

University of Nebraska - Lincoln

DigitalCommons@University of Nebraska - Lincoln

U.S. National Park Service Publications and
Papers

National Park Service

8-1990

Technical Brief 7: Federal Archeological Contracting: Utilizing the Competitive Procurement Process

John H. Jameson Jr.
National Park Service, john_jameson@nps.gov

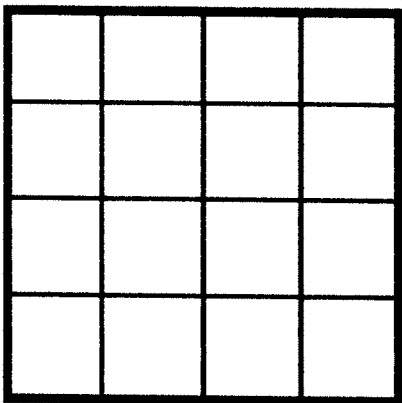
Wilfred M. Husted
National Park Service

Follow this and additional works at: <https://digitalcommons.unl.edu/natlpark>

Jameson, John H. Jr. and Husted, Wilfred M., "Technical Brief 7: Federal Archeological Contracting: Utilizing the Competitive Procurement Process" (1990). *U.S. National Park Service Publications and Papers*. 107.

<https://digitalcommons.unl.edu/natlpark/107>

This Article is brought to you for free and open access by the National Park Service at DigitalCommons@University of Nebraska - Lincoln. It has been accepted for inclusion in U.S. National Park Service Publications and Papers by an authorized administrator of DigitalCommons@University of Nebraska - Lincoln.



ARCHEOLOGICAL ASSISTANCE PROGRAM

Technical Brief No. 7, August 1990

FEDERAL ARCHEOLOGICAL CONTRACTING: Utilizing the Competitive Procurement Process

By John H. Jameson, Jr., John E. Ehrenhard, and Wilfred M. Husted
Interagency Archeological Services Division, Southeast Regional Office, National Park Service



U.S. DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

This technical brief outlines the Federal procurement process in archeology by emphasizing the utility and importance of the Request for Proposal (RFP) type of competitive procurement. While centering attention on Section C, the Scope of Work (SOW), important considerations in Sections F, H, L, and M are discussed also. Since one of the principal current issues in archeological contracting involves identifying and evaluating archeological properties according to criteria for eligibility to the National Register of Historic Places, it is important to determine what is "significant" in prehistory and history. It is shown that the RFP type of competitive procurement process can assist efforts to resolve the "significance" issue by providing or facilitating better and more innovative archeological investigations and reports. The proposal evaluation process is shown to be fundamental, requiring qualified evaluators and careful development and weighting of proposal evaluation criteria. The technical brief concludes with a brief statement on the importance of the key aspects of archeological contracting following contract award, including monitoring and peer review.

Introduction

This technical brief presents the Federal competitive procurement process as a guide for archeological contracting and (1) provides information on what needs to be in a competitive Request for Proposal (RFP) for archeological services; (2) describes what roles the various players have; and (3) outlines how contracts should be procured, evaluated, and administered so that the resultant product is understandable and useful. The overall objective for such guidance in contracting is to improve public benefit from governmental archeological activities, as stated in the Secretary of the Interior's report on the National Historic Preservation Act (Department of the Interior 1986). It has been recognized that benefits from improvements in archeological contracting will include any of the following: the long-term preservation of significant data or properties through listing on the National Register of Historic Places (NRHP) and other State-level registers; the interpretation of results through publications and public education activities during projects; the synthesis of project results with previous knowledge about the cultural past; and the provision of opportunities for public participation, enrichment, and education (Irwin-Williams and Fowler 1986:7-10, 29, 41-43, 51, 56, 61-64, 73-75, 88-91,

105-107). The following discussions can be viewed as a complement to, and to a limited extent, an update of the apropos presentations on the RFP contracting process contained in two U.S. Heritage Conservation and Recreation Service (HCRS) publications of the late 1970s: *Scholars as Managers and Scholars as Contractors*; and, in particular, the discussions in Butler (1979), IAS-Denver (1979), and Mayer-Oakes (1978; 1979).

Although these guidelines are directly applicable to the normal workloads, job elements, and concerns of agency staff archeologists responsible for archeological work as part of construction or development projects, they should also be useful to non-archeologists whose duties encompass, or commonly include, archeological or historical resource management, compliance, and contracting.

It is important to remember that additional and alternative procurement procedures such as Invitation for Bid (IFB) and Request for Quotes (RFQ) result in simple purchase orders and are also available to Federal agencies for cultural resource management work (Butler 1978; 1979). These alternative procedures have particular advantages and disadvantages, depending on agency's situational needs and time constraints. However, there are certain benefits and advantages inherent in the Request for Proposal (RFP) competitive proposal process, which will be highlighted throughout this technical brief.

