# D. Archaeology

Consultant shall complete all tasks and provide all deliverables (“Services”) included in this Statement of Work (“SOW”), unless specifically stated otherwise in a particular task. Consultant shall provide all labor, equipment and materials to manage, coordinate, and complete the work in accordance with the performance and delivery schedules identified in this SOW. To ensure quality control, use the [Archaeology Consultant Quality Control Checklist](https://www.oregon.gov/odot/Forms/2ODOT/7345271.pdf) available on the ODOT Archaeology Page.

## Acronyms

Many acronyms are used throughout this document; however, some disciplines use unique acronyms. Below is a list of acronyms specific to this SOW.

###  Archaeology Acronyms/Definitions

|  |  |
| --- | --- |
| Acronym | Definition |
| ODOT | Oregon Department of Transportation |
| APE | Area of Potential Effect |
| APM | Agency Project Manager |
| BLM | Bureau of Land Management  |
| CE | Categorical Exclusion |
| CFR | Code of Federal Regulations |
| DAP | Design Acceptance Phase |
| DOE | Determination of Eligibility |
| EA | Environmental Assessment |
| EIS | Environmental Impact Statement |
| EU | Excavation Unit |
| FHWA | Federal Highway Administration  |
| FOE | Finding of Effect |
| MOA | Memorandum of Agreement |
| NEPA | National Environmental Policy Act of 1969  |
| NHPA | National Historic Preservation Act |
| NRHP | National Register of Historic Places |
| NTE | Not to Exceed |
| NTP | Notice to Proceed |
| ODOT | Oregon Department of Transportation |
| PA | Price Agreement |
| PDF, \*.pdf | Portable Document Format, Electronic Copy |
| PE | Professional Engineer |
| QA/QC | Quality Assurance/Quality Control |
| RFP | Request for Proposal |
| Services | Tasks and Deliverables |
| STU | Shovel Test Unit |
| SHPO | State Historic Preservation Office |
| SOW | Statement of Work |
| WOC | Work Order Contract |

## Professional Licenses, Registrations and Qualifications

Specific tasks must be reviewed and approved by professional archaeologists who meet the Secretary of the Interior's professional standards for Archaeology ([36 CFR 61, Appendix A](http://www.nps.gov/history/local-law/arch_stnds_9.htm)). All work must be reviewed for Quality Assurance/Quality Control (“QA/QC”) and approved by professional archaeologists who have been “qualified” through the [Agency Cultural Resources Consultant Qualification Program.](http://www.oregon.gov/ODOT/HWY/GEOENVIRONMENTAL/pages/cultural_resources.aspx%20-%20%E2%80%8BCultural_Resources_Consultant_Qualification_Program) If Agency returns deliverable(s) with extensive edits, subsequent Consultant research writing and editing must be at the expense of the Consultant.

**Task Numbering:** For purposes of standardization, task numbers in this SOW may be non-sequential and do not necessarily begin with “1” on the first task.

[The delivery schedule for each deliverable may either be listed under each task or consolidated in table at the end of the task section. Generally, it is helpful for contract administration purposes to have one consolidated delivery schedule that can be used as a checklist, especially if the SOW is more than 5 pages long.]

## Task 1.0 Literature Review/Field Reconnaissance/Baseline Report

*Note: The purpose of this task is for the Consultant to conduct archival and background research in combination with field reconnaissance to determine the presence or absence of high probability landforms or archaeological sites within the APE and to make recommendations for further archaeological review.*

The following tasks must be reviewed and approved by professional staff archaeologists who meet the Secretary of the Interior's professional standards for Archaeology ([36 CFR 61, Appendix A](http://www.nps.gov/history/local-law/arch_stnds_9.htm)). All work must be reviewed (QA/QC) and approved by professional staff archaeologists who have been “qualified” through the [Agency Cultural Resources Consultant Qualification Training Program.](http://www.oregon.gov/ODOT/HWY/GEOENVIRONMENTAL/pages/cultural_resources.aspx%20-%20%E2%80%8BCultural_Resources_Consultant_Qualification_Program) If ODOT returns deliverable(s) with extensive edits, subsequent Consultant research writing and editing must be at the expense of the Consultant.

*The Agency Archaeologist shall be responsible for all Tribal Consultation (i.e. Government-to -Government discussions). The Consultant is responsible for project research tribal coordination (i.e. checking tribal databases, coordinating with tribes to conduct necessary literature reviews, satisfying obligations outlined in state archaeology permits, etc.).*

*The Agency Archaeologist is responsible for drafting FOE documents to SHPO (and Tribes) and for obtaining necessary clearance documents from SHPO. Agency Archaeologist is also be responsible for submitting DOEs and MOAs to SHPO and Tribes.*

The Consultant shall prepare the draft APE map and narrative document by DAP. The draft APE files must identify the entire horizontal and vertical extent of the project and include all aspects of the project’s components: project design, access, and staging. The draft APE files (\*.pdf and Shapefiles) must be provided to the project’s agency archaeologist for their review and approval within 10 business days of DAP and prior to conducting any fieldwork.

Consultant shall conduct a Literature Review/Field Reconnaissance/Baseline Report.

