# Template STATEMENT of WORK and DELIVERY SCHEDULE: Historic Resources

Project Name

[Text that is bracketed and highlighted in yellow provides instructions or guidance.]

[Areas with blue highlight should be reviewed and revised as necessary for the specific project.]

[The sow must be created within the scope of services identified in the PA/RFP. Define acronyms and terms in table in section A if there are many used throughout the document.]

[For A&E and Related Services, use [standardized task numbering](http://www.oregon.gov/ODOT/CS/OPO/docs/sow/aetasknos.xls) for the various disciplines.]

## E. TASKS, DELIVERABLES and SCHEDULE

Consultant shall complete all tasks and provide all deliverables (collectively, the “Services”) included in this 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.

**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 or 10 pages long.]

The following tasks must be completed by professional staff architectural historians who meet the Secretary of the Interior's professional standards for Architectural History ([36 CFR 61, Appendix A](http://www.nps.gov/history/local-law/arch_stnds_9.htm)), have a demonstrated background (through the furnishing of their C.V. to the Agency) with Oregon and/or Washington architectural history through past work performed, and oversight of the work, at a minimum, must be conducted by a professional staff architectural historian “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).

### Task 1 WOC/Project Management

#### Task 1.1 Project Administration

To ensure that Project scope, budget, and schedule objectives are met, Consultant’s Project Manager shall provide:

* Quality control;
* Contract administration;
* WOC management and budget tracking;
* Coordination with Agency personnel;
* Monthly Project progress reports that must include current status, unresolved issues, and major accomplishments during the month;
* Management of labor and sub-contractor resources;
* Development and maintenance of a Project filing system;
* Project Narrative; and
* Meetings, as required, to successfully deliver the work of this WOC.

#### Task 1.1 Deliverables

* Monthly Project progress reports which must include current status, unresolved issues, and major accomplishments during the month;
* Monthly Invoices which must include a breakdown of hours worked, by whom, and their title;
* Provide written meeting minutes from required meetings within ten (10) days from each meeting, if specified under tasks. Meeting minutes must include:
  + - Discussion summary;
    - Written material from meeting room white board;
    - Decisions made; and
    - Next steps.

#### Task 1.2 Project Coordination and Record Keeping

* Consultant shall contact Agency, other consultants, and other agency staff to gather information on the Project, project site, regulations and guidance, including:
* Direct communication via phone, email, and direct US Mail;
* Meeting attendance; and
* Arrange and attend joint field visits.
* Prepare a file for the Project containing the following:
* Record of all contacts with Agency, other agencies, and other consultant staff;
* Summary of important information, decisions and guidance received;
* Relevant portions of Project meeting minutes; and
* Copies of all correspondence.

#### Task 1.2 Deliverables

* Attend meetings as requested by Agency.
* Coordinate and attend field visits
* Project File with required documents

### Task 2 Develop a Historic Resources Baseline Report

The purpose of the Agency Historic Resource Baseline Report is to identify and characterize the historic resource issues in an area that may be impacted by a transportation project. The Historic Resource Baseline Report is a scoping report that is not intended to be a comprehensive technical report. As part of developing the Historic Resource Baseline Report, the SOI-qualified for Architectural History consultant shallreview the Oregon Historic Sites Database and is required to conduct an on-site reconnaissance of the Project area, and that consultant shall take current pictures of the resource(s) (Google images not acceptable).

The Historic Resource Baseline Report must include:

1. A brief Project description and description of the area of potential effect (APE);
2. Current photographs of all resources within the APE that are forty-five (45) years old or older (reference guidance provided by National Register Bulletin 23);
3. A brief discussion of historic resources that are forty-five (45) years old or older with discussion of potential National Register of Historic Places (NRHP) eligibility (Criteria A-D) for each identified resource;
4. A discussion of the area and its context (i.e. urban, agricultural, Historic District, etc.); and
5. A map that identifies the location of each potential historic resource in the APE.

### Task 2 Deliverables

* Provide a Historic Resource Baseline Report to Agency.

### Task 3 Potential Contingency Tasks

When identified as a requirement in the Historic Resource Baseline Report and authorized in writing by the Agency, Consultant shall perform one or more of the following contingency tasks:

#### Task 3.1 Section 106 Determination of Eligibility (DOE) for the NRHP Reports and Project Submittal Letter

A DOE is a finding that states whether a property meets the eligibility criteria (A-D) for inclusion in the NRHP. Only those properties found to be at least 45 years old and retaining sufficient Integrity, as determined by the Historic Resources Baseline Report, will require a DOE to formally determine eligibility. A DOE must include a brief physical description, history, context, significance, map (the historic boundary included), and photographs of the resources that possess Integrity of one (1) or all of the following aspects: location, design, setting, materials, workmanship, feeling, and association. If requested by Agency staff, Consultant shall prepare draft and final DOE Reports for each historic resource, which could include potentially eligible historic districts, that is considered potentially eligible for the NRHP and submit them to the Agency. For authorized DOE Report(s), Consultant shall also prepare a Project Submittal Letter in Agency-approved format.