The Problem

Section 110 of the National Historic Preservation Act of 1966, as amended (16 USC 470 *et seq.*), requires Federal agency heads to locate all sites, buildings, districts, objects, and properties under their jurisdictions and to nominate to the National Register of Historic Places (NRHP) all those appearing to meet the criteria for listing. Section 106 of the National Historic Preservation Act (16 USC 470f) requires Federal agencies to take into account the effects of their undertakings on properties listed, or eligible for listing, on the NRHP. The regulations that define the criteria for eligibility for listing in the NRHP are found in 36 CFR Part 60.4.

In the attempt to follow these legal mandates, many Federal agencies rely on the contracting/procurement process to

provide the information needed for project planning and decision making. However, for the most part, they continue to struggle for an effective recipe for success in the arena of archeological contracting and procurement.

One of the principal problems in archeological contracting involves the generation of information necessary to determine which archeological sites appear to meet NRHP criteria. Criterion (d) in 36 CFR Part 60.4 recognizes "...sites...that have yielded, or may be likely to yield, information important in prehistory or history," and must be addressed in evaluating archeological properties. It is the lead Federal agency's responsibility to obtain and manage this information. However, the task of actually acquiring and utilizing this information is often assigned to an archeologist or cultural resource specialist who may or may not be a part of the agency's planning or project review network.

Too many archeological reports do not provide cultural resource managers and officials with the kinds of information they require to fulfill compliance responsibilities. Central to this point is that many archeologists do not understand the criteria of eligibility for the NRHP. Criterion (d), as it often has been applied, becomes so broad as to be all encompassing; and there are archeologists who want to protect and preserve everything without consideration of relative value or significance. These misunderstandings too often result in archeological reports and recommendations that are of little or no use to an agency trying to determine whether or not it has properties eligible for the NRHP to manage. Given these situations, it is perhaps not surprising that the misunderstanding of what is important and therefore "significant" in prehistory and history has been cited as one of the prime sources of problems for Federal agencies and State Historic Preservation Officers (SHPOs) in planning cultural resource work (Butler 1987).

Site significance and how it relates to the management/compliance process can be understood as a function of the NRHP criteria. "The key word in Criterion (d) is 'important.' Importance is based on the theoretical and substantive knowledge of the discipline--nothing more, nothing less; i.e., what we know and what we do not know" (Butler 1987: 820-821). In the application of Criterion (d) for a site to be recommended as eligible for the NRHP, it must be able to contribute to the theoretical and substantive knowledge of archeology. A justification for a recommendation of NRHP eligibility should state precisely what research issues can be addressed by investigation of the site, especially through reference to existing historic context documents; and it should outline the most pertinent and potentially fruitful avenues for analysis, comparison, synthesis, and contextual discussion of archeological materials. This should be a central concern or focus of the RFP in archeological contracting.

The Competitive Proposal Process

With some exceptions, procurements based on competitive proposals are essential in order to provide the Federal government with the best assurances of obtaining legally and

professionally acceptable reports of archeological investigations. Proposals provide the Federal archeologist with an opportunity to ascertain whether an offeror (1) understands the project and its purposes, (2) is able to plan and organize a program to meet these purposes, and (3) can integrate the program with a realistic research design that is based on a thorough knowledge of relevant research.

The competitive proposal is a fertile ground for innovation and creativity in all facets of a project, particularly the research aspects. In public archeology it is necessary to find more efficient, practical, and economical ways to conduct surveys, evaluations, and data recoveries. Competitive proposals provide an opportunity to evaluate differing ideas, plans, and approaches for conducting an archeological investigation, rather than merely responding to a rigid work description or statement of work with a bottom line cost. With competitive procurement, there are greater opportunities for better and more innovative field techniques, strategies, and approaches.

PART I - THE SCHEDULE	
Section	Title
A	Solicitation/contract form
B	Supplies or services and prices/costs
C	Description/specifications/work statement
D	Packaging and marking
E	Inspection and acceptance
F	Deliveries or performance
G	Contract administration data
H	Special contract requirements
PART II - CONTRACT CLAUSES	
I	Contract Clauses
PART III - LIST OF DOCUMENTS, EXHIBITS, and OTHER ATTACHMENTS	
J	List of attachments
PART IV - REPRESENTATIONS and INSTRUCTIONS	
K	Representations, certifications, and other statements of offerors or quoters
L	Instructions, conditions, and notices to offerors or quoters
M	Evaluation factors for award

Figure 1. Uniform Contract Format (Federal Acquisition Regulation; see 48 CFR Part 1)

In the following discussion, it is shown how procurements are conducted on the basis of competitive proposals within the purview of the Federal Acquisition Regulation (FAR), "Contracting by Negotiation" (48 CFR Part 1). The solicitation for this type of contracting is the RFP. All phases of competitive contracting are important to the successful completion of a project, including the post-contract award monitoring of the field, laboratory, and report preparation phases. However, it is the procurement process itself, and preparation of the RFP in particular, that is critical to the eventual receipt of a final report of investigations that satisfies all legal requirements and is acceptable to the professional archeological community.