Consultant shall conduct a Literature Review and Field Reconnaissance of the APE, which shall include a description of the APE, detailed historic context and ethno-historic information, methodology, recommendations for future work, detailed bibliography, maps, and photos in Baseline report. At a minimum, Consultant shall examine the following databases and/or documents:

* the SHPO database in Salem, OR;
* appropriate Tribal Historic Preservation Office (“THPO”) database if APE is within a recognized reservation boundary;
* General Land Office (“GLO”) maps;
* ODOT historic right-of-way maps;
* Land Patents as maintained by the Bureau of Land Management (“BLM”)
* Sanborn Fire Insurance Maps;
* Record archives (i.e. historical societies; tribal archives) for known/potential precontact and historic archaeological resources within a one-mile radius of the APE.

Field Reconnaissance must include a pedestrian survey. Consultant shall conduct pedestrian surveys within the APE and shall include areas where ground must be disturbed by project construction including temporary access roads, staging areas, material sources, disposal sites, detours, etc. Consultant shall provide the Agency Archaeologist with a minimum of 5 business days advance notice prior to Field Reconnaissance.

Pedestrian survey methods must be consistent with the latest [SHPO guidelines unless otherwise negotiated with the ODOT Archaeologist.](http://www.oregon.gov/oprd/HCD/ARCH/docs/Master_Final_FieldGuidelines_June2015.pdf)

At a minimum, Consultant shall prepare a Baseline Report that containing the following:

* A purpose statement and full project description including:
1. ODOT Key Number and Federal Aid Number.
2. Location and legal description.
3. General environmental description.
4. Historic context.
5. Proposed construction activities.
6. Defined APE and APE map (addressing horizontal and vertical APE).
7. Total acreage of impact and total acreage of survey.
8. Anticipated Direct/Indirect/Cumulative effects
* Results of SHPO/THPO database search including:
1. Brief summary of previous archaeological research completed within one mile of the APE.
2. Brief summary of recorded archaeological resources within one mile of the APE.
* Results of GLO and Sanborn map review including:
1. Brief summary of features (trails, buildings, etc.) depicted on maps and within the APE.
* Description of pedestrian survey methods including date of survey, types of transects used, and names and duties of personnel conducting the survey.
* Findings of pedestrian survey including ground conditions (percent visibility) and difficulties encountered, if any.
* Identification of any existing archaeological resources as well as areas of high and low probability for archaeological resources within the APE. This should also be shown on a map.
* A map depicting recommendations for Construction No Work Zones and Monitoring, to be included in the technical report, but also to be submitted to the Agency as a stand-alone document under this task.
* Recommendations for appropriate level of additional survey and/or subsurface exploratory probing, if any.
* List of references cited.
* Location map at 1:24,000 scale; aerial image showing the APE; and representative digital images of current conditions within the APE.
* Site and isolate forms, if new resources are identified and site update forms if necessary.
* Complete and sign ODOT’s Archaeology QC Checklist and submit with deliverables.

**Deliverables** **and Schedule**

Consultant shall provide:

* Draft Baseline Report (in Word format or in \*.pdf as needed) and No Work Zone and Monitoring recommendations map to Agency by [DATE] or within ## business days from NTP. Include completed [ODOT Archaeology QC Checklist](https://www.oregon.gov/odot/Forms/2ODOT/7345271.pdf).
* Final Baseline Report (in Word and \*.pdf format) with SHPO coversheet and GIS pedestrian survey shape file to Agency within 10 business days of receipt of Agency comments on Draft report.

## Task 2.0 Cultural Resources Planning Study

The following tasks must be reviewed and approved by professional staff archaeologists who meet the Secretary of the Interior's professional standards for Archaeology ([36 CFR 61, Appendix A](http://www.nps.gov/history/local-law/arch_stnds_9.htm)). All work must be reviewed (QA/QC) and approved by professional staff archaeologists who have been qualified through the [Agency Cultural Resources Consultant Qualification Training Program.](http://www.oregon.gov/ODOT/HWY/GEOENVIRONMENTAL/pages/cultural_resources.aspx%20-%20%E2%80%8BCultural_Resources_Consultant_Qualification_Program) If ODOT returns deliverable(s) with extensive edits, subsequent Consultant research writing and editing must be at the expense of the Consultant.

*The Agency Archaeologist shall be responsible for all Tribal Consultation (i.e. Government-to -Government discussions). The Consultant is responsible for project research tribal coordination (i.e. checking tribal databases, coordinating with tribes to conduct necessary literature reviews, satisfying obligations outlined in state archaeology permits, etc.).*

*The Agency Archaeologist is responsible for drafting FOE documents to SHPO and for obtaining necessary clearance documents from SHPO. Agency Archaeologist is also be responsible for submitting DOEs and MOAs to SHPO and Tribes.*

The Consultant shall prepare the draft APE map and narrative document by Design Acceptance Phase (“DAP”). The draft APE files must identify the entire horizontal and vertical extent of the project and include all aspects of the project’s components: project design, access, and staging. The draft APE \*.pdf and GIS Shapefiles must be provided to the project’s agency archaeologist for their review and approval within 10 business days of DAP and prior to conducting fieldwork.

Consultant shall conduct a cultural resources planning study of defined study areas, or APE, to support regional project development efforts (i.e. Transportation Systems Plans). The Study must take into account current archaeological site distribution, traditional cultural properties, and other cultural resources, and may incorporate elements of a predictive model. Planning study requirements must be determined on a case-by-case basis by Agency and Consultant, and possibly with SHPO and Tribal input.

