

## 4J1.3A - Lead Agent Complex - R709 Non-Funded:

### **Lead Agent:**

The Consultant (Lead Agent) will be responsible for supervising staff and Consultant Agents who are specialized in appraisal services for residential and complex services, and appraisal review. The Department Project Manager (PM) and Right of Way Project Lead (ROW Lead) will delegate work assignments, monitor quality of work and will provide input on performance. The Lead Agent will provide consultation, make recommendations, give appropriate advice, perform the necessary services and/or provide oversight to the consultants providing specific services.

### **Task 1 Project Management / Administrative Support:**

#### **Scheduling and coordination as directed by the Department:**

- The Lead Agent will develop consultant contracts for any of the services listed above and the department must approve all staff and scope of services.
- The Lead Agent will schedule and coordinate all consultant services needed for this project and maintain an active schedule of all deliverables and all current activities.
- The Lead Agent shall develop and maintain the ROW Budget and provide updates every two weeks to the Department.
- The Lead Agent will coordinate and arrange Appraisal(s), Review Appraisal(s), Administrative Compensation Estimate (ACE) and Title Report(s) Services as needed.
- The Lead Agent will submit the Appraisal and Review, or ACE, to the Department for Approval of Just Compensation.
- The Lead Agent will review, analyze and provide a summary on all Title Reports and provide solutions as needed to the Department.

#### **Approval Procedures QA/QC:**

The Lead Agent will perform a cursory QA/QC of all reports and documents before they are submitted to the Department for final review/approval. QA/QC procedures will follow Department Policy and Procedures and will not replace the QA/QC process performed by the individual consultants.

#### **Weekly Meetings:**

Attend meetings as directed by Department.

### **Task 2 Residential Appraisal Report Requirements and Standards:**

- The Appraisal Report(s) will be completed in compliance with the current or most recent Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation, the Uniform Act, C.F.R. 24.103, and UDOT Supplemental Appraisal Standards and any other guidelines provided to the appraiser by UDOT.
- The Appraisal Report(s) shall be completed as an independent service as defined by the Utah Real Estate Appraiser Registration and Certification Act. This is to be an independent opinion

of value which is adequately supported and documented. The Appraisal Report(s) shall be signed by the primary appraiser who shall certify that he/she personally inspected the subject property as well as the comparable properties used in the report. The property owner or representative must be given the opportunity to accompany the appraiser during his/her inspection of the subject property and must state this activity in their report. All persons who provide significant professional assistance in the preparation and analysis used by the appraiser in the report shall be identified and must sign the report.

### **Appraisal Report Specifics:**

- The Appraiser should estimate the market value of the subject property in before condition, including land, building improvements, and existing easements. Appraiser should consider damages to the remainder property and any special benefits that may be applicable. Appraiser should not use “short sales” as comparables; unless, in the opinion of the appraiser, the value dictates to do so and then only with permission of the Department.
- The appraisal should contain no hypothetical conditions or extraordinary assumptions without adequate explanation.
- Photographs should be taken of both interior and exterior views, so as to adequately identify the overall condition of the property.
- If any impacts to the property are obvious or anticipated, special photographs should be taken and labeled with an explanation.
- All standard appraisal techniques and analysis should be considered, including all three approaches to value. Comparable sales and rents used in the appraisal analysis should be reported in a full data sheet format or on the appropriate Residential Form report. For Residential Property Appraisals, an estimated rent page is required.
- The appraiser must identify any leasehold interests including trade fixtures and personal property owned by the tenant, the owner, or other parties of interest. If the property is tenant occupied, the appraiser should obtain a copy of the lease from the tenant or owner.
- Any personal property, trade fixtures, furniture, or equipment must be identified in an attached Real and Personal Property Addendum. The Addendum will be required on all Commercial Appraisal Reports.
- For commercial and residential properties that have an improvement on the property, the appraiser must review and consider the Building Inspection Report prior to completing the Appraisal Report.
- Two original copies of the appraisal shall be prepared and delivered to UDOT. An electronic copy of the report including exhibits shall be emailed to the Lead Agent and cc'd to the Project Coordinator.

**Note:** If the Appraiser is working on a parcel that will not be acquired under the threat of eminent domain, the appraisal must include a paragraph in the report that states “this is an arm’s length transaction not under the threat of eminent domain” (i.e., *this appraisal is for a voluntary transaction between willing buyer and willing seller. In the event that the parties cannot agree upon a purchase price, UDOT will not proceed to condemnation. The possible acquisition of the property by UDOT represents a market transaction that is not under the threat of condemnation*).

### **Change Procedures:**

- Changes to completed, or partially completed, work products that may require a change to the project scope, schedule or budget, must be brought to the attention of the Lead Agent.
- Completion delays beyond the control of the Lead Agent or Consultant Agent, or delays resulting from the actions of the Department, may require a renegotiated due date. The Lead Agent or Consultant Agent shall provide prompt written notice of unexpected conditions or other reasons that might cause a delay to the Department.

### **Document Naming Conventions:**

- Assignments will not be considered complete until UDOT (ROW Lead and Project Coordinator) receives an electronic copy of the appraisal file named with the proper naming convention (as found in the current UDOT Right Of Way ProjectWise Guide) along with a returned signed contract and conflict of interest form. Send all electronic copies of the appraisal file to the UDOT Project Coordinator on this contract.
- The Title Page of the Appraisal and the Letter of Transmittal must include the following:
  - The project number, pin number, parcel number and ownership name
  - Name of the appraiser and the Firm name
  - Complete address, phone numbers, including mobile
  - Email address

### **Task 3 Appraisal Complex Report Requirements and Standards**

- The Appraisal Report(s) will be completed in compliance with the current or most recent Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation, the Uniform Act, C.F.R. 24.103, UDOT Supplemental Appraisal Standards and any other guidelines provided to the appraiser by UDOT.
- The Appraisal Report(s) shall be completed as an independent service as defined by the Utah Real Estate Appraiser Registration and Certification Act. This is to be an independent opinion of value which is adequately supported and documented. The Appraisal Report(s) shall be signed by the primary appraiser who shall certify that he/she personally inspected the subject property as well as the comparable properties used in the report. The property owner or representative must be given the opportunity to accompany the appraiser during his/her inspection of the subject property and must state this activity in their report. All persons who provide significant professional assistance in the preparation and analysis used by the appraiser in the report shall be identified and must sign the report.