The FAR (48 CFR Part 1) requires the use of a uniform contract format for the solicitation or RFP in contracting by negotiation. An RFP is composed of 13 sections, A through M, in four parts (Figure 1). Many of the sections consist mainly of standard contract clauses, certifications, and instructions. Information may be added to these sections, some of which are mainly administrative and instructional in nature. However, five sections (C, F, H, L, and M) are very important. Section C, the "Description/specifications/work statement" or Scope of Work (SOW), stands out as the most crucial part of the RFP.

Section C: the Scope of Work

In almost every RFP, the descriptions presented in Section C are most critical for the successful completion of a project. **Because Section C details the SOW, it is the "heart and soul" of the solicitation document.** The careful and detailed preparation of the SOW is the best guarantee that a cultural resource project will satisfy legal requirements and meet professional standards. Development of this section places a great amount of responsibility on the agency archeologist or cultural resource specialist because the SOW will:

- define the project;
- specify what is required; and
- state the conditions under which the project will be conducted.

Although the uniform contract format (Figure 1) must be followed in assembling the RFP, there is no required arrangement for Section C. The precise nature of the project, its complexity, and any unusual circumstances surrounding the undertaking, should guide selection of the format used.

With time and the accumulated experience of agency archeologists and contracting officers, an agency's SOW can exhibit continual improvement, taking advantage of lessons learned from previous procurements. For instance, newly written RFP scopes of work should reflect recent advances in archeological method and theory, up-to-date archeological knowledge of the region, and current professional standards.

The following discussion presents recommendations and suggestions for topics to be addressed in Section C of the RFP.

Background Descriptions

An agency cannot expect to receive what it does not ask for, and neither can it expect to receive what it does not pay for. The agency archeologist or cultural resource specialist who prepares an RFP must have a thorough knowledge of that project's area and what is required to fulfill legal and regulatory responsibilities. Thus, the agency archeologist must conduct a background search that involves:

- (1) consulting existing planning documents (including State Historic Preservation Plans, Federal agency plans, and historic contexts documents developed for managerial purposes by States, counties, municipalities, transportation departments, private utility companies, and certified local governments) (for an example, see Anderson, *et al* 1989);



- (2) determining if the area has been subjected to survey in the past, and whether the previous work meets current professional standards; and

- (3) identifying the locations of any archeological sites or historic properties previously recorded.

Unless the agency archeologist is thoroughly familiar with the project area, an on-the-ground inspection will be necessary. This inspection will serve to reveal any areas that may not require intensive survey, such as disturbed and developed locations (e.g., airport runways and ramps, roads, and buildings). If previously unrecorded sites are discovered during inspection of the project area, the archeologist should, if possible, record and evaluate these sites. In any event, the archeologist must obtain sufficient information to determine:

- (1) the minimum amount of investigation that will be required to satisfy legal responsibilities and meet professional standards;
- (2) a project strategy sufficient to accomplish the work; and
- (3) how much it will cost.

Section C of the RFP should present introductory material including which legal and regulatory authorities the project is designed to satisfy. It should alert offerors to the nature of the investigation and the kinds of information that the agency must have to address the pertinent laws and regulations. The "Introduction" or "Background Statement" should briefly summarize the major goals of the investigation and cite the

