keep all appropriate staff informed of project status.
- Provides oversight and guidance on appraisal and acquisition processes that involve disputes (between sections or with landowners) or where the application of law and standards is unclear.
- Assesses various appraisal standards, processes, and rules (e.g., comparative sales analysis, cost approach, income approach, etc.) to determine the most applicable approach and the fair market value of property.

- Directs ROW acquisition cases involving potential litigation or condemnation. The position must weigh the good of the public against the individual rights of the landowner in determining whether to proceed with litigation or condemnation to acquire land.
- Coordinates the review and relocation of utilities to adjust or relocate facilities as needed to eliminate conflicts with highway construction activities. Ensures all utilities are provided for in ROW plans, all the necessary permits are attained, and utilities are reimbursed according to established policies.
- Manages all MDT-owned properties to ensure lands are managed appropriately, future land needs are provided for, and unnecessary land is disposed of to generate additional general funding for transportation needs.
- Directs interagency activities (e.g., acquisition, easements, and memoranda of understanding). Negotiates with BLM and DNRC on easement needs, coordinating land acquisitions and allotments with tribes, etc.
- Controls outdoor advertising signs located on private or public land along the interstate and primary highway system.
- Authorizes and coordinates real estate appraisal, acquisition, relocation assistance, disposal, and other real estate services for all other units of the MDT and other local or state governments when workload permits or as directed.

Bureau Administration

15%

- Administers Right-of-Way Bureau budget, policies, and equipment to ensure efficient program operations, compliance with statutory responsibilities and related laws, and successful project completion.
- Develops, administers, and implements new policies, laws, and technologies of the Bureau.
- Assesses, obtains, and allocates necessary financial, capital, and human resources.
- Monitors contracted services; and assessing the effectiveness of bureau programs and services.

Staff Management

10%

- Directly or indirectly manages the Design Plans, Appraisal, Acquisition, Utilities, Access Management, Special Programs, and Land sections as well as two administrative assistants.
- Provides oversight, guidance, training and final approval for district right-of-way and utility agents.
- Reviews subordinate supervisor's work plans, procedures, and approval of appraisal and acquisition packages.
- Handles disciplinary actions and resolves conflicts; and hires, trains, and recommends for terminating staff.
- Determines organizational structure and duties and responsibilities of subordinate positions.

Other Duties

5%

- Performs a variety of other engineering, project management, and public relations activities as assigned by the Director and Administrator in support of MDT's mission and Division objectives.

Supervision

Employees directly supervised and the position numbers:

60043	Utilities Engineering Manager
60027	Lands Section Manager
60064	Acquisition Section Manager
32081	Right of Way Innovation Specialist

The position indirectly manages 45.0 FTE within various Bureau programs. The position also provides oversight, guidance, training, and final approval for approximately 29.0 FTE district right-of-way and utility agents.

Physical and Environmental Demands: This position functions in a typical office environment.

Knowledge, Skills and Abilities (Behaviors):

This position requires knowledge of the concepts and theories of civil engineering; business, property, and right-of-way laws and landowner rights; and condemnation processes and laws.

This position requires skills in budgeting, management, and supervision of a large, complex work unit; communication; project implementation; controlling and motivating a diverse group of personnel engaged in a sensitive activity involving continuous public contact; and developing and administering a variety of diverse programs and functions.

Minimum Qualifications (Education and Experience):

The required knowledge and skills are typically acquired through a combination of education and experience equivalent to bachelor's degree in Civil Engineering, Business Administration, Economics, or a closely related field.

This position requires a minimum of 5 years of experience in highway transportation, right of way law, public land acquisition, highway design and construction. This position requires a minimum of 3 years of supervision or management experience.

Certifications, licensure, or other credentials include: N/A

Alternative qualifications include: Any combination of additional related work experience and education equivalent to the minimum qualifications.

Special Requirements: *List any other special required information for this position.*

- | | |
|--|--|
| <input type="checkbox"/> Fingerprint check | <input checked="" type="checkbox"/> Valid driver's license |
| <input type="checkbox"/> Background check | <input type="checkbox"/> Other; Describe. |
| Union Code | Safety Responsibilities |

The specific statements shown in each section of this description are not intended to be all inclusive. They represent typical elements and criteria considered necessary to perform the job successfully.

Signatures

My signature below indicates the statements in the job description are accurate and complete.

Immediate Supervisor	Title	Date
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Administrative Review	Title	Date
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My signature below indicates that I have read this job description.

Employee	Title	Date
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Human Resources Review

Job Code Title:	Job Code Number:	Pay Band:
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My signature below indicates that Human Resources has reviewed this job description for completeness and has made the following determinations:

☐ FLSA Exempt

☐ FLSA Non-Exempt

☐ Telework Available

☐ Telework Not Available

☐ Classification Complete

☐ Organizational Chart attached

Human Resources:

Signature	Title	Date
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