Consultant shall provide draft and final documentation including:

* Project narrative
* Maps (with GIS component)
* Analysis of site data
* Recommendations

**Deliverables and Schedule**

Consultant shall provide:

* Draft Planning Study (in Word format) to Agency by [DATE] or within ## business days from NTP.
* Final Planning Study (in Word and \*.pdf format) and shape file of planning study area to Agency within 10 business days of receipt of Agency comments on Draft report.

## Task 3.0 Phase I Archaeological Investigation with Technical Report

The purpose of this task is for Consultant to establish the presence or absence of archaeological sites in, or eligible for, listing in the NRHP. Investigations under this task must comply with SHPO Field and Reporting Guidelines unless otherwise negotiated with the Agency Archaeologist.

The following tasks must be reviewed and approved by professional staff archaeologists who meet the Secretary of the Interior's professional standards for Archaeology ([36 CFR 61, Appendix A](http://www.nps.gov/history/local-law/arch_stnds_9.htm)). All work must be reviewed (QA/QC) and approved by professional staff archaeologists who are “qualified” through the [Agency Cultural Resources Consultant Qualification Training Program.](http://www.oregon.gov/ODOT/HWY/GEOENVIRONMENTAL/pages/cultural_resources.aspx%20-%20%E2%80%8BCultural_Resources_Consultant_Qualification_Program) If ODOT returns deliverable(s) with extensive edits, subsequent Consultant research writing and editing must be at the expense of the Consultant.

*The Agency Archaeologist shall be responsible for all Tribal Consultation (i.e. Government-to -Government discussions). The Consultant is responsible for project research tribal coordination (i.e. checking tribal databases, coordinating with tribes to conduct necessary literature reviews, satisfying obligations outlined in state archaeology permits, etc.).*

*The Agency Archaeologist is responsible for drafting FOE documents to SHPO and for obtaining necessary clearance documents from SHPO. Agency Archaeologist is also be responsible for submitting DOEs and MOAs to SHPO and Tribes.*

The Consultant shall prepare the draft APE map and narrative document by the DAP. The draft APE files must identify the entire horizontal and vertical extent of the project and include all aspects of the project’s components: project design, access, and staging. The draft APE \*.pdf map and GIS Shape files must be provided to the project’s agency archaeologist for their review and approval within 10 business days of DAP and prior to conducting fieldwork.

### Literature Review

Consultant shall conduct a review of current literature within a one-mile radius of the APE prior to any fieldwork. At a minimum, Consultant shall examine the following databases and documents:

* SHPO database
* Applicable THPO database if APE is within a recognized reservation boundary
* GLO maps
* ODOT historic right-of-way maps;
* Land patents as maintained by the BLM
* Historic topographic maps
* Sanborn Fire Insurance maps
* Record archives (i.e. historical societies; tribal archives) for known/potential precontact and historic archaeological resources within a one-mile radius of the APE.

### Pedestrian Surveys

Consultant shall conduct pedestrian field surveys within the APE, including temporary access roads, staging areas, material sources, disposal sites, detours, etc. Consultant shall provide the Agency Archaeologist with a minimum of 5 business days advance notice prior to conducting a pedestrian survey. Pedestrian survey methods must be consistent with the latest updated [SHPO guidelines unless otherwise negotiated with the Agency Archaeologist.](http://www.oregon.gov/oprd/HCD/ARCH/docs/Master_Final_FieldGuidelines_June2015.pdf)

### Subsurface Exploratory Probing

Consultant shall obtain all required excavation permits (such as SHPO, THPO and/or ARPA permits) and conduct subsurface exploratory probing in the APE. Consultant shall provide copies of the draft excavation permits to the Agency Archaeologist prior to submittal to SHPO. Consultant shall provide the Agency Archaeologist with a minimum 5 business days advance notice of exploratory probing.

### Phase I Archaeological Investigation Report

The report must include:

* A purpose statement and full project description including:
1. ODOT Key Number and Federal Aid Number.
2. Location and legal description.
3. General environmental description.
4. Historic context.
5. Proposed construction activities.
6. Defined APE and APE map (addressing horizontal and vertical APE).
7. Total acreage of impact.
8. Anticipated direct, indirect and cumulative effect.
* Results of SHPO/THPO data base searches including:
1. Brief summary of previous archaeological research completed within one mile of the APE.
2. Brief summary of recorded archaeological resources within one mile of the APE.
* Results of GLO and Sanborn map review including:
1. Brief summary of features (trails, buildings, etc.) depicted on maps and within the APE.
* Discussion of ethno-historic information and historic context of the APE and surrounding environment.
* Description of pedestrian survey methods including date(s) of survey, types of transects used, and names and duties of personnel conducting the survey, including which staff members are ODOT “qualified”.
* Results of pedestrian survey including ground conditions (percent visibility) and difficulties encountered, if any; descriptions of any archaeological artifacts encountered, descriptions in both the narrative and map figures of any portions of the APE not inventoried, and other pertinent information.
* Description of subsurface exploratory probing methodology including date(s) of probing, and names and duties of personnel completing probes.
* Results of subsurface exploratory probing, including descriptions of soil conditions and any archaeological artifacts encountered and other pertinent information. Negative findings must be reported.
* As appropriate a summary of Tribal coordination as applicable.
* A summary with recommendations that must include a discussion of the site(s) identified and whether or not they meet NRHP criteria and maintain integrity.
* List of references cited.
* Location map at 1:24,000 scale; aerial image showing APE; and representative digital images of current conditions within APE.
* Site forms and isolate forms (hard copies) for newly discovered archaeological sites and isolates. Consultant shall also complete the SHPO Online Site Form.
* Site update forms for previously identified archaeological sites.
* A modified [DOE,](https://www.oregon.gov/odot/GeoEnvironmental/Docs_CulturalResource/Arch_Form-Task-5-Mini-DOE.pdf) a maximum of 2-3 pages long, must be included for historic sites with no subsurface component. This information must include a short discussion on site boundaries (vertical and horizontal), integrity as well as Statement of Significance and discussion of the NRHP Criteria
* Maps, photos and an artifact catalogue.
* A separate map depicting recommendations for Construction No Work Zones and Monitoring, not to be included in the technical report, but submitted to the Agency as a stand-alone document under this task.
* Complete and sign ODOT’s Archaeology QC Checklist and submit with deliverables.