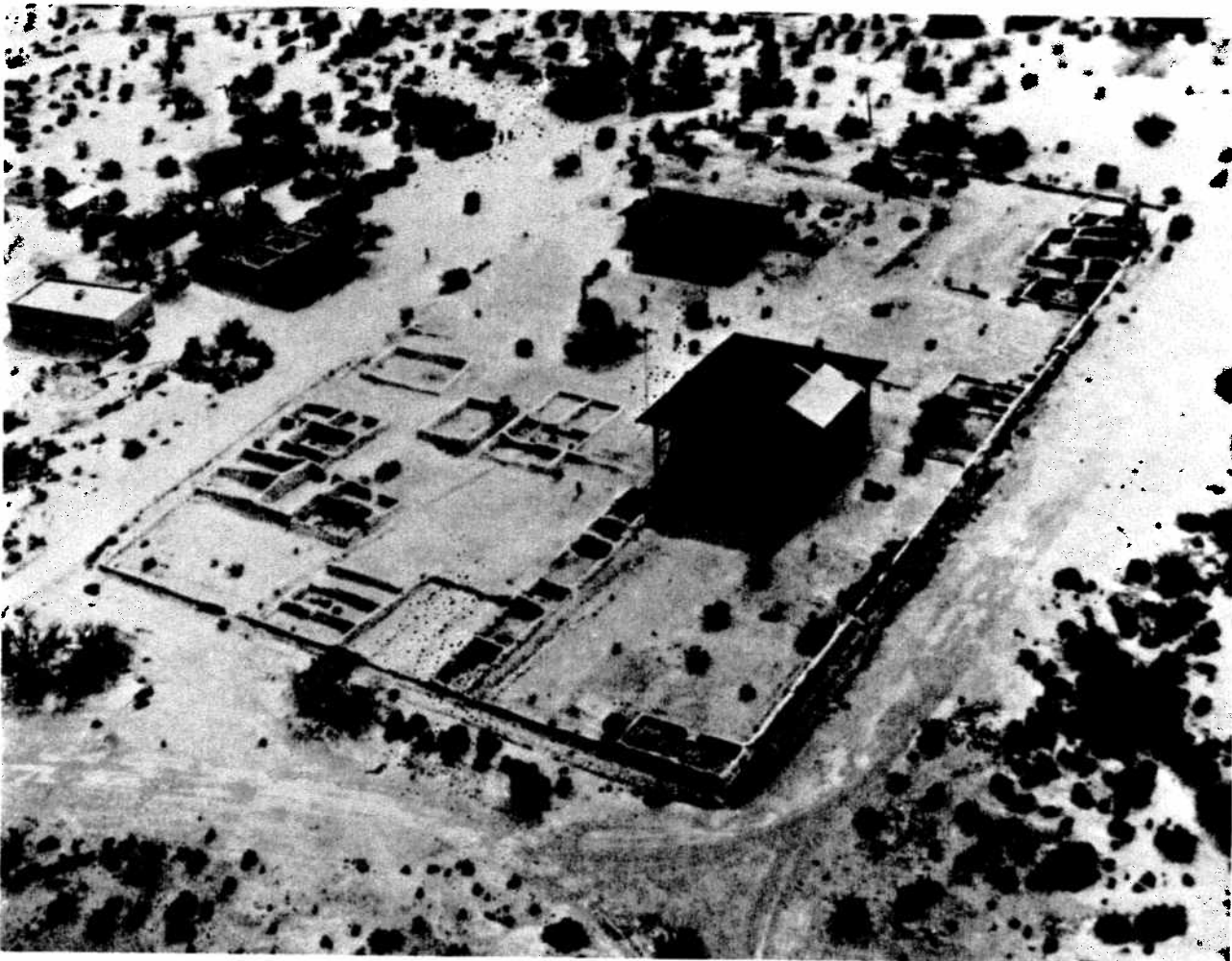


Figure 2. 1920s Aerial view of Casa Grande National Monument, AZ. The importance, in the public interest, of long-term preservation for significant archeological sites was recognized more than 100 years ago when Casa Grande Ruin became the first national archeological preserve. The demand for both interpretation and protection resulted in Federal laws and programs to systematized access for research purposes as well as prevent looting and vandalism. This rare 1920s aerial view of Casa Grande shows the principal village site and visitors' autos. (All photos are from the NPS collection at the Graphics Research Branch, Harper's Ferry Center.)

source of funding, informing prospective offerors of the administrative structure of the project.

Section C also should contain detailed directional information to guide offerors to the project area. The boundaries of the project area should be specified, especially if the project is located within a larger organizational unit such as a military installation. The directional information presented should be sufficient to inform offerors of any unusual circumstances or difficulties in reaching and/or conducting a project. The directional information in Section C is supplemental to the directional information provided by a location map in Section J (Figure 1). For example, access to the project area may require unusual amounts of travel by various modes to isolated areas, which will consume large amounts of time. Unless such situations are presented clearly with sufficient detail, offerors will be unable to calculate time and travel costs accurately. A discerning offeror may, in fact, object to an insufficiently detailed RFP, which can result in issuance of a new or revised solicitation with consequent delays in

implementing the project. At worst, protests could result, with consequent increases in project costs and innumerable time delays.

Section C should contain a summary of the principal goals of a project. For example, the main objectives of a survey usually would be to discover all cultural resources in a project area, evaluate the discovered sites and properties for NRHP eligibility, and provide recommendations for evaluative testing of selected sites should additional information be needed. These goals would be expressed in greater detail in other sections of the RFP, but their early introduction "sets the stage" for a project and reinforces any introductory statements on legal authorities and project purposes and requirements.

Frequently, the project area addressed in an RFP will have been the subject of one or more previous cultural resource investigations involving previous procurements. The new project might be the evaluative testing of archeological sites

discovered during the initial survey of the project area. All or a portion of the project lands may have been surveyed previously. Whatever the circumstances, all previous investigations on the property should be summarized in the RFP, and the resulting reports must be made readily available to offerors for preparation of their proposals, particularly if the new work is based directly upon earlier investigations. Whenever possible, relevant reports should be included in the RFP as exhibits. If this is not practical, the information should be provided by other means. If reports of earlier investigations have been distributed widely to libraries, a bibliographic citation may be sufficient. Copies of relevant reports can be made available for inspection at the contracting agency and other offices. Caution should be exercised, however, in not unduly restricting competition by limiting access to information. Quality competitive proposals are the goal of the procurement, and information made available to the widest possible audience is essential to this goal.

The Research Design

Following presentation of the archeological and historical background of a project, an RFP must address research design. Work oriented toward expressly stated research goals is exactly what must be done in order to provide Federal agencies with the information they need to discharge cultural resource compliance responsibilities. An RFP should include every requirement necessary to place an agency in full compliance and describe how these requirements are to be satisfied (McGimsey and Davis 1977:72-73; Mayer-Oakes 1978:72-93; Butler 1979:27-34).

