

Chapter 2 Organization

This chapter contains a description of the organizational structure that exists in the Washington State Department of Transportation (WSDOT), promulgated in some cases by other authority. Statements regarding areas of authority and responsibility outside of Engineering and Regional Operations are included only to provide continuity of the concepts discussed. In those cases, such statements do not constitute an assignment of authority or responsibility.

2-1 Department Organization

Refer to www.wsdot.wa.gov/about/execorgchart.htm to see the Agency Organization Chart.

2-1.1 *Responsibility and Authority*

2-1.1.1 Washington State Transportation Commission

Refer to www.wstc.wa.gov for information about the Washington State Transportation Commission.

2-1.1.2 Executive Officers

The Secretary of Transportation is the chief executive officer for WSDOT and is appointed by the Governor of the state of Washington. The Secretary carries out the Governor's orders, policies, and direction in a manner sensitive to the needs of all Washington State citizens.

The Deputy Secretary is the Chief Operating Officer for WSDOT and assists the Secretary with high-level legislative, legal, policy, and human resources issues, along with high-level engineering, environmental, construction, and planning issues.

2-2 Headquarters Real Estate Services Office Table of Organization

2-2.1 *Headquarters Real Estate Services Program Administrator (HQ RESPA)*

- A. Administers statewide the operation of Real Estate Services; manages the Headquarters Real Estate Services Office which is the repository of the official records of all real property functions; is the chief branch policy-maker and coordinator of functions of the seven Region Real Estate Services Managers (RESM) in their relationship with the Federal Highway Administration (FHWA), Attorney General Office, Public Transportation and Construction Divisions' employees bargaining units, Headquarters offices, and other offices of state government and railroad corporations on all agency real estate matters.

- B. Has principal duties consisting of:
 - 1. Maintaining a policy and procedural manual current with state law and federal regulations for compliance by all RES personnel.
 - 2. Advising WSDOT personnel at all levels in RES matters.
 - 3. Monitoring employee performance, recommending training, and/or needed corrective action.
 - 4. Coordinating with the WSDOT Human Resources Director in personnel management and in collective bargaining negotiations.
 - 5. Responding to state and federal audits of RES performance.
 - 6. Providing assurances to FHWA and other offices of government at all levels, of availability of replacement housing for persons displaced by highway construction projects.
 - 7. Obtaining advance approvals of project replacement or individual “housing of last resort” plans, or proposed policy deviation needed from FHWA or other offices of government in relocation assistance, right of way appraisal, acquisition, or property management.
 - 8. Reviewing, deciding on acceptance, oversight, and/or compliance of all acquisition transactions.
 - 9. Reviewing and deciding on the acceptance of surplus property rentals, as recommended by region offices, or sales of surplus property.
 - 10. Deciding on concurrence by the department or making recommendations in pretrial or stipulated settlements proposed by Assistant AG.
 - 11. Administering the functions of the acquisition; Title Condemnation and Records; Property Management; Relocation; and the Local Agency Projects/Special Acquisitions/Certifications Sections.
 - 12. Carrying out other assignments made by the Headquarters Design Office.

2-2.2 Property Management Program Manager

The Property Management Program Manager:

- A. Manages the statewide Property Management Program by assuring compliance with departmental operating regulations. The position reports to HQ RESPA.
 - 1. Directing the review and inventory control of all excess property and sundry site (capital plant and materials sites) parcels.
 - 2. Directing the review of property disposition transactions to assure compliance with regulations and the validity of judgmental factors.
 - 3. Providing technical advice on property management matters to others.
 - 4. Directing the statewide promotion and sale of surplus properties including land and improvements by both auction and direct sale.

5. Directing the statewide promotion and operation of rentals, leases, airspace agreements, and joint use.
 6. Inspecting and maintaining WSDOT-owned properties other than infrastructure.
 7. Developing and implementing discipline-specific training.
 8. Maintaining official property management records.
 9. Other functions as required by the HQ RESPA.
- B. Providing coordination with and advice to the Regional Administrators, other Headquarters offices, the Attorney General Office, and FHWA on property management functions.
- C. Coordinating with the Regional Administrators on the investigation of citations regarding compliance with operating regulations governing the property management functions.
- D. Formulating operating regulations governing the property management functions for approval by higher authority.

