MANAGING THE RIGHT OF WAY SUBCONSULTANT

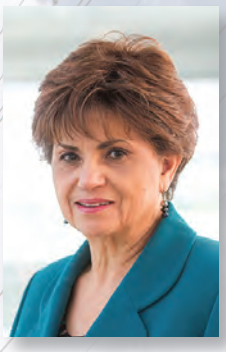
An interview with HDR's Carol Bellinger, Leigh Enger and Michael Noonan

BY ETHEL NAVALES

The right of way industry is a vast and complex one, which is why we consistently aim to show the importance of right of way subconsultants. From appraisers and surveyors to relocation and acquisition agents, we've spent countless pages sharing how truly vital every right of way role is to the project at large. But what about those who are managing the right of way subconsultants? What are their best practices, lessons learned and biggest challenges? Most of all, what are the primary differences between the management of professionals from other industries versus successfully managing a right of way project? We decided to uncover just that.

We were given the wonderful opportunity to speak with three of HDR's National right of way leaders. HDR specializes in engineering, architecture, environmental and construction services, and they have created a legacy tied to high-performance buildings and smart infrastructure. With nearly 10,000 employees and over 200 offices worldwide, HDR's depth of knowledge and services brought forth just the sort of leaders we were looking for.

Carol Bellinger is HDR's Transportation Real Estate Services/Right of Way Director based in Plymouth, PA. Leigh Enger is HDR's Water Business Group Real Estate Director based in Salem, OR. Finally, Michael Noonan is based in Laporte, CO and is HDR's companywide Business Class/Practice Lead for real estate and right of way with a focus on energy sectors. These three leaders are not only experts in their field, they also have a wealth of knowledge to share.



Carol Bellinger
HDR's Transportation Real Estate Services/Right of Way Director

I grew up in Los Angeles where some of my relatives were real estate brokers, and I witnessed how they enjoyed making a difference in people's lives. So shortly after serving in the Air Force, I went to work for the City of Tacoma, obtained my first real estate license and ultimately became the Real Estate Manager for the city. During my tenure with the city, my interest in making a difference in my community and people's lives became my passion. I've been able to follow this passion in my right of way career for more than 35 years working in 10 states.

At HDR, my primary responsibility is to lead and manage HDR's real estate and Right of Way services capabilities, staffing and marketing activities for our transportation business. My goal is to differentiate HDR as a full-service consultant, enhance service delivery to our clients and build the real estate services/right of way practice.

What are some of the biggest challenges in managing right of way subconsultants?

In selecting subconsultants, the challenge is finding those who can support our goals, do not compromise our objectives of client satisfaction and those who sustain long-term company performance. Additionally, managing subconsultant priorities and work efficiencies are the biggest challenges. Subconsultants may have conflicting priorities caused by another client, making it difficult for them to treat your project with a sense of urgency. Work efficiencies affecting the delivery of assignments and quality of work are another challenge.

The HDR team's policy is to consistently provide professional services that satisfy statutory and regulatory requirements while meeting or exceeding client expectations. Our goal is to be the "best in business" and to set the industry benchmark for excellence in the services we provide.

Are there key differences in managing right of way subconsultants versus a management role in another industry?

A subconsultant might be focused on their specialty or niche service. Some may not be focused on the big picture or the long-term goals of the project. It remains our responsibility to manage that specific task within the larger mission or goal of the project.

What are some best practices you can share with other right of way leaders?

Involving experienced real estate services/right of way personnel early in the project life cycle will establish realistic project costs and schedules.

How do you handle a situation where the client expectation is different from what you believe is best?

I handle these situations with honest communication and flexibility.

How are subconsultants selected? Are you ever given a list of subconsultants by the client and if so, does this impact your project work process?

HDR brings together the right people for each individual client and engagement, ensuring the right skills, expertise, experience and the highest level of teamwork. Subconsultants are selected by their reputation in the industry, skillsets and successful project delivery experience. There are times when we are given a list of subconsultants to choose from or asked to include a certain subconsultant on our team, and we do our best to be accommodating.