The topic of "Research Design" also has direct bearing on the problems surrounding the misunderstanding of the meaning of significance and NRHP eligibility evaluations. In order to effect NRHP eligibility evaluations, a SOW must require that a project be conducted within the framework of a relevant, professionally acceptable research design. A SOW may suggest or require specific research topics to be addressed by a project. However, offerors should be required to provide additional research topics relevant to past and ongoing research in the area that are realistic in terms of the type and scope of that project, including those topics that accurately reflect the potential of archeological information and material to be recovered. This provides an agency an opportunity to judge how well offerors have familiarized themselves with relevant background and research information and their abilities to develop appropriate research topics from the existing data base.

Notwithstanding the above discussion, archeologists and cultural resource specialists should be careful to avoid placing undue restrictions on research design and field methods. Allowance should be made for the necessity to change or evolve the research design or field methods in response to new data and conditions. To this end, a contractor should be afforded as much flexibility as possible within the practical limits of project goals and objectives.

It is strongly recommended that the proposed research design and work plan be submitted in draft to the appropriate SHPO for review and concurrence:

The role of the SHPO is to consult with and assist the Agency Official when identifying historic properties, assessing effects upon them, and considering alternatives to avoid or reduce those effects (emphasis added) (36CFR Part 00.1.[c][1][ii]).

While SHPOs do not enter into agency cost estimating or cost discussions, their comments on the adequacy of proposed investigations may reveal deficiencies or omissions in research strategies or methods. A fully informed and cooperating SHPO can provide constructive criticism, aid in the identification of local and regional issues or concerns, and administrative and political support for a project that can head off or prevent misunderstandings.

Public Education Activities

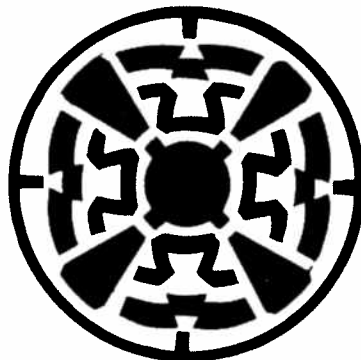
It is recommended that each RFP require public education activities as part of the work plan. Such activities might include public displays, lectures, brochures, tours, school programs, and/or volunteer opportunities as part of the archeological investigation.

Cost Estimates

Following the SHPO's concurrence with a proposed project research design and SOW, the agency archeologist can take direct steps to eliminate another of the common criticisms concerning federally sponsored archeological projects and reports: the estimation of project costs.

Estimated costs should be an accurate reflection of the required levels of labor, equipment, per diem, and travel necessary to provide sufficient information and products to meet the goals of a project.

This would include not only the cost of conducting the on-the-ground survey, but also the costs of materials analyses, data recovery, and curation of collections. Estimated costs must also include elements of work associated with comparison and syntheses of the investigation results, as well as report preparation.



Requirements and Standards for Survey and Identification

A properly directed survey will identify all the archeological resources in the project area and determine which may require additional investigation to evaluate NRHP eligibility. When possible, this kind of identification should be completed during the survey phase of a project. Evaluative testing beyond the survey phase should establish the significance (i.e., NRHP eligibility), or lack of significance, for all sites not previously evaluated during the course of the survey or during subsequent investigations.

It is essential that the Section C Scope of Work be written to insure that the survey phase of a project provides all information required by managers and planners in making decisions that could affect significant resources. Guidance on



Figure 3. The spectacular cliff dwellings at Wetherill Mesa in Mesa Verde National Park, CO, were internationally known discoveries by 1893. By the time the Antiquities Act was passed in 1906 a force of Federal forest supervisors, rangers, and special agents, Indian school superintendents and teachers, Indian agents, farmers, police, and Indian themselves had been mobilized to protect important Southwest archeological sites. By 1910 several of these sites were added to the inventory of national cultural preserves, including Mesa Verde, El Morro, Chaco Canyon, and Tumacacori.

the standard elements of effective preservation planning is contained in the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* (Department of the Interior 1983:44716-44720). Managers' and planners' decisions should be based upon information that contributes to understanding the historic contexts of significant archeological resources; to achieving the systematically defined priorities for identification, evaluation, and treatment; and to integration of results into the agency's broader planning processes. Structuring appropriate levels of survey to effectively collect this information is the goal of properly designed identification activities (Department of the Interior 1983:44720-44723).

Site Evaluation Standards and Procedures

Site evaluation can and should be initiated during the survey phase of a project. In the course of on-the-ground survey work, some sites can be evaluated as significant and some can be evaluated as not significant as these discovered properties are recorded. The record of properties discovered becomes an inventory for evaluation as site boundaries are defined and the range of property types and variety of archeological features are established (Department of the Interior 1983:44723-44726). Recording is accomplished through mapping, shovel testing, augering, excavation of one or more 50-centimeter to 1-meter square, or larger, test units, or a combination of these or similar sampling procedures.