A DOE must include, but is not limited to:

* Physical description of the resource (contributing and non-contributing features), including history and context of the resource, the design, setting, materials, workmanship, feeling, location, and association;
* Map showing the location, orientation of the resource, and its historic boundary; and
* Photographs of the resource, including historic photographs and current photographs.

Consultant shall prepare DOE using the most current Agency form.

Agency Architectural Historian will transmit the final DOE(s) to SHPO and will obtain the necessary concurrence documentation from SHPO.

#### Task 3.1 Deliverables

Provide a DOE Report and Project Submittal Letter to Agency

### Task 3.2 ***Section 106 Finding of Effect (FOE) Report***

Section 106 FOE Reports are prepared for historic resources that have been listed or determined eligible for the NRHP. FOE Reports assess the effects on the historic resource including physical destruction or damage; alteration or rehabilitation; removal; change of setting; introduction of visual, atmospheric or audible elements; neglect of a property; or transfer or sale of ownership.

### Task 3.2.a Prepare a Section 106 FOE Report for Listed Resources

Following coordination with Agency staff, Consultant shall prepare a FOE Report for each resource listed or has been determined eligible for the NRHP following the format provided by the Agency, notably it should include specific Section 106 coordination of public outreach (i.e. communication with public during general project outreach, contacting the historic society, review with the City and/or historic resource commission, etc.) for the project and potential effects to historic resources. The FOE Report must include a narrative assessment of the potential effects of the Project to the historic resource. Consultant must include a discussion of the alternatives to avoid or minimize adverse effects in the FOE Report. When requested by Agency, Consultant shall coordinate with the Agency Project designer or Project team leader to discuss available options to avoid or minimize adverse effects to listed or eligible historic resources. Consultant shall coordinate with Agency as needed to ensure that Federal Highway Administration (FHWA) concurs with the proposed FOE on the resources prior to transmittal to SHPO*.* Consultant must submit a Project Submittal with a FOE Report.

Consultant shall prepare FOE using the most current Agency form.

The FOE(s) must:

* Assess the Project’s effects on the historic resource including: physical destruction or damage; alteration or rehabilitation; change of setting; introduction of visual, atmospheric or audible elements; neglect of property; or transfer or sale of ownership; and
* Discuss alternatives to avoid or minimize adverse effects to the resource.

Agency Architectural Historian will transmit the final FOE(s) to SHPO and will obtain the necessary concurrence documentation from SHPO.

### Task 3.2.a Deliverables

* Coordinate and attend meetings as requested by Agency.
* Coordinate with Agency, when requested, regarding avoidance or minimization of adverse effects.
* Coordinate with Agency for concurrence between Agency and FHWA.
* Provide a Section 106 FOE Report and Project Submittal Letter to Agency.

### Task 3.2.b Notice and Publication of Adverse Findings of Effect

Consultant in consultation with agency staff shall make the Adverse Findings of Effect available to the public and interested parties, including local historical societies, landmark/historic resource commissions, and/or Certified Local Governments (CLGs). Consultant must coordinate with Agency Staff to disseminate Adverse Findings of Effects to appropriate agencies and interested parties via advertisements or notification of Adverse Findings of Effect Announcements in local newspapers or by direct mail. Copies of the Draft Adverse Findings of Effect Announcement(s) must be provided to Agency along with addresses of the newspapers and interested parties (i.e., local historical societies and historic resources commissions) to whom the announcement(s) will be sent.

### Task 3.2.b Assumptions

* Consultant shall be responsible for placing the advertisement and sending the announcements in the mail.
* Consultant shall be responsible for attending public meetings to discuss the adverse effect if required by the Project team or the local government.

### Task 3.2.b Deliverables

* Place Adverse Finding of Effect Announcement(s) in local newspapers;
* Send Adverse Finding of Effect Announcement(s) to interested parties; and
* Attend meetings as requested by Agency.