2-2.3 *Appraisal and Appraisal Review Program Manager*

The Appraisal and Appraisal Review Program Manager:

- A. Manages the statewide Appraisal and Appraisal Review Program. The position reports to the HQ RESPA. The principal duties of this position are:
1. Managing the Headquarters appraisal office. All review appraisers report to this position. Headquarters staff appraisers report to this position.
 2. Assuring that appraisals and reviews are prepared in consistency with current acceptable appraisal standards for eminent domain.
 3. Issuing operating procedures that implement current state law and federal regulations.
 4. Managing the Approved Fee Appraiser and Review Appraiser List.
 5. Developing and implementing discipline specific training.
- B. Performs other functions as required by the HQ RESPA.

2-2.4 *Acquisition Program Manager*

The Acquisition Program Manager reports to the RESPA:

- A. Manages the statewide Acquisition and Title Review functions and the records within Headquarters. The principal duties of this position are:
1. Directing the review, final processing, oversight, and compliance of all real property acquisition and damage claim files. Assures legal sufficiency and compliance with state laws and departmental regulations.

2. Directing the preparation of legal descriptions and exhibit maps and determinations of interested parties for use by the Attorney General Office in eminent domain proceedings.
 3. Making recommendations for procedures concerning real property title and document processing functions for approval by higher authority.
 4. Preparing affidavits and/or testifying in court as the department's expert witness in real estate matters involving titles and legal descriptions.
 5. Performing final review and mapping of surplus property conveyance documents.
- B. Manages the statewide Special Acquisition section.
- C. Manages the statewide Relocation Assistance Program.
1. Managing the Headquarters Relocation Assistance Section.
 2. Reviewing and approving all incoming claims.
 3. Maintaining official relocation files.
 4. Coordinating and scheduling reconsideration/appeal of determinations and benefits, when necessary.
 5. Providing technical advice and guidance on relocation matters to others.
 6. Assuring statewide compliance of relocation matters under the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.
- D. Manages the statewide Right of Way Certification section.
1. Reviewing construction project PS&Es to ensure that all necessary rights have been acquired and monitoring and reporting to the region and Headquarters on current status.
 2. Executing WSDOT Right of Way Certificate Concurrence Letters for all acquisition on federally funded projects prior to construction project advertisement. Monitoring and recertifying any projects certified with exceptions (#3 certification).
- E. Supervises the Real Estate Services administrative activities which include:
1. Maintaining, indexing, and storage of the departments official real property acquisition transaction files.
 2. Maintaining, indexing, and storage of the official Real Estate Services ownership maps (transportation project right of way and sundry site plans) depicting property and/or property rights acquired or conveyed by the department.
- F. Develops and implements discipline specific training.
- G. Performs other functions as required by HQ RESPA.

2-2.5 Local Programs Right of Way Manager

The Local Programs Right of Way Manager reports to HQ Local Programs:

- A. Manages the statewide Local Agency Right of Way/Certification Program:
 1. Managing the Local Agency Certification Section.
 2. Assuring statewide local agency compliance under the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended.
 3. Training and monitoring the region local agency coordinators responsible for the acquisition of right of way by local agencies on federally funded projects.
 4. Approving and monitoring local agency's acquisition procedures and training agencies in proper use of the procedures.
 5. Monitoring and updating [Chapter 25](#) of the *Local Agency Guidelines* M 36-63.
 6. Executing WSDOT Right of Way Certificate Concurrence Letters for all acquisitions on federally funded projects prior to construction project advertisement. Monitoring and recertifying any projects certified with exceptions (#3 certification).
 7. Maintaining permanent files on local agencies to include approved right of way procedures, local agency agreements, and project certifications, etc.
- B. Advising Local Programs staff, local agencies, and regional offices in program matters.
- C. Promulgating operating procedures that implement current state law and federal regulations.
- D. Other functions as required.

2-3 Region Organization

2-3.1 General

- A. The principal satellite offices of WSDOT are known as "region offices."
- B. The relationship of the Region Real Estate Services (RRES) offices within WSDOT is shown under Engineering and Regional Operations on the Organization Chart at www.wsdot.wa.gov/about/execorgchart.htm.

The geographic boundaries of each region are provided on the WSDOT internet website at www.wsdot.wa.gov. If the limits of a particular highway project extend across the boundaries of a region, the responsibilities are assigned to either of the two regions by working agreement based on a case evaluation.

2-3.2 *Responsibility and Authority*

2-3.2.1 **Regional Administrator**

- A. The Regional Administrator is responsible to the Assistant Secretary of Engineering and Regional Operations (Chief Engineer).
- B. The Regional Administrator has final authority in the region for decisions on highway matters within the framework established by departmental operating regulations in the form of Secretary Executive Orders, Directives, Policy Statements, Instructional Letters, and department manuals.
- C. The Regional Administrator exercises administrative and management supervision over the Region RES Office as follows:
 - 1. Furnishes the facilities and supplies, and provides for the staffing required for the effective accomplishment of the Right of Way Program and its related activities.
 - 2. Within the scope of departmental operating regulations, may review and approve transactions or may make recommendations for further actions. **Note:** This activity may be subdelegated to the RESM but may not be further subdelegated.