Survey procedures may produce sufficient information to evaluate the recorded resources, particularly those that readily appear to lack NRHP qualities. Conversely, where shovel tests or other sampling procedures have established clear-cut evidence or supporting data for meeting NRHP criteria, sites can be evaluated as eligible properties.

The remainder, those sites or properties not evaluated during the survey recording phase, will require evaluative testing. For larger projects, and in cases where high site densities are discovered, often the most economical way to accomplish this is through a separate procurement following site discovery and recording.

In either case, with site survey and recording or evaluative testing, clearly stated recommendations about NRHP eligibility are required. These recommendations must be supported by evidence that demonstrates why a site can or cannot contribute to the theoretical and substantive knowledge of archeology (NRHP Criterion d) (Butler 1987). The SOW for any survey or site testing project must clearly state these evaluation requirements and limitations to the offeror so that there will be no misunderstanding as to what work is needed and how it is to be presented.

Recommendations for further investigations beyond a site evaluation program, such as impact assessment, must be fully justified, otherwise they are inappropriate. In these cases, a phased program of deliverables, tied to specific contractual milestones and a phased payment system, is a good approach that allows for progress monitoring and quality control.



Figure 4. By the early 1900s, Federal managers, particularly in the General Land Office, were pressing for authority to apply scientific management of archeological preserves as with other kinds of resources within their jurisdictions. The enormous mound excavations during the 1930s, such as those at Ocmulgee National Monument, had economic aspects as well as scientific goals. Between 1962 and 1984, at least 12 more projects were conducted to analyze these earlier data. Some of this work was completed under contract to regional universities.

NRHP Recommendations

Although a well written SOW will require a relevant, professionally acceptable research design, one cannot assume that all offerors will relate this requirement to site evaluation procedures, NRHP eligibility recommendations, and the "ability" of a site to contribute or not contribute to knowledge. Therefore, the SOW also must state clearly and simply how recommendations about NRHP eligibility are to be developed and justified in terms of research potential such that those recommendations may be judged against an offeror's research design. It is suggested that SOWs cite Butler's (1987) definition of significance and its application to NRHP eligibility criteria and require any recommendations to concur with that definition. It also is recommended that reference to and use be made of the evaluation criteria and cultural contexts that have been developed and stated in relevant State Historic Preservation Plans or other state-sanctioned documents that contain up-to-date regional research designs.

The determination of which sites may meet the criteria for eligibility to the NRHP requires the analysis of all material and data accumulated during a project, including comparative analysis and the synthesizing of findings based upon previous investigations in the region. Without these professionally acceptable procedures, it may not be possible to determine the research values of a site, and the report, the contract product, may not meet professional standards. Consequently, the final report on the project will be of little use or value to the Federal manager, the SHPO, and the professional community. Limited research dollars will have been wasted, and the timely reporting of results will have been hampered.

Curation Standards

Section C should also contain instructions on the curation of artifacts and materials and should reference the curation standards outlined in 36 CFR Part 79 and other agency specific curation guidelines.

Section M and the Proposal Evaluation Process

Section M is a critical element of the RFP because it contains the detailed descriptions of the criteria that have been developed and will be used to evaluate the submitted proposals. As a major participant in the development and application of the proposal evaluation criteria, the agency archeologist has yet another opportunity or mechanism to insure that a project will satisfy legal and regulatory requirements and meet professional standards.

Proposal evaluation is an important process that requires qualified evaluators who must exercise strict impartiality in the review and scoring of proposals. Complete objectivity is an absolute necessity in proposal evaluation, and each proposal must be judged on its own merits, with no consideration of outside influences, such as evaluator preferences or prejudices. To do otherwise defeats the goals of competitive proposal procurement and may result in protests against an award.

Careful development of proposal evaluation criteria is important because the preparer must very thoughtfully select and weight those aspects of a project that are critical to its successful completion. The criteria selected must be based strictly on the requirements and conditions presented in the RFP, as revealed primarily in the Section C Scope of Work. Offerors should not be penalized for deficiencies in the solicitation.

The evaluation factors selected and listed in Section M and the weights applied will depend principally on the type of project to be conducted, the results desired, and the nature of the pool of potential offerors. For some projects, field and laboratory aspects of a project are most important and are assigned a greater weight and require a stronger emphasis on personnel qualifications. Depending on the nature of the project, greater attention or weight can be placed on the evaluation criteria for research design, site evaluations, or comparative analyses of material and data. In these cases, offerors should be advised of the relative weight assigned to each evaluation criterion because this enables each offeror to concentrate energy toward the main objective(s) sought by the agency.

Cost is usually not as important as technical factors when procuring archeological services, but it is a factor that must be evaluated and may be the determining factor in selecting the successful offeror. Cost will normally not be the determining factor unless proposals are essentially equal (Butler 1979:32). This does not mean that the proposals in question must have the same technical score, but rather that each proposal would fulfill the agency's minimum needs. Each case must be judged on its own merits. A higher cost must be justified by a

product offering sufficient additional value to the agency to warrant its additional cost.