### Task 3.3 Prepare Draft Section 4(f) Evaluation

Section 4(f) Evaluations demonstrate that no feasible and prudent alternative exists to the use of a NRHP-listed or eligible historic site. Section 4(f) Evaluations also demonstrate that all possible planning was conducted to minimize harm if there is a use of the property. Section 4(f) Evaluations must be authorized by Agency. They require a two-step process including a formal Draft 4(f) Evaluation that is reviewed by interested parties and agencies and a Final 4(f) Evaluation. Following coordination with Agency staff, Consultant shall prepare Section 4(f) Evaluations for each resource authorized by Agency.

Consultant shall prepare a draft of the Draft Section 4(f) Evaluation and submit to Agency for review. Consultant shall then revise the draft based on Agency comments. Consultant shall submit the revised Draft Section 4(f) Evaluation to FHWA for review. Consultant shall make additional revisions to the Draft Section 4(f) Evaluation, as necessary, based on FHWA comments. Agency will submit the revised Draft Section 4(f) Evaluation to FHWA for approval after final review by Agency.

After signed approval of the Draft Section 4(f) Evaluation is received from FHWA, Consultant shall distribute copies of the Draft 4(f) Evaluation to interested agencies and to the public, per a distribution list provided by Agency. The Draft Section 4(f) Evaluation must be available for public comment for a minimum of forty-five (45) calendar days. Agency will provide copies of the public comments to Consultant. Consultant shall incorporate the draft review comments into the draft Final Section 4(f) Evaluation.

Consultant shall prepare and submit for review by Agency the draft Final Section 4(f) Evaluation based on public comments received. Consultant shall revise the draft Final Section 4(f) Evaluation based on Agency review comments. Agency will submit the draft Final 4(f) Evaluation to FHWA for review. Consultant shall revise the draft Final Section 4(f) Evaluation based on FHWA comments and submit to Agency for review and comment. After incorporating Agency comments, Consultant shall submit the Final Section 4(f) Evaluation to Agency to submit to FHWA for approval.

Consultant shall make copies and distribute the Final Section 4(f) Evaluation per distribution list provided by Agency after FHWA provides signed approval.

### Task 3.3 Deliverables

* Provide Draft Section 4(f) Evaluation and Submittal Letter for each 4(f) evaluation.
* Provide revised Draft Section 4(f) Evaluation.
* Distribute the approved Draft Section 4(f) Evaluation for public comment, per a distribution list provided by Agency.
* Provide draft Final Section 4(f) Evaluation and Submittal Letter for each 4(f) evaluation.
* Provide five (5) copies of the Final 4(f) Evaluation and Submittal Letter for each resource.

### Task 3.4 Prepare Programmatic Section 4(f) Evaluations

Programmatic Section 4(f) Evaluations between State Departments of Transportation and the FHWA have been negotiated to streamline the Section 4(f) Evaluation process.

One Programmatic Section 4(f) Evaluation is available for historic bridges, the Programmatic Section 4(f) Evaluation for FHWA Projects that Necessitate the Use of Historic Bridges. This programmatic acknowledges that bridges are part of a state or local highway system and must be rehabilitated or replaced to assure public safety while maintaining system continuity and integrity.

The Nationwide Programmatic Section 4(f) Evaluation for Federally Aided Highway Projects with Minor Involvement With Historic Sites Evaluation is for projects that do not require an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA) and only use minor amounts of land from historic site(s) adjacent to existing highways, thus resulting in a non-adverse effect to the historic site(s).

The Nationwide Programmatic Section 4(f) Evaluation for Federally Aided Highway Projects with Minor Involvement With Historic Sites or the Programmatic Section 4(f) Evaluation for FHWA Projects that Necessitate the Use of Historic Bridges must be authorized by Agency. Following coordination with Agency staff, Consultant shall prepare applicable Programmatic Section 4(f) Evaluation(s) using standard Agency format.

For each Programmatic Section 4(f) Evaluation authorized, Consultant shall prepare a Project Submittal Letter in Agency-approved format. The Project Submittal Letter(s) must be prepared as draft and final and submitted with the Programmatic Section 4(f) Evaluation(s).

### Task 3.4 Deliverables

1. Draft Programmatic Section 4(f) Evaluation with a Project Submittal Letter.
2. Final Programmatic Section 4(f) Evaluation with a Project Submittal Letter.

#### Task 3.5 Prepare Memorandum of Agreement (MOA)

A Memorandum of Agreement (MOA) is a document that records the terms and conditions agreed upon by SHPO, FHWA, and Agency (and local jurisdictions, when necessary) to resolve the adverse effects of an undertaking upon historic properties. MOAs must be authorized by Agency. Following coordination with Agency staff, Consultant shall prepare an MOA between Agency, FHWA, and SHPO (and local jurisdictions or the Advisory Council on Historic Preservation, if necessary) for each adversely effected resource. The mitigation stipulations must be approved by Agency (and local jurisdictions, if necessary) before the MOA may be submitted to the regulatory agency as a Draft review copy.