It remains critical that the subconsultant support HDR's project delivery goals and not compromise our client satisfaction and objective of a long-term relationship with that client. They must work within established project work flows and protocols for project delivery. We communicate with all subconsultants so that HDR's standards are established and enforced throughout the project lifecycle.

Describe some of the biggest lessons you've learned from your management experience.

My biggest lessons have been on flexibility and courage. When managing people there is no "one size fits all." We manage diverse professionals with a variety of backgrounds to achieve a common goal. Be an advocate for your team, have the courage to look inward first when things aren't going as planned and have the flexibility to change.

What can be worked on to improve the success of right of way projects?

Early involvement. This means including real estate services/right of way early in the project life cycle.

With so many moving parts, how do you handle communication issues?

I establish communication protocols early in team development and the initiation of the project to prevent communication issues. It's also important to immediately address communication issues, check established communication protocols and modify as needed.

What advice do you have for newcomers to the industry and for those who are just beginning their management responsibilities?

In my opinion, the right of way industry is the most diverse industry! There is a professional niche for everyone in our industry, so be true to yourself and find your niche. My advice is to know your company's vision and mission and build teams accordingly. Be an advocate for your team and once again, have the courage to look inward first when things aren't going as planned!

As a right of way leader, what role do you play in fulfilling IRWA's purpose of improving people's quality of life through infrastructure development?

I've mentored right of way professionals in 10 states and I am currently implementing HDR's recruiting and training program. With aging infrastructure and growing mobility needs in our communities, there is more demand for experienced professionals pushing boundaries, being innovative and successfully delivering public projects.

The pool of trained and experienced individuals is shrinking, creating hiring challenges. The demand for trained right of way professionals is very high and the supply is almost non-existent. We believe entry-level recruiting and training along with IRWA courses elevates the technical expertise of HDR and the community we serve, further promoting HDR's commitment to the community.

Leigh Enger
HDR's Water Business Group Real Estate Director

I was fortunate to begin my career in October 2000 at the Oregon Department of Transportation as a right of way agent. The foundation that ODOT provided me was incredibly well-rounded. ODOT trains agents to do acquisition, relocation and appraisal work. I will always be grateful for the opportunities I had there and the friendships I made.

Currently at HDR, I work with our national water practice to continue to grow and expand our presence in the water market. Our right of way professionals across the country have broad water market project resumes, and my role is to assist with messaging those services, build effective teams and promote our diverse capabilities both internally and externally. I am tasked with recognizing how our right of way business class can align themselves with those opportunities and ultimately be of service to programs that could benefit from our technical skills.

What are some of the biggest challenges in managing right of way subconsultants?

At HDR, we operate as both a prime contractor and subcontractor, so our relationships with other firms are a key to success in either role. I believe that our biggest challenges arise in the area of communication, consistency and relationships. Trained in effective communications, right of way agents are quite skilled in this area and typically excel in their abilities. Communicate early and often with your subconsultants because during the project lifecycle, one thing is certain: there will be change and this becomes a challenge to consistency. Our deliverables must be consistent with the established process because consistency builds trust. At the end of the day, we are building trust with landowners in order to acquire the necessary property rights to build our projects. If you and your subconsultants can move through change while remaining consistent with deliverables, you not only maintain your relationships with property owners, but also with all the other disciplines on your project team.

Are there key differences in managing right of way subconsultants versus a management role in another industry?

I think the key difference between managing subconsultants in the right of way industry and other industries is that we do not deliver plan sets or numbers of sheets within a design. Our job is to acquire land rights necessary to build infrastructure projects within our built environment. There are certainly many technical requirements to follow, but we are also dealing with people, and all people have different ways of reaching decisions about whether or not to sign.

What are some best practices you can share with other right of way leaders?

I've learned everything I know from experienced mentors who encouraged and supported me as I entered the world of right of way consulting. They inspired me to work hard, accept challenging assignments and they taught me how to operate within an engineering company. Surround yourself with people who know more than you and build your teams with high-quality staff who care deeply about the outcome. Give people responsibility, ownership and support their professional development within our industry.