Evaluation of a project proposal is accomplished by a Technical Evaluation Panel or TEP (formerly termed Technical Proposal Evaluation Committee or TPEC). The TEP members and the Panel Chair are formally appointed by the Contracting Officer based on their particular knowledge and skills (IAS-Denver 1979:24-25; Butler 1979:30-32). Prior to proposal evaluation, the TEP members meet to review the Scope of Work and proposal evaluation criteria. At this time, the Panel Chair must inform the TEP of any other requirements and impress on the members the absolute necessity of comparing in detail the contents of proposals with the Section C Scope of Work and providing comments or questions for all points of concern.

Each TEP member must submit to the Contracting Officer, through the Panel Chair, a signed non-disclosure agreement affirming that he or she has no conflicts of interest regarding any offeror, and that he or she will not divulge data or information within any offeror's proposal to any other offeror or to any unauthorized person.



The Panel Chair must prepare a memorandum of negotiations prior to contract award, and to do so he or she must have sufficient information concerning proposal evaluations. Thus, it is essential that each TEP member complete each proposal evaluation in detail, providing a written narrative that addresses each evaluation factor or element. Positive as well as negative information must be supplied. It is not sufficient for reviewers to leave questions blank or filled with "yes" or "no" answers. To do so is a failure of the evaluator to provide the required information. This could necessitate the reevaluation of proposals, which could delay award of the contract and cause serious repercussions.

Other Important Sections of the RFP

Section F: Deliverables

Section F of the RFP, "Deliveries or Performance," provides an opportunity to reinforce, but not repeat, the requirements presented in Section C. Among other things, Section F enumerates the items to be delivered to the Contracting Officer, including progress reports, archeological site forms, maps, and the draft and final reports of investigations.

Unless already specified in Section C, solicitations should include in the list of deliverables a minimum content outline for the draft final report. Offerors should be instructed to address all topics listed in the outline in the draft report, along with any additional topics the offeror wishes to propose. The



Figure 5. Public interpretation of ongoing archeological excavations was part of the research program at Jamestown (part of Colonial National Historic Park) during the 1930s. Here, it was shown how close collaboration between historical and archeological studies provided new understandings about the past.

required topics should include a discussion and an accompanying assessment of the proposed research design and field methods. This reiteration of the research requirement should emphasize the importance of this aspect of a project.

If not covered in Section C, Section F should contain instructions on minimum content of the technical proposal, including an annotated outline of required or suggested headings, such as Cover Page, Table of Contents, General Plan of Work, Management/Personnel, Performance and Delivery Schedules, or other headings deemed appropriate for the project.

Section H: Special Contract Requirements

Section H contains publication limitations and standards, what information is available within the Federal government for use by the contractor, and any special requirements of a contract.

Section L: Instructions, Conditions, and Notices to Offerors

This section of the RFP is important because it contains specific instructions to offerors for the preparation of proposals. It should contain general information and guidelines on the agency's method for evaluating or rating of proposals, including technical requirements and pricing. In order to emphasize their importance, specific reference should be made in Section L to the technical evaluation criteria listed in Section M, as discussed above.

Contract Award and Monitoring

After a contract is awarded, a meeting with the contractor is highly recommended in order to facilitate a mutual understanding of contract requirements and conditions. At this meeting, the services to be performed should be reviewed and any remaining questions and clarifications resolved. Among other things, the Contracting Officer may discuss contract conditions, security, and other administrative matters. The

Contracting Officer may want to discuss special safety measures, especially if a military base is involved. For the agency archeologist, this meeting presents an excellent opportunity to impress upon the contractor the importance of research and its relationship to the evaluation of sites according to NRHP criteria.

After work has been started, contractor performance must be monitored to insure conformity with the terms and conditions of the contract and to insure that sufficient progress is being made toward completion of the project (Butler 1979:31; IAS-Denver 1979:26). Preparers of RFPs should insure that provisions for monitoring are included in Section C or Section H.

Field and laboratory monitoring provides yet another opportunity to insure the professional acceptability of a report of investigations. If an RFP is prepared properly and the successful proposal addresses all requirements, the foundation has been laid for a successful contract. However, to

guarantee successful completion periodic monitoring must be conducted throughout the life of the contract. Visits to the field are necessary to determine if work is quantitatively and qualitatively adequate. Similarly, laboratory monitoring will assure that all required analyses and procedures are being performed and that all data and information essential to execution of the research design and preparation of a report are assembled. Proper monitoring should reveal any deficiencies or other problems that can be corrected before they become threats to the achievement of project goals.

Monitoring during the report preparation phase may or may not be as critical. If there were problems during preceding project stages, the agency archeologist may elect to review various sections of the draft report as they are prepared, particularly those pertaining to the research and resource management aspects of the project. Any omissions, deficiencies or other shortcomings can be corrected before they impact the project schedule.