**Note:** Establishing eligibility without testing for precontact sites may be difficult; however, this is possible with historic sites if sufficient historic documentation is provided. Please refer to SHPO guidelines.

Consultant shall provide final Phase I Technical Report and site forms in \*.pdf; digital images of each photo and illustration, and GIS shape files of surveyed areas.

**Deliverables and Schedule**

Consultant shall provide:

* Draft Phase I Technical Report in Word format and \*.pdf as necessary), and No Work Zones and Monitoring recommendations map with site forms and/or isolate forms, due xxxx. Include completed [ODOT Archaeology QC Checklist](https://www.oregon.gov/odot/Forms/2ODOT/7345271.pdf).
* Final Phase I Technical Report (in \*.pdf format), with site forms, with SHPO coversheet and GIS pedestrian survey shape files (with electronic files), 10 business days after receipt of Agency comments on draft.

## Task 4.0 Phase II Archaeological Field Investigation

**Note:** If archaeological sites have been identified during the Phase I study, Phase II investigation may be required. Phase II investigations are used to establish NRHP eligibility under this task must comply with the latest SHPO field and report guidelines unless otherwise negotiated with the Agency Archaeologist.

The following tasks must be reviewed and approved by professional staff archaeologists who meet the Secretary of the Interior's professional standards for Archaeology ([36 CFR 61, Appendix A](http://www.nps.gov/history/local-law/arch_stnds_9.htm)). All work must be reviewed (QA/QC) and approved by professional staff archaeologists who are qualified through the [Agency Cultural Resources Consultant Qualification Training Program.](http://www.oregon.gov/ODOT/HWY/GEOENVIRONMENTAL/pages/cultural_resources.aspx%20-%20%E2%80%8BCultural_Resources_Consultant_Qualification_Program) If ODOT returns deliverable(s) with extensive edits, subsequent Consultant research writing and editing must be at the expense of the Consultant.

*The Agency Archaeologist shall be responsible for all Tribal Consultation (i.e. Government -to -Government discussions). The Consultant is responsible for project research tribal coordination (i.e. checking tribal databases, and coordinating reaching out with to tribes to conduct necessary literature reviews, satisfying obligations outlined in state archaeology permits, etc.).*

*The Agency Archaeologist is responsible for drafting FOE documents to SHPO and for obtaining necessary clearance documents from SHPO. Agency Archaeologist is also be responsible for submitting DOEs and MOAs to SHPO and Tribes.*

Consultant shall:

* Review information from the Phase I investigations.
* Develop a draft investigation plan showing:
	+ APE
	+ Areas of previous disturbance
	+ Previously recorded site(s)
	+ Areas where cultural materials were discovered (Phase I investigation)
	+ Probable boundary of new sites
	+ Proposed locations of each STU,EU or other subsurface investigation
	+ Proposed locations of remote sensing
	+ Location of additional transects
	+ [A comprehensive research design](https://www.oregon.gov/oprd/OH/Documents/Bulletin5.pdf)
* Submit the draft investigation plan to Agency Archaeologist for approval before submitting permit to SHPO.
* Obtain all required permits (i.e. SHPO/THPO and/or APRA permits, etc.) for subsurface investigations and submit draft copies to the Agency Archaeologist for review.
* Provide the Agency Archaeologist with a minimum of 5 business days advance notice prior to Phase II testing.

### Subsurface Investigation

Consultant shall conduct an intensive inventory and subsurface testing program to identify site boundaries and assess site significance and integrity. STUs must be based on the approved investigation plan.

The consultant will develop a subsurface testing program consistent with current SHPO guidelines and in coordination with the ODOT archaeologist.

STUs must measure 50x50cm square and must be excavated to a minimum of 50cm in depth and/or two levels below sterile where possible. Larger or deeper STUs composed of abutting 50x50 cm units may be required and must be identified in the investigation plan. STUs must be excavated in arbitrary 10-cm levels and all sediments screened through 1/8-inch mesh hardware cloth.

Special studies, (obsidian sourcing and hydration analyses), can be conducted as part of the preliminary evaluation effort, only if previously agreed to with the Agency Archaeologist. Collected materials must be curated at the State Museum of Natural and Cultural History at the University of Oregon upon conclusion of laboratory analyses, unless other arrangements have been made and agreed to by SHPO and the State Museum of Natural and Cultural History at the University of Oregon. Consultant shall coordinate with the Agency Archaeologist prior to shipment of artifacts.