How do you handle a situation where the client expectation is different from what you believe is best?

Our clients hire us not only to acquire the necessary land rights for a project, but also to implement or help develop processes and procedures that adhere to federal regulations and/or state laws governing the acquisition process. When there is an expectation that is different than what we believe is best, then it is our job as consultants to educate our client on best practices. This can be challenging, as we are walking a fine line between the mentality that "the client is always right" and telling a client the "hard truth" about how a specific situation should be addressed. This is why our best clients hire us. We are not afraid to open up a discussion that might be uncomfortable if it's the right thing to do.

How are subconsultants selected? Are you ever given a list of subconsultants by the client and if so, does this impact your project work process?

HDR looks for providers who have similar core values, excel in their chosen profession and provide the best value to our clients. Yes, our clients have pre-approved lists of providers that meet certain requirements, whether they be appraisers or acquisition and relocation agents. We adhere to those requirements and honor them to the best of our abilities.

Describe some of the biggest lessons you've learned from your management experience.

I've learned that you should never get too attached to any title you may have. Additionally, you should always treat people with dignity and respect, especially since the person you manage today might be the person who manages you tomorrow. You may be good at managing projects and writing scopes, schedules and budgets, but it's the people you work with that make your job enjoyable.

What can be worked on to improve the success of right of way projects?

Continued education about the right of way acquisition process to our design teams.

With so many moving parts, how do you handle communication issues?

Pick up the phone. I learned this lesson when I was working with property owners every day. You can tell a lot about a situation by hearing a person's voice and not so much by text or email.

What advice do you have for newcomers to the industry and for those who are just beginning their management responsibilities?

Newcomers to the industry should fully immerse themselves in IRWA's coursework, find a mentor and take on challenging assignments. Always strive to do better and look for ways to improve processes. Look for mentors who are doing what you want to do, but also pull in a couple of mentors from other disciplines with other skillsets. In right of way, we are charged with explaining project details to property owners and the more you know about each phase of the project, the easier it will be to provide that information with confidence.

As a right of way leader, what role do you play in fulfilling IRWA's purpose of improving people's quality of life through infrastructure development?

My role has varied throughout my career. When I first entered the profession, I was tasked with learning the discipline through working on projects and taking IRWA courses. As I moved into a management role, I supported our staff's IRWA memberships and encouraged active participation at the local and national levels of IRWA, while still taking courses. When I look around the room at our local Chapter 3 luncheons, I am sometimes overwhelmed by the number of people in attendance whom I encouraged to pursue this profession. I'm so grateful today for the opportunities I've had, but more than that, I really believe we are using our talent and knowledge to change the world for the better.

Michael Noonan
HDR's companywide Business Class/Practice Lead for real estate and right of way

My career in the right of way industry began in 1981. At that point, I was pre-law and I had worked in construction and survey, spending winters as a ski instructor. That winter, I had a ski lesson with a gentleman who managed a large power utility and after spending a couple days skiing and talking right of way, I caught the bug and contacted the local IRWA Chapter President to begin the discussion of starting a new career. I've been very lucky throughout my career to have opportunities to work alongside some of our industry's best and brightest, all across the country.

Currently, I ensure HDR's team is delivering the highest caliber of land rights and right of way services. To that end, I collaborate with peers to develop quality proposals, assemble stellar teams for the project at hand and maintain a robust training program for all levels of the HDR right of way team.

What are some of the biggest challenges in managing right of way subconsultants?

For me, a critical element to focus on is making sure the entire team is informed and on the same page with regard to what and how we want to communicate. This focus extends beyond the right of way team and subconsultants. It includes the design team, surveyors, appraisers, teams advancing environmental field studies, as well as anyone who might come into contact with landowners or elected officials.

Are there key differences in managing right of way subconsultants versus a management role in another industry?

We view the right of way team as an extension of the client, serving as the bridge between affected landowners, elected officials and the broader project team. Many times, the field team is viewed by the public as the "face" of the project. This dynamic heightens the importance of fielding a highly professional and ethical right of way group. Strategic and deliberate management of the team will in large part be reflected in the resulting public perceptions formed as a result of these interactions.