2-3.2.2 **Region RESM**

The RESM:

- A. Is responsible to the Regional Administrator for managing the Region RES Office.
- B. Is responsible to the Regional Administrator for the following:
 - 1. Supervising and directing the Region RES Office to assure compliance with departmental operating regulations by:
 - a. Managing all Region Real Estate Services functions.
 - b. Providing technical supervision and in service training in all Region RES program disciplines.
 - c. Identifying opportunities for functional replacement of publicly-owned real property. Assures compliance with special requirements for functional replacement.
 - d. Providing reports and systematic records on the anticipated costs of proposed right of way acquisitions and related costs.
 - e. Assuring the receipt of an appropriate right of way plan and an appropriate Work Order Accounting Plan prior to obligating funds on a project.
 - f. Monitoring proposed expenditures to assure their necessity and to assure accurate account coding.
 - g. Reporting on the causes for fund adjustments and the amounts of fund adjustments relative to a Work Order Accounting Plan.
 - h. Providing for appraisal evidence of the amount of the legally compensable fair market value lost to each separate fee and/or tenant ownership due to acquisition or highway project factors.

- i. Performing the “Project Inspection and Parcel Assignment,” and ensuring that all property and/or property rights required for a project are either acquired or are referred for condemnation.
 - j. Directing the operation of the Relocation Assistance Program for project displaced persons.
 - k. Directing the management of property and/or property rights acquired.
 - l. Directing, reviewing, processing, and approving real property acquisition (excluding condemnation files) and damage claim files that pertain to their specific region. Assuring legal sufficiency and compliance with state laws and departmental regulations.
 - m. Advising and assisting local public agencies (LAs) in completing their right of way acquisition programs when requested. Reviewing LA acquisitions as needed to assure compliance with state and federal requirements.
 - n. Ensuring the accuracy of records, and the systematic input of project/ parcel status information into the computer concurrent with parcel acquisition progress.
2. Coordinating with other staff officers in the region by:
 - a. Assuring adequate time allocations for right of way activities in the planning for lead time and scheduling.
 - b. Providing for real estate services participation in the interdisciplinary team efforts and project field inspections in location and design as required by the Regional Administrator.
 - c. Providing data and/or personnel required to explain the acquisition, relocation assistance, and other related programs at public hearings.
 - d. Assisting in the preparation of right of way plans as required.
 - e. Taking actions as required in [Chapter 6](#) for the authorization of advance acquisition of projects.
 - f. Taking actions as required in [Chapter 6](#) for the authorization of hardship acquisition of parcels.
 - g. Recommending appropriate funding for, and directs the operation of, the regions’s ongoing property management inventory.
 3. Obtaining technical advice from the HQ RESPA (or his designee) on the following:
 - a. Technical problems relating to any of Real Estate Services’ disciplines.
 - b. Training of personnel.
 - c. Compliance with guidelines on right of way matters.

2-4 Organization of the Attorney General's Office

2-4.1 *General*

The Washington State Office of the Attorney General provides legal services to state agencies.

2-4.2 *Responsibility and Authority*

2-4.2.1 **Attorney General**

- A. The chief legal officer for the state of Washington holds the title of Attorney General. Since this is an elective position, the Attorney General is responsible to the voters of the state of Washington for all legal matters concerning the state.
- B. WSDOT has a staff of attorneys assigned on a permanent basis to advise and represent the department at the Attorney General's Office. WSDOT reimburses the Office of the Attorney General for salaries, benefits, and case related expenses.

2-4.2.2 **Chief Counsel**

- A. The principal Assistant Attorney General in the office of the Attorney General Office holds the title of Chief Counsel.
- B. The Chief Counsel is responsible to the Attorney General for all activities of his staff and operates in close coordination with the Secretary of Transportation.
- C. The Chief Counsel assures the close coordination of his staff with the Real Estate Services staffs in the regions and Headquarters.
- D. An Assistant Attorney General may be assigned to handle land acquisition matters for each region. If the case load in a particular region necessitates it, additional Assistant Attorneys General may be assigned to that region.
- E. Only in rare instances (e.g., excessive workloads on regular staff) are the services of a private attorney employed. In these instances, the Chief Counsel contracts with an attorney who has competence, interest, and familiarity with applicable procedures. If federal aid participation in the cost of his services is desired by the state, advance FHWA approval must be obtained to employ special counsel.