Consultant shall map the archaeological site using GPS equipment, with reference to existing benchmarks or existing bridges for survey control. Consultant shall provide a technical report summarizing all identified archaeological materials and results of the record search and field studies. If significant cultural materials are recorded, potential mitigation options must be provided in the Report.

The Phase II Technical Report must include:

* Purpose statement and full project description, including APE map, anticipated direct, indirect and cumulative effects, location and total acreage, map reference, legal description, general environmental description, and the historic context by which sites must be evaluated.
* Background information, including ethno-historic information and previous archaeological studies.
* Summary of previous archaeological research in the general area.
* Description of soils encountered, along with description of all features.
* Inventory and general analysis of artifacts.
* GPS datum(s).
* Thorough description of the field methods used, including types of transects used, difficulties encountered during the project, and other pertinent information.
* Section on field methodology with maps showing placement of STUs.
* Section on findings, artifact descriptions, recommendations and a summary includes a discussion of the site(s) tested and whether or not it/they meet(s) the NRHP criteria and maintains integrity, and eligibility recommendations.
* [Modified DOE,](https://www.oregon.gov/odot/GeoEnvironmental/Docs_CulturalResource/Arch_Form-Task-5-Mini-DOE.pdf) not to exceed 3 pages, must be included in the Appendix, for each site when attempting to establish eligibility. The DOE must include a short discussion on the Statement of Significance, as well as a discussion on Integrity, and discussion of each of the NRHP Criteria.
* Additional maps, photos, and an artifact catalogue.
* Site forms and isolate forms for newly discovered archaeological sites and isolates and site update forms for previously recorded sites. Consultant shall also complete the SHPO Online Site Form.
* Map depicting recommendations for Construction No Work Zones and Monitoring, to be included in the technical report, and a separate copy to be submitted to the Agency as a stand-alone document under this task.
* Names and duties of personnel conducting the inventory and dates of fieldwork.
* Complete and sign ODOT’s Archaeology QC Checklist and submit with deliverables.
* Provide the final report and site forms in \*.pdf format, digital images of each photo and illustration, raw GIS shape files of surveyed area.

**Deliverables and Schedule**

Consultant shall provide:

* Draft investigation plan, 1 electronic copy due ##.
* Final investigation plan, 1 electronic copy, due ##.
* Subsurface investigation permits (i.e. SHPO), electronic, due before fieldwork starts.
* Draft Phase II Technical Report in Word format and \*.pdf as necessary), and No Work Zones and Monitoring recommendations map with site forms and/or isolate forms, due xxxx. Include completed [ODOT Archaeology QC Checklist](https://www.oregon.gov/odot/Forms/2ODOT/7345271.pdf).
* Final Phase II Technical Report (in \*.pdf format), with site forms, with SHPO coversheet and GIS pedestrian survey shape files (with electronic files), 10 business days after receipt of Agency comments on draft.

## Task 5.0 Determination of Eligibility

**Note:** Development of a [formal DOE](https://www.oregon.gov/odot/GeoEnvironmental/Docs_CulturalResource/Arch_Form-Task-6-Full-DOE.pdf) to determine if an archaeological site is eligible for the NRHP may be requested instead of the modified DOE under Task 3.

The following tasks must be reviewed and approved by professional staff archaeologists who meet the Secretary of the Interior's professional standards for Archaeology ([36 CFR 61, Appendix A](http://www.nps.gov/history/local-law/arch_stnds_9.htm)). All work must be reviewed (QA/QC) and approved by professional staff archaeologists having “qualified” through the [Agency Cultural Resources Consultant Qualification Training Program.](http://www.oregon.gov/ODOT/HWY/GEOENVIRONMENTAL/pages/cultural_resources.aspx%20-%20%E2%80%8BCultural_Resources_Consultant_Qualification_Program) If ODOT returns deliverable(s) with extensive edits, subsequent Consultant research writing and editing must be at the expense of the Consultant.

*The Agency Archaeologist shall be responsible for all Tribal Consultation (i.e. Government-to -Government discussions). The Consultant is responsible for project research tribal coordination (i.e. checking tribal databases, coordinating with tribes to conduct necessary literature reviews, satisfying obligations outlined in state archaeology permits, etc.).*

*The Agency Archaeologist is responsible for drafting FOE documents to SHPO and for obtaining necessary clearance documents from SHPO. Agency Archaeologist is also be responsible for submitting DOEs and MOAs to SHPO and Tribes.*

Consultant shall provide a full draft and final DOE to determine if an archaeological site is eligible for the NRHP. Consultant shall follow guidelines and examples provided by Agency and those found on the Advisory Council’s website.

In addition to supplying the deliverables, complete and sign ODOT’s Archaeology QC Checklist and submit with deliverable package.

**Deliverables and Schedule**

Consultant shall provide (in Word and \*.pdf format):

* Draft DOE for Agency within ## business days. Include completed [ODOT Archaeology QC Checklist](https://www.oregon.gov/odot/Forms/2ODOT/7345271.pdf).
* Final DOE for Agency within ## business days of receipt

**Task 6.0** **Ethnographic Study**

The purpose of this Task is to gather and document ethnographic information related to traditional uses, traditional places, and the cultural significance of the APE and general project area for {INSERT TRIBES OR ASSOCIATED GROUPS HERE]. This task must utilize information contained in oral histories collected from recognized expert personnel with pertinent information of the project area, or from ethnographic archives maintained by [INSERT TRIBES OR GROUP].

