

1 Make the following Section a part of the Standard Specifications:
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4 **“SECTION 212 - ARCHAEOLOGICAL MONITORING**
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6 **212.01 Description.** This work includes monitoring construction activity for
7 archaeological items as specified in the plans or as directed by the Engineer.
8 Archaeological monitoring during previous projects that involved the widening of
9 Kamehameha Highway identified historic properties, including human burials.
10 Ground-disturbing activities associated with this project, such as guardrail and
11 end treatment replacement, and roadway reconstruction may have an effect on
12 historic sites which may be present. Any adverse affects may be mitigated
13 through archaeological monitoring. The Contractor shall be responsible for the
14 incidental procedures and equipment required for full compliance with the
15 requirements of the provisions for archaeological monitoring as outlined below.
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17 The Contractor's attention is directed to the following requirements related
18 to the archaeological monitoring work:
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- 20 (A) Pre-Construction Conference: A pre-construction conference
21 between the archaeological monitor retained by contractor and the
22 construction crew shall be required. Before work begins on the
23 project, the archaeologist shall meet with the entire construction
24 crew and explain what archaeological materials may be
25 encountered and the procedures to be followed if materials are
26 encountered.
27
- 28 (B) Prosecution Of Work: If cultural deposits or human skeletal remains
29 are encountered during ground disturbing activities, the Contractor
30 shall immediately suspend the operation and follow all of the
31 requirements of this section.
32
- 33 (C) The Contractor shall obtain the services of an Archaeologist or firm
34 with an approved permit from the Department of Land and Natural
35 Resources (DLNR) for conducting archaeological activities in the
36 State of Hawaii to be present during all ground-disturbing activities
37 conducted in the project area in order to document any historic
38 properties which may be encountered during the proposed
39 undertaking and to provide mitigation measures as necessary.
40 Current list of Archaeological Consultants in the State of Hawaii for
41 calendar year 2021 is available at the link in
42 <http://hawaii.gov/dlnr/hpd/archcon.htm>. If the Archaeologist or firm
43 is not on the current list, the Archaeologist or firm shall obtain the
44 annual permit from DLNR at time of bid opening. Application for a
45 permit may be obtained at the link in
46 <http://hawaii.gov/dlnr/hpd/pdfs/permitap.pdf>. Monitoring must be
47 done by, or under the direct supervision of, a person or persons

meeting the professional qualifications for an Archaeologist listed in the Secretary of the Interior's Professional Qualifications Standards (36CFR §61, Appendix A). The supervising archaeologist must be present at the job site for the duration of the excavation.

(D) Prior to commencement of any ground-disturbing activities, the Contractor shall review the archaeological monitoring plan prepared by the State of Hawaii Department of Transportation (HDOT).

(E) The archaeologist conducting the monitoring has the authority to halt the construction in the immediate area of the find in accordance to the archaeological plan prepared by HDOT.

(F) The SHPD (Oahu office) shall be notified via facsimile upon the onset and completion of the proposed undertaking.

212.02 Materials. None.

212.03 Construction. All installation of guardrail, end treatments, and roadway reconstruction shall be monitored for historic remains such as artifacts, burials, concentrations of shell or charcoal. Whenever the Contractor encounters possible archaeological, historical or burial site findings, the contractor shall immediately suspend the operation and inform the Engineer verbally and follow up with a written letter. The Engineer will contact the Department of Land and Natural Resources (DLNR) and other agencies to evaluate such findings and decide the course of action.

The Contractor shall not resume suspended operations 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(8)(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, may subject the Contractor to the penalties described in Section 6E-11, HRS:

- (1) a fine of not more than ten thousand (\$10,000) dollars for each separate offense,
- (2) seizure and disposition of equipment, and
- (3) if the Contractor knowingly fails or refuses to comply, a prohibition from participating in the construction of State or County projects for ten (10) years.

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 Measurement. The Engineer will measure Archaeological Monitoring on a force account basis according to Subsection 109.06 - Force Account Provisions and Compensation and as ordered by the Engineer.

615.05 Payment. The Engineer will pay for the accepted Archaeological Monitoring on a force account basis according to Subsection 109.06 Force Account Provisions and Compensation. Payment will be full compensation for the work prescribed in this Section, by the Engineer and Subsection 109.04 - Full Compensation; Changes.

The Engineer will pay for the following item:

Pay Item	Pay Unit
Archaeological Monitoring	Force Account"

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

END OF SECTION 212