Figure 6. By the early 1970s, archeological preservation projects were extraordinarily complex, not only in terms of research objectives but also with regard to social impacts. At Fort Stanwix National Monument, historical archeology was conducted in an urban setting. The Urban Renewal Agency of Rome, NY, completed archeological survey work, the City of Rome and the National Park Service developed a Master Plan, and the reconstruction project goal required integration of architectural, documentary, and archeological information.

Report Review and Acceptance

Review of the draft report of investigations is a final opportunity to remedy any remaining deficiencies, which should be minor if individual sections have been previously reviewed. The draft report should be submitted for peer review and provided to the SHPO for review and comment. Communication with the SHPO is necessary to insure State concurrence with project findings, conclusions, and recommendations concerning legal and regulatory requirements.

Archeologists may argue the finer points of interpretation, but unless the legal aspects of a report fulfill the needs of those who are required to make management decisions, dire consequences can result, not the least of which may be the delay of critically needed facilities and the loss of valuable time and money. Agency archeologists must be careful, however, not to allow professional, i.e., interpretive, disagreements to adversely affect contract performance and the ultimate success of the project.

Conclusion

This technical brief has been a discussion, with certain observations and criticisms, on the Federal competitive procurement process as a model that can be used in archeological contracting. It has emphasized project-oriented archeological work and the development and utilization of relevant criteria for the National Register of Historic Places,

especially with regard to the determination of what is important and therefore "significant" in prehistory and history. Improved use of the RFP competitive procurement process is a valuable way to provide better and more innovative archeological investigations, evaluations, and reports. Competitive proposals provide an opportunity to evaluate differing ideas, plans, and approaches for conducting an archeological investigation rather than merely responding to a rigid work description or Scope of Work with a bottom line cost.

Acknowledgments

The authors would like to thank all colleagues who supplied review comments and constructive suggestions on earlier drafts of this paper. In this regard, we are particularly grateful to Ted Birkedal, Lloyd Chapman, and especially Bill Butler. We also express our sincere thanks to Susan Cleveland and Fay Evans of the Contracting and Property Management Branch, Southeast Regional Office, National Park Service, who provided comments and suggestions on the draft and final manuscripts.

Editor's Note

Some program-oriented activities and scenarios may involve inventory contracts where formal NRHP evaluations are not immediately required. Alternative strategies for contracting to meet these situations are topics for future discussion.

References Cited

- Anderson, David G., L. Janice Campbell, James E. Cobb, John E. Ehrenhard, and Prentice M. Thomas, Jr.
1989 *Historic Preservation Planning on Military Bases: an Example from Fort Polk, Louisiana*. Interaction, Special Publication Number 3, Interagency Archeological Services Division, National Park Service, Atlanta, GA.
- Butler, William B.
1978 Some Comments on Contracting within the Federal Government: Types of Contracts. *American Antiquity* 43(4):741-746.
1979 IAS Contracting and the Contract Archeology Process. In, *Scholars as Contractors*, William J. Mayer-Oakes and Alice W. Portnoy, editors. Interagency Archeological Services Division, National Park Service, Washington, D.C.
1987 Significance and Other Frustrations in the CRM Process. *American Antiquity* 52(4):820-829.
- Department of the Interior
1983 The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. *Federal Register* 48(190):44716-44740.
1986 The Secretary of the Interior's 20th Anniversary Report on the National Historic Preservation Act. Report produced pursuant to requirements in Section 504 of the Act, Washington, D.C.
- IAS-Denver
1979 Interagency Archeological Services Proposal Response Guidelines. In, *Scholars as Contractors*, William J. Mayer-Oakes and Alice W. Portnoy, editors. Interagency Archeological Services Division, National Park Service, Washington, D.C.

Irwin-Williams, Cynthia and Don D. Fowler

1986 *Regional Conferences, Summary Report*. Society for American Archaeology Special Publication, Washington, D.C.

Mayer-Oakes, William J.

1978 Research Design -- Theoretical Uniformity, Clarification or Stagnation? In, *Scholars as Managers*, Alice W. Portnoy, editor. Interagency Archeological Services, National Park Service, Washington, D.C.

Mayer-Oakes, William J. and Alice W. Portnoy, editors

1979 *Scholars as Contractors*. Interagency Archeological Services, National Park Service, Washington, D.C.

McGimsey, Charles R. III and Hester A. Davis, editors

1977 *The Management of Archeological Resources, The Airlie House Report*. Special publication of the Society for American Archaeology for the Interagency Archeological Services Division, National Park Service, Washington, D.C.

Technical Briefs are designed and produced by the Departmental Consulting Archeologist and the Archeological Assistance Division of the National Park Service. The series' editors are Francis P. McManamon and Richard C. Waldbauer. The graphic designer is Juliette G. Tahar. Submit comments, topics for future briefs, and requests for copies to: U.S. Department of the Interior, National Park Service, Archeological Assistance Division, P.O. Box 37127, Washington, D.C. 20013-7127.