Agency will track and transmit Final documents, which must have original signatures for each signatory, in the Agency-approved process.

### Task 3.5 Deliverables

* Draft MOA and Project Submittal Letter(s) for resource(s).
* Final MOA and Project Submittal Letter(s) for each signatory for each resource.

#### Task 3.6 Prepare Historic Resource Technical Report

(Include this task only for Class 1 and Class 3 projects with the Environmental Assessment (EA) or EIS, whichever is required pursuant to NEPA)

A Historic Resource Technical Report is the background report for an EA or EIS that identifies the historic resources, identifies the effects of different alternatives, and indicates that the Section 106 and Section 4(f) processes have been part of Project development. The Historic Resource Technical Report includes DOE and FOE references to possible minimization and mitigation strategies. Following coordination with Agency staff, Consultant shall prepare the Historic Resource Technical Report in Agency-approved format.

### Task 3.6 Deliverables

* Draft Historic Resource Technical Report for the Project in hard copy and electronic format.
* Final Historic Resource Technical Report for Project in hard copy and electronic format.

### Task 3.8 Attend Agency-Authorized Meetings

Meetings must be authorized by Agency. Following coordination with Agency staff, Consultant shall attend meetings with Agency to discuss Cultural or Historic Resources Project issues and take meeting notes. Consultant shall allow up to four (4) hours for each meeting.

### Task 3.8 Deliverables

Provide paper and electronic meeting minutes to Agency within ten (10) calendar days of each meeting, if specified under the tasks. Meeting minutes must include:

* Discussion summary;
* Written material from meeting room white board;
* Decisions made; and
* Next steps.

### Task 3.9 Oregon Revised Statute (ORS) 358.653 SHPO Coordination

***State-funded projects with no federal connection (i.e., federal funds or federal permits) are subject to ORS 358.653 , which requires that state-funded projects either operating on “real property” that Agency owns, or requiring right-of-way acquisition from significant historic resources that are either listed or considered eligible for the NRHP, coordinate with SHPO on the effect to that resource. SHPO requires a process that parallels the Section 106 process, which includes identifying significant resource(s), evaluating transportation project effect(s), and mitigation for adverse effects, if necessary.***

Following coordination with Agency staff, Consultant shall prepare draft and final Reports required by ORS 358.653 for each historic resource that meets the above-mentioned criteria and are potentially affected by the Project.

For each ORS 353.653 coordination authorized, Consultant shall prepare a Project Submittal Letter in Agency-approved format that describes the Project effect to the resource and suggests mitigation options, if necessary. The Draft SHPO ORS 358.653 Form needs to describe the Project, including a map and photographs, the Project’s effect(s) on the significant historic resources, and possible mitigation measures. The Project Submittal Letter(s), and ORS 358.653 Form (available on the SHPO website) must be prepared as draft and final and submitted to Agency. Agency will submit the final document with all attachments to SHPO for review and comment.

### Task 3.9 Deliverables

1. Draft ORS 358.653 Form Documentation for each potentially eligible or listed historic resource(s).
2. Draft SHPO Project Coordination Letter(s)
3. Final ORS 358.653 Form Documentation for each historic resource(s)
4. Final SHPO Project Coordination Letter(s)

### Task 4 Project Closeout

Consultant shall establish a file system for electronic and hard copy files of all final documents prepared by Consultant. At the conclusion of the Project, Consultant shall supply Agency with an electronic copy of all documents produced and a hard copy of the Project file.

All final document files, including original research files, that are the responsibility of Agency to prepare according to this WOC will be filed and maintained by Agency.

### Task 4.0 Deliverables

* Provide an electronic copy of all documents produced and a hard copy of the Project file.

## 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 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 calendar 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 calendar 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 or “NTE” 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 will 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 |
| --- | --- | --- | --- | --- |
| C.1.3.1 Project Meetings | $\_\_\_\_\_ | \_\_\_ | \_\_\_ | $\_\_\_\_\_\_ |
| C.3.8.5 Detailed Noise Mitigation Analysis | $\_\_\_\_\_ | \_\_\_ | \_\_\_ | $\_\_\_\_\_\_ |
| C.14.1 Public Involvement Meeting(s) | $\_\_\_\_\_ | \_\_\_ | \_\_\_ | $\_\_\_\_\_\_ |
| **Total NTE For All Contingency Tasks:** | | | | $\_\_\_\_\_\_ |