

1 The following Section shall be made part of the Standard Specifications:

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3 **"SECTION 212 - ARCHAEOLOGICAL MONITORING**

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5 **212.01 Description.** This work includes monitoring construction activity for
6 archaeological items as specified in the plans or as directed by the Engineer.
7 Ground-altering activities associated with this project may have an effect on
8 historic sites which may be present. Any adverse affects may be mitigated through
9 archaeological monitoring. The Contractor shall be responsible for the incidental
10 procedures and equipment required for full compliance with the requirements of
11 the provisions for archaeological monitoring as outlined below.

12
13 The Contractor's attention is directed to the following requirements related
14 to the archaeological monitoring work:

- 15
16 (a) The Contractor shall obtain the services of an Archaeologist or firm
17 with an approved permit from the Department of Land and Natural
18 Resources (DLNR) for conducting archaeological activities in the
19 State of Hawaii to be present during all ground-altering activities
20 conducted in the project area in order to document any historic
21 properties which may be encountered during the proposed
22 undertaking and to provide mitigation measures as necessary.
23 Current list of Archaeological Consultants in the State of Hawaii for
24 the calendar year is available at the link in the DLNR State Historic
25 Preservation Division (SHPD) website. If the Archaeologist or firm is
26 not on the current list, the Archaeologist or firm shall obtain the
27 annual permit from DLNR at time of bid opening. Application for a
28 permit could also be obtained at the link in the DLNR SHPD website.
29 Monitoring must be done by, or under the direct supervision of, a
30 person or persons meeting the professional qualifications for an
31 Archaeologist listed in Chapter 13-281 Hawaii Administrative Rules
32 (HAR)). The supervising archaeologist must be present at the job
33 site during excavation.
34
35 (b) Pre-Construction Conference: A pre-construction conference
36 between the archaeological monitor retained by contractor and the
37 construction crew shall be required. Before work begins on the
38 project, the archaeologist shall meet with the entire construction crew
39 and explain what archaeological materials may be encountered and
40 the procedures to be followed if materials are encountered.
41
42 (c) Prosecution Of Work: If surface remains, subsurface deposits or
43 human skeletal remains are encountered during ground disturbing
44 activities, the Contractor shall immediately suspend the operation
45 and follow all of the requirements of this section.
46

(d) The SHPD (Oahu office) shall be notified in writing upon the on-set and completion of the proposed undertaking.

(e) The contractor shall submit a draft Archaeological Monitoring Report (AMR) to the Engineer within 90 days after the completion of the proposed undertaking. Upon acceptance of the draft AMR by DLNR, the contractor shall submit the final AMR to the Engineer for their record.

212.02 Materials, None Specified.

212.03 Construction Requirements. The site shall be investigated prior to excavation activity. All project related ground disturbing activities shall be monitored in accordance with the SHPD-accepted Archaeological Monitoring Plan (AMP). Whenever the Contractor encounters possible archaeological, historic or burial site findings, the contractor shall immediately suspend the operation and the finding(s) shall be protected from further damage. The Contractor shall immediately inform the Engineer verbally and follow up with a written letter. The Engineer, or with their consent the monitoring archaeological firm, will contact the DLNR and other agencies to evaluate such findings and decide the course of action.

The Contractor shall not resume operations suspended without the prior written acceptance of the Engineer. The Contractor shall not count delays resulting from the discovery, investigation, and handling of such findings against the completion date. The Engineer will govern suspensions of work according to Subsection 108.05(B)(5) —Delays for Suspension of Work. Also, the Contractor shall conform to Chapter 6E, Hawaii Revised Statutes (HRS).

Failure or refusal to comply with the terms of this Section or Chapter 6E, HRS and the amendment to Chapter 6E, HRS, may subject the Contractor to the penalties described in Section 6E-11, HRS and amendment to Chapter 6E, HRS.

Construction work and equipment shall remain within the right-of-way limits of this project.

The Archaeological Monitor will decide the limits of the site. Also, the Archaeological Monitor will decide, with the Engineer, the best means for protecting the site from further disturbances which requires further investigation or salvage as determined by the State Historical Preservation Officer (SHPO). Protection may include barricades, roping off, temporary fencing or other means.

212.04 Method of Measurement. The Engineer will measure Archaeological Monitoring, including remedial measures, on a force account basis according to 109.06 – Force Account Provisions and Compensation and as ordered by the Engineer.

94 **212.05 Basis of Payment.** The Engineer will pay for the accepted
95 Archaeological Monitoring on a force account basis according to Subsection
96 109.06 ForceAccount Provisions and Compensation. Payment will be full
97 compensation for the work prescribed in this Section, by the Engineer, and the
98 contract documents.
99

100 The Engineer will make pay for the following item when included in the
101 proposal schedule:

102	103 Pay Item	104 Pay Unit
105	Archaeological Monitoring	Force Account

106
107 An estimated amount for the force account is allocated in the proposal schedule
108 under Archaeological Monitoring. The actual amount to be paid will be the sum
109 shown on the accepted force account records whether this sum be more or less
110 than the estimated amount allocated in the proposal schedule.

111
112 The Engineering will not pay for work required that is due to the Contractor's
113 convenience, negligence, carelessness or failure to properly monitor excavation
114 activity."
115

116 **END OF SECTION**