The Ethnographic Study Report required under this task must include:

* Detailed ethnographic/historic context of the project area
* Relevant results of ethnographic research
* Description of the methodology utilized in the collection of relevant ethnographic data
* Executive Summary

The identification of historic properties of religious and cultural significance to Indian tribes, traditional cultural properties, or other potentially-eligible historic properties subject to Section 106 of the NHPA, must sufficiently be described and documented for any project effects to be evaluated by Agency and SHPO. The results of the report are intended to assist Agency to comply with Section 106 of the NHPA and NEPA.

**C**onsultant shall provide all deliverables in Word and \*.pdf formats. Consultant shall provide Agency a brief Preliminary Results Letter Report, including any Section 106-eligible site documents, by [DATE]. Agency shall maintain the Ethnographic Study Report as a confidential document. The Executive Summary must be a public document and findings may be generalized to protect sensitive sites.

**Deliverables and Schedule**

Consultant shall provide (Word and \*.pdf formats):

* Preliminary Results Letter Report, including any Section 106-eligible site documents (Deliver to ODOT Archaeologist) within ## business days of date or NTP
* Draft Report (Deliver to ODOT Archaeologist) within ## business days from date or NTP
* Draft Executive Summary (Deliver to ODOT Archaeologist and Project Manager) within ## business days of NTP or date
* Final Report (Deliver to ODOT Archaeologist) within ## business days from receipt of Agency review comments
* Final Executive Summary (Deliver to ODOT Archaeologist and Project Manager) within ## business days
* Attach GIS APE layer to the report

**Task 7.0** **Cultural Plant Study**

*The Agency Archaeologist shall be responsible for all Tribal Consultation (i.e. Government-to -Government discussions). The Consultant is responsible for project research tribal coordination (i.e. checking tribal databases, coordinating with tribes to conduct necessary literature reviews, satisfying obligations outlined in state archaeology permits, etc.).*

**Task 7.1** **Cultural Plant Study Background Research/Logistics**

The Cultural Plant Study must identify the general cover, location and distribution of culturally-significant plant species within APE. The Study must provide ethnographic context for field observations based on archival and relevant literature (research and synthesis).

Consultant shall:

* Conduct Background and Archival Research
	+ Conduct tribal coordination necessary to identify culturally significant plant usage and complete research in the Tribal archives of the INSERT TRIBE & other research institutions related to culturally-significant plant usage.
	+ Focus research on past and present use by Native peoples of plants known or likely to occur in the APE and the broader context for such use. This may include other information on Tribal presence in the APE relevant to understanding cultural use.
* Develop list of culturally-significant plants known or likely to occur in the APE.
* Map habitat types within the APE on aerial photo.

**Task 7.2 Cultural Plant Study Fieldwork: Survey**

Consultant shall utilize the background research, plant list, and Baseman described above as part of this Task. Consultant shall:

* Conduct a field survey of the APE and determine cover and distribution type for each species on the plant list.
* Survey only natural habitats and exclude built environment, landscaped yards, gardens, lawns, annually maintained agricultural fields, recently cleared ditches, and open water.
* Survey must capture target species that may occur on edges of agricultural fields, ditches, etc., except as excluded above.
	+ The survey must consist of transects spaced at no less than 10-meter intervals.
* Produce a map and table of the results, including:
	+ GIS shape files of target species (plant list) identified within APE.
	+ Indicate whether species was 1) not observed, 2) rare (<5% cover), 3) common (5-20% cover), or 4) dominant (>20% cover).
	+ Include an estimate of cover (%) for species recorded as dominant.
* Consultant and Agency Archaeologist may agree to modify methodology based on background research conducted by Consultant or based on Agency consultation with Tribes. Any methodology changes must not substantially affect the ability of Consultant to conduct the survey within the existing budget and timeframe.
* Consultant’s survey team may include a Tribal plant expert designated by the Agency Archaeologist.
	+ Consultant shall coordinate with Agency Archaeologist to schedule survey with Tribal plant expert availability.
	+ Agency Archaeologist shall coordinate with Tribes to determine the necessity of a Tribal plant expert.

**Deliverables and Schedule**:

Consultant shall:

* Provide the field survey, mapped results, spatial data and table of field survey results, within 10 business days of completion of fieldwork.

**Task 7.3 Cultural Plant Study Reporting**

Consultant shall:

* Prepare a Culturally Significant Plant Survey Technical Report that includes:
* Ethnographic context based on research
* Summary and synthesis of findings
* Description of field methodology
* Maps and tables of species occurrence, coverage, and distribution
* A habitat map for plants in the APE
* Formatting that generally follows ODOT’s guidelines for Task 3.4 Archaeology Phase I Technical Reports.

Agency Archaeologist shall use survey results to consult with Tribe(s) and identify the need for additional surveys or culturally-significant resources in the APE. Additional surveys are not part of this scope.