### **Appraisal Report Specifics:**

- The appraiser should estimate the market value of the subject property in before condition, including land, building improvements, and existing easements. Appraiser should consider damages to the remainder property and any special benefits that may be applicable. Appraiser should not use "short sales" as comparables; unless, in the opinion of the appraiser, the value dictates to do so and then only with permission of the Department.
- The appraisal should contain no hypothetical conditions or extraordinary assumptions without

adequate explanation.

- Photographs should be taken of both interior and exterior views, so as to adequately identify the overall condition of the property.
- If any impact to the property are obvious or anticipated, special photographs should be taken and labeled with an explanation.
- All standard appraisal techniques and analysis should be considered, including all three approaches to value. Comparable sales and rents used in the appraisal analysis should be reported in full data sheet format. For residential property appraisals, an estimated rent page is required.
- The appraiser must identify any leasehold interests including trade fixtures and personal property owned by the tenant, the owner, or other parties of interest. If the property is tenant occupied, the appraiser should obtain a copy of the lease from the tenant or owner.
- Any personal property, trade fixtures, furniture, or equipment must be identified in an attached Real and Personal Property Addendum. The Addendum will be required on all commercial Appraisal Reports.
- For commercial and residential properties that have an improvement on the property, the appraiser must review and consider the Building Inspection Report prior to completing the Appraisal Report.
- Two original copies of the appraisal shall be prepared and delivered to UDOT. An electronic copy of the report including exhibits shall be emailed to the Department and cc'd to the Project Coordinator.

**Note:** If the Appraiser is working on a parcel that will not be acquired under the threat of eminent domain, the appraisal must include a paragraph in the report that states “this is an arm’s length transaction not under the threat of eminent domain” (i.e., *this appraisal is for a voluntary transaction between willing buyer and willing seller. In the event that the parties cannot agree upon a purchase price, UDOT will not proceed to condemnation. The possible acquisition of the property by UDOT represents a market transaction that is not under the threat of condemnation*).

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- Completion delays beyond the control of the Lead Agent or Consultant Agent or delays resulting from the actions of the Department may require a renegotiated due date. The Lead Agent or Consultant Agent shall provide prompt written notice of unexpected conditions or other reasons that might cause a delay to the Department.

### **Document Naming Conventions:**

- Assignments will not be considered complete until UDOT (ROW Lead and Project Coordinator) receives an electronic copy of the appraisal file named with the proper naming convention (as found in the current UDOT Right Of Way ProjectWise Guide) along with a returned signed contract and conflict of interest form. Send all electronic copies of the appraisal file to the UDOT Project Coordinator on this contract.

- The Title Page of the Appraisal and the Letter of Transmittal must include the following:
  - The project number, pin number, parcel number and ownership name
  - Name of the appraiser and the Firm name
  - Complete address, phone numbers, including mobile
  - Email address

#### **Task 4 Appraisal Review Requirements and Standards:**

- The Appraisal Review Report(s) will be completed in compliance with the current or most recent Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation, the Uniform Act, C.F.R. 24.104, UDOT Supplemental Appraisal Standards, the UDOT Right of Way Operation Manual and any other guidelines provided to the appraiser by UDOT.
- The Appraisal Review Report(s) shall be completed as an independent service as defined by the Utah Real Estate Appraiser Registration and Certification Act. This is to be an independent review of the Appraisal Report. The Appraisal Review Report(s) shall be signed by the primary reviewer. All persons who provide significant professional assistance in the preparation and analysis used by the appraiser in the report shall be identified.

#### **Appraisal Review Report Specifics:**

- An original copy of the Appraisal Review Report shall be prepared and delivered to UDOT. An electronic copy of the report including exhibits shall be emailed to the Department and cc'd to the Project Coordinator.

**Note:** If the Appraiser is working on a parcel that will not be acquired under the threat of eminent domain, the appraisal must include a paragraph in the report that states “this is an arm’s length transaction not under the threat of eminent domain” (i.e., *this appraisal is for a voluntary transaction between willing buyer and willing seller. In the event that the parties cannot agree upon a purchase price, UDOT will not proceed to condemnation. The possible acquisition of the property by UDOT represents a market transaction that is not under the threat of condemnation*).

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- Completion delays beyond the control of the Lead Agent or Consultant Agent or delays resulting from the actions of the Department may require a renegotiated due date. The Lead Agent or Consultant Agent shall provide prompt written notice of unexpected conditions or other reasons that might cause a delay to the Department.

#### **Project Requirements / Document Naming Conventions:**

- Assignments will not be considered complete until UDOT (ROW Lead and Project Coordinator) receives an electronic copy of the appraisal file named with the proper naming convention (as found in the current UDOT Right Of Way ProjectWise Guide) along with a

returned signed contract and conflict of interest form. Send all electronic copies of the appraisal file to the UDOT Project Coordinator on this contract.

- The Title Page of the Appraisal Review and the Letter of Transmittal must include the following:
  - The project number, pin number, parcel number and ownership name
  - Name of the appraiser and the Firm name
  - Complete address, phone numbers, including mobile
  - Email address