What are some best practices you can share with other right of way leaders?

Put yourself in the landowner's shoes to better anticipate and understand their perspectives, and to develop communication accordingly. Maintain this ability to understand perspectives throughout early engagement and negotiations in order to respond quickly to landowner questions and concerns and where possible, mitigate those concerns. One of our team's stated goals is to "treat landowners the way we would want our families to be treated in similar circumstances." This dynamic doesn't always lead to easy settlements, but even when an impasse is reached, this forward-thinking respect for the landowners will usually pay dividends in maintaining productive long-term relations throughout the construction, operations and maintenance phases of a project.

How do you handle a situation where the client expectation is different from what you believe is best?

The best approach to this dynamic is to begin planning discussions early in the processes with the client. For many projects, our first step includes development of project-specific acquisition strategies and guidelines. These early discussions will usually flush out any differences in expectations and provide an opportunity to sync up everyone's understanding of the program.

How are subconsultants selected? Are you ever given a list of subconsultants by the client and if so, does this impact your project work process?

At HDR, we are very selective in who we weave into our project teams. We recognize that these individuals not only represent HDR and the client, but that the field staff are many times the "face" of the project in the landowner's eyes. I have found that when a client thinks highly enough of a subconsultant to ask us to include them in our project team, we are willing to explore that scenario. Another part of a successful relationship with a subconsultant is to make an early priority of getting better acquainted with the sub and to make time to exchange ideas and concepts with them in order to facilitate a better understanding of their past experiences. This will give insight into what they perceive as priorities for success. To provide the platform for these priorities, we will often establish a project-specific training session at the onset of the project to train alongside one another in order to instill solid relationships and technical knowledge among the right of way team members.

Describe some of the biggest lessons you've learned from your management experience.

Do not assume anything. This includes client expectations, their understanding of right of way issues and timelines, the team's understanding of project details and even landowner perceptions of the project. Keeping everyone well-informed and engaged early in the project life cycle will lead to a much more streamlined and smooth project that meets established scope, schedule and budget.

What can be worked on to improve the success of right of way projects?

Ultimately the right of way process is a people process, so effective and timely communication goes a long way to building project success. Typical project teams include an assembly of regulatory, environmental, engineering, public relations, right of way and construction teams, all working across someone else's land. Maintaining a focus on these relationships and ensuring effective communications between the parties may be one of the most important factors to maintain throughout the project life cycle.

With so many moving parts, how do you handle communication issues?

I remember the days before we had developed sophisticated tracking and collaboration tools. We have found both internal and external benefits to establishing comprehensive and functional communications plans, many times confirmed at our project kick-off meetings. The platform for communication is established, which may be a simple structure for weekly calls and updated mapping/spreadsheets or a more sophisticated collaboration tool that allows for multiple users across the project teams. Regardless of how simple or sophisticated the communication plan is, the most important factor to the program will be to ensure everyone uses the systems put in place.

What advice do you have for newcomers to the industry and for those who are just beginning their management responsibilities?

Get used to starting with a "work back" schedule and identify the end goal of any acquisition program, including critical path schedule and milestones. Communicate to the broader project team, establish a solid approach for achieving that goal and let your field teams have the flexibility to be themselves when dealing with landowners.

As a right of way leader, what role do you play in fulfilling IRWA's purpose of improving people's quality of life through infrastructure development?

I grew up working summers on our family ranch in Wyoming and I remember many family sit-downs with land and right of way agents. Often, the success of the meeting had a lot to do with the high-caliber of the agent we were working with, or the lack thereof. As stated earlier, our team maintains a focus on fair and respectful treatment of affected landowners. The acquisition process can prove to be emotional and confusing to landowners. Likewise, infrastructure projects are necessary and typically hold benefits for the entire community. We strive to serve as the bridge to maintain the necessary balance between advancing infrastructure projects, while maintaining a strong connection with affected landowners and the public. ✪