**Deliverables and Schedule**

Consultant shall provide (Word and \*.pdf formats):

* Draft Culturally Significant Plant Survey Technical Report with spatial data for review and comment by ODOT Archaeologist with Task 7.3 within ## business days from completion of fieldwork
* Final Culturally Significant Plant Survey Technical Report within 10 business days of receiving Agency comments

## Task 8.0 Monitoring & Construction related Activities

Construction Contractor, Agency Inspector, Agency Regional Environmental Coordinator and Agency Archaeologist shall discuss location of archaeological sites and high probability areas, prior to construction. Consultant or Agency shall fence all No Work Zones with orange plastic mesh fencing or lath and flagging, as shown. Consultant shall provide draft and final Monitoring Reports documenting activities and discoveries.

The following tasks must be reviewed and approved by professional staff archaeologists who meet the Secretary of the Interior's professional standards for Archaeology ([36 CFR 61, Appendix A](http://www.nps.gov/history/local-law/arch_stnds_9.htm)). All work must be reviewed (QA/QC) and approved by professional staff archaeologists who have been qualified through the [Agency Cultural Resources Consultant Qualification Training Program.](http://www.oregon.gov/ODOT/HWY/GEOENVIRONMENTAL/pages/cultural_resources.aspx%20-%20%E2%80%8BCultural_Resources_Consultant_Qualification_Program) If ODOT returns deliverable(s) with extensive edits, Consultant research writing and editing must be at the expense of the Consultant.

*The Agency Archaeologist shall be responsible for all Tribal Consultation (i.e. Government-to -Government discussions). The Consultant is responsible for project research tribal coordination (i.e. checking tribal databases, coordinating with tribes to conduct necessary literature reviews, satisfying obligations outlined in state archaeology permits, etc.).*

*The Agency Archaeologist shall be responsible for drafting FOE documents to SHPO and for obtaining necessary clearance documents from SHPO. Agency Archaeologist is shall be responsible for submitting DOEs and MOAs to SHPO and Tribes.*

Consultant cultural monitor shall:

* Review cultural reports prepared for project.
* As applicable, obtain SHPO, THPO, or Archaeological Resources Protection Act of 1979 (“ARPA”) archaeological permit
* Attend pre-construction meeting at request of Agency Archaeologist.
* Adhere to Agency-provided Inadvertent Discovery Plan if applicable
* Maintain daily log of findings.
* Submit Monitoring report (in Word and \*.pdf formats) with the following, if no cultural materials are found:
	+ Project Description
	+ Map of APE
	+ Dates of monitoring and personnel that conducted monitoring
	+ General observations with statement of probably of future inadvertent discoveries within APE
	+ Spatial data

If cultural materials or human remains are discovered during monitoring, notify Engineer immediately and comply with Section 00290.51 (a) and (b) of [ODOT Standard Specifications for Construction](http://www.oregon.gov/ODOT/HWY/SPECS/docs/08book/08_00200.pdf). Contact Agency Archaeologist to determine additional archaeological investigation requirements.

Consultant cultural monitor shall:

* Conduct required literature review, which must include a review of all applicable archaeological survey/testing reports for comparable information and checking the SHPO database and any other facilities or necessary documentation.
* Obtain Archaeological Permits if necessary and share draft with Agency Archaeologist prior to submittal to SHPO.
* Draft a Monitoring Report that must include the following background information:
	+ Ethno-historic information,
	+ Previous archaeological studies,
	+ Section on field methodology with maps showing placement of shovel probes and test units
	+ Section on findings
	+ Artifact descriptions,
	+ Recommendations and summary including a discussion on the site tested and if it meets NRHP criteria and maintains integrity. Consultant shall draft the DOE
	+ All applicable maps showing project location and site boundaries and areas monitored
	+ Photos including pictures of overall construction work in and near area monitored, and any features, sites, and/or isolates encountered
	+ Artifact catalogue, site and isolate forms and any update forms for previously recorded sites.

Consultant shall complete and sign ODOT’s Archaeology QC Checklist and submit with deliverables.

**Deliverables and Schedule**

Consultant shall provide

* Draft Monitoring Report (in Word format) within 20 business days of completion of fieldwork. Include completed [ODOT Archaeology QC Checklist](https://www.oregon.gov/odot/Forms/2ODOT/7345271.pdf).
* Final Monitoring Report (in \*.pdf format with SHPO coversheet) with GIS shape file of monitored area within 10 business days of receiving comments from Agency

## Task 9.0 Damage Assessments

Consultant shall provide Damage Assessments. The Damage Assessment must document the field methodologies employed, findings, and recommendations for additional work, if required, or mitigation strategy.

The following tasks must be reviewed and approved by professional staff archaeologists who meet the Secretary of the Interior's professional standards for Archaeology ([36 CFR 61, Appendix A](http://www.nps.gov/history/local-law/arch_stnds_9.htm)). All work must be reviewed (QA/QC) and approved by professional staff archaeologists who have been qualified through the [Agency Cultural Resources Consultant Qualification Training Program.](http://www.oregon.gov/ODOT/HWY/GEOENVIRONMENTAL/pages/cultural_resources.aspx%20-%20%E2%80%8BCultural_Resources_Consultant_Qualification_Program) If ODOT returns deliverable(s) with extensive edits, subsequent Consultant research writing and editing must be at the expense of the Consultant.

