

1. Q: Is the LPA required to follow federal regulations, state regulations or INDOT policies and procedures?

A: Yes, the LPA is required to follow all of these.

The LPA Guidance Document includes the following language regarding the Land Acquisition process:

Procedures and activities required in the R/W Acquisition process for LPAs are described fully in various manuals including: Appraisal, Buying, Relocation, Property Management and INDOT's Right-of-Way Engineering Manual. These manuals take precedence over this Guidance Document and are to be used by the LPA to ensure compliance to all Federal and State laws, directives and requirements.

The LPA ROW Unit's goal is to provide a thorough review which will provide an assurance that regulations were followed but also allow projects to move forward in a timely manner. We will not be more restrictive but we will assure that all federal, state and INDOT policies are followed before providing a ROW certification letter.

2. Q: What should be submitted to ERMS?

A: Just ROW plans. Parcels are sent to Don Ballard.

3. Q: Do appraisals need to be sent in to be approved?

A: No, not unless you have a unique situation and would like it to be reviewed. Otherwise, we will go with what you have given us.

4. Q: How does this process change impact ROW contracts?

A: It doesn't. Contracts will still go through the District Local Program Directors. As a reminder, if you want to use federal funds on ROW acquisition, you need to make sure you have received FMIS approval and a notice to proceed from INDOT. 2 other notes: 1. The Uniform Act must be followed explicitly even if just one penny of federal money touches the project during any phase. 2. If the LPA acquires ROW with federal money and then later sells it, the proceeds shall go toward another Title 23 eligible project.

5. Q: I have a ROW project with construction limits within existing ROW. How will this work?

A: The LPA will certify that there is no ROW needed but that is your call- when submitting plans, submit any documents on this you may have. The LPA must provide supporting documentation that they own the existing ROW.

6. Q: The parcels that I have already submitted to the district, will those be reviewed again by CO?

A: No, but your next project's parcels should come to us at CO. If you have already submitted more than 10% of a project's parcels to the district, then continue to work through the district to finish them.

7. Q: Do I need to still submit a Scope Meeting form for parcels that are ready to be sent somewhere?

A: If you can still submit a Scope Meeting form, we would prefer that.

8. Q: How will PMR waivers and SDFs work?

A: PMR Waivers should be completed within INDOT's current policy limits. If the LPA wishes to provide a PMR which exceeds INDOT current limits please obtain prior approval to do so. The LPA will assume the risk on all PMR Waivers. SDFs are not a federal regulation actually. If the County doesn't require it, then that's ok. If you can provide the SDF, we would like it.

9. Q: INDOT's Partial Mortgage Release (PMR) Waiver amount is currently \$10k. Will this be the same for the LPA program?

A: We are looking at that. Right now we will evaluate this on a parcel-by-parcel basis. Any documentation you can provide will help. The waiver increase decision needs to come from the Attorney General's office, so it may be awhile on that.

10. Q: What about administrative settlements?

A: We do not need to approve your administrative settlements prior to submission, however, we are willing to review them and give you guidance if you desire. We just need the LPA to 'tell the story' effectively. We will ensure compliance at the end. All Administrative Settlements will require detailed supporting documentation to include; appraisal data, comps, project delay cost, condemnation cost etc. to support any increase to the appraised FMV acquisition offer amount.

11. Q: The LPAs asked what percentage INDOT will review? We've heard INDOT looks at 10%.

A: INDOT will review most, if not all, of the parcels.

12. Q: Can we expect delays in the reviewing process if parcels are not sent in all at the same time?

A: Technically, we have 75 days to review. That clock starts when the last parcel is received. Keep this in mind. Also, the sooner we get that Scope Meeting information, the better.

13. Q: Do you plan to issue a naming convention for the PDF files we will have?

A: We will accept FTP sites and/or DVD/CDs as a form of electronic submittal of parcel packets. This will cut down on Outlook storage issues that may occur with sending and receiving large files. All emails to the LPA group should include the DES # and Parcel # in the subject line for easier reference later.

14. Q: Can we use share file sites to submit parcels?

A: Yes, if INDOT's security systems allow us.

15. Q: How should we deal with Right of Entry?

A: Right of Entry can only be used on bare land parcels. If there is a unique situation, get with Don to discuss. Also there was a memo regarding Right of Entry that was issued recently. It will be reissued through the LPA GovDelivery subscription service once it is available. It is now more usable because it can be used when the offer's made not when it's accepted.

16. Q: Where will these forms be available online to use?

A: They will be posted on the LPA main webpage shortly. We will communicate their location through the LPA division's GovDelivery subscription service once they are available. If you are not currently signed up for the LPA division's GovDelivery subscription, visit their main page for instructions on how to sign up. All updates and communication will come through this subscription service.

17. Q: How can I edit the document if it's locked?

A: To unlock a Word document please follow these steps; go to the Review tab, then click Protect Document tab then click Restrict formatting and editing and then at the bottom right click Stop Protection. This will unlock the form and will allow you to make edits. There is no password needed.

18. Q: If an LPA wants to change a conveyance document, is that ok?

A: Yes. We will require the LPA attorney to review it and submit a memo to file approving the change.

19. Q: Who completes the LPA Project Scope Meeting form to submit it?

A: The LPA Consultant's Project Manager or Right-of-Way Services Manager will submit the form to Don Ballard and carbon copy the INDOT LPA Project Manager.

20. Q: Can we use DropBox for submittals?

A: Yes, if INDOT's security systems will allow us.

21. Q: Will the districts each still have a contact for general ROW coordination?

A: Contact Don Ballard with any Right-of-Way questions.

22. Q: Who do we invite to field checks? Don?

A: The LPA Review Unit will not be attending field checks. These invites should go to the LPA Project Manager.

23. Q: What role, if any, will Don West have in LPA projects?

A: At this time, none. Only the people identified as part of Don Ballard's team will be involved in the LPA parcel review process.

24. Q: On LPA projects, what is the role of the relocation reviewer?

A: Our role is to provide guidance and support to the LPA when needed or requested and to review submittals to ensure the parcel is compliant with state and federal regulations.

25. Q: There was discussion that presently existing ROW may go away. Can you discuss this?

A: The LPA and their consultant are to verify the ROW belongs to the LPA and that it is "clear" prior to letting.

26. Q: Is a W-9 required on every parcel?

A: You do not need to provide a copy of the W-9.

27. Q: Is it up to the LPA to decide what valid ROW is?

A: Yes- the LPA must provide supporting documentation as to the ownership of all ROW.

28. Q: Can INDOT suggest a maximum amount for administrative settlement in order to avoid condemnation?

A: There is no set monetary limit on administrative settlements; all settlements must be thoroughly supported with appraisal data, comps, project delay cost, condemnation cost, etc. to support any increase to the appraised FMV acquisition offer amount.

29. Q: Why can a right of entry only be used on bare land?

A: This is a FHWA regulation. There are safety concerns with contractors working around occupied properties. Also, now that we can obtain an ROE at the time of the acquisition offer, there are concerns that a structure could be damaged prior to court appointed appraiser's valuations in condemnation cases.