*The Agency Archaeologist shall be responsible for all Tribal Consultation (i.e. Government-to -Government discussions). The Consultant is responsible for project research tribal coordination (i.e. checking tribal databases, coordinating with tribes to conduct necessary literature reviews, satisfying obligations outlined in state archaeology permits, etc.).*

*The Agency Archaeologist is responsible for drafting FOE documents to SHPO and for obtaining necessary clearance documents from SHPO. Agency Archaeologist is also be responsible for submitting DOEs and MOAs to SHPO and Tribes.*

The Consultant shall prepare the draft APE map. The draft APE files must identify the entire horizontal and vertical extent of the project. The draft APE \*.pdf and GIS shape files must be provided to the project’s agency archaeologist for their review and approval within 10 business days of conclusion of fieldwork.

Consultant shall:

* Conduct literature review, which must include a review of all applicable archaeological survey and testing reports for comparable information and checking the SHPO/THPO database and any other facilities or necessary documentation.

Consultant shall conduct a field evaluation and shall provide:

* As applicable, a SHPO, THPO or Archaeological Resources Protection Act of 1979 (“ARPA”) archaeological permit.
* Field methodologies should be coordinated with the Agency Archaeologist
* Current damage discussion with Agency Archaeologist to establish recommendations for further evaluation, methodologies, and suggestions for future site protection

*Note: This communication is critical because it must involve Tribal negotiations and SHPO coordination which must be coordinated through the Agency Archaeologist.*

The Damage Assessment must include a thorough site description with detailed description of damage, explanation of field methodologies to assess damage and site eligibility, and a map of the APE.

If eligible archaeological resources are identified, the Damage Assessment must include the following background information:

* Ethno-historic information,
* Previous archaeological studies,
* Section on field methodology with maps showing placement of shovel probes and test units,
* Section on findings,
* Artifact descriptions,
* Recommendations and summary including a discussion on whether the site meets NRHP criteria and maintains integrity (Consultant shall provide enough information to write a detailed DOE.)
* All applicable maps showing project location, with site boundaries and areas monitored
* Photos (include pictures of overall construction work in and near area monitored, and any features, sites, and/or isolates encountered
* Artifact catalogue, site and isolate forms and any update forms for previously recorded sites.

Consultant shall complete and sign ODOT’s QA/QC Checklist and submit with deliverables.

**Deliverables and Schedule**

Consultant shall provide:

* Outline of proposed Field Methods, in advance of the conducting assessment and copies of Oregon Archaeological Excavation Permits within 10 business days from NTP, Date
* Draft Damage Assessment (in Word format) and spatial data within 20 business days of completion of fieldwork. Include completed [ODOT Archaeology QC Checklist](https://www.oregon.gov/odot/Forms/2ODOT/7345271.pdf).
* Final Damage Assessment (in \*.pdf format with SHPO cover page and spatial data) within 10 business days of receiving comments from Agency

**F. CONTINGENCY TASKS**

[Projects may have work that can reasonably be anticipated but may or may not be needed, depending on conditions that arise or change during a project period. This condition dependent work is considered to be contingency work and must be planned for in the SOW and budget. Any contingency tasks or deliverables in the SOW must be within the scope of Services of the RFP. In the SOW, each contingency item must clearly be labeled as “Contingency” and must include a defined task, deliverable(s) and a schedule (normally listed as a number of business days from NTP for the contingency task).

If contingency tasks are used, they must be detailed in section E – Tasks, Deliverables and Schedule (normally listed as a number of business days from NTP for the contingency task) with each labeled as a “Contingency Task”. Also enter contingency task headings and dollar amounts in the table below. See “Contingency Task Costs” in WOC Attachment section.]

[If no Contingency Tasks, delete text and table below and mark Section F as “Reserved”.]

The table below is a summary of contingency tasks that Agency, at its discretion, may authorize Consultant to perform. Details of the contingency tasks and associated deliverables are stated in the Task section of the SOW. Consultant shall complete only the specific contingency task(s) identified and authorized via written (email acceptable) Notice-to-Proceed (“NTP”) issued by Agency's APM. If requested by Agency, Consultant shall submit a detailed cost estimate for the agreed-to contingency Services [within the not-to-exceed (“NTE”) or amount(s) in the Contingency Task Summary Table] within the scope of the contingency task.

If Agency chooses to authorize some or all of these tasks, Consultant shall complete the authorized tasks and deliverables per the schedule identified for each task. The NTP must include the contingency task name and number, agreed-to due date for completion and NTE for the authorized contingency task.

Each contingency task is only billable up to the NTE amount identified for the task if specifically authorized per NTP. In the table below, the “NTE for Each” amount for a contingency task includes all labor, overhead, profit, and expenses for the task. The funds budgeted for contingency tasks may not be applied to non-contingency tasks without an amendment to the WOC/Contract. The total amount for all contingency tasks authorized must not exceed the maximum identified in the table below. Each authorized contingency task must be billed as a separate line item on Consultant’s invoice.

##  CONTINGENCY TASK SUMMARY

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Contingency Task Description | NTE for Each | Max Quantity | Method of Compensation | Total NTE Amount |
| 4.0 Phase II Archaeological Field Investigation | $\_\_\_\_\_ | \_\_\_ | \_\_\_ | $\_\_\_\_\_\_ |
| 5.0 Determination of Eligibility  | $\_\_\_\_\_ | \_\_\_ | \_\_\_  | $\_\_\_\_\_\_ |
| 9.0 Damage Assessment | $\_\_\_\_\_ | \_\_\_ | \_\_\_ | $\_\_\_\_\_\_ |
| **Total NTE For All Contingency Tasks:** | $\_\_\_\_\_\_ |