

October 1999

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## ACRA's 1999 Accomplishments

The last year of the millennium did not provide any great surprises, crises, or challenges from Washington. It was a year of consolidation, and one in which the board has tried to concentrate on planning for the long term, rather than simply reacting to a current crisis. ACRA is being mentioned more frequently in conversations, email correspondence, and in printed articles and journals as the organization representing private sector CRM. This increased recognition is happening among governmental agencies and even among private sector firms who are not members. ACRA has been asked to take a pro or con stance on issues of concern to individual ACRA members and sometimes even by people who would rather not join our organization: shame on them. Board policy in these situations is to determine whether or not the issue has the potential for being national in scope and has significant impact on the business side of CRM. A prime example is the Pye vs U.S. Army Corp of Engineers (COE) case in which a local issue potentially has wide ranging and negative impacts on CRM firms. A borderline case is the Kennewick Man issue that may have national implications, but whose impact on the business of CRM is unclear. We obviously cannot go after every issue, and have decided to concentrate on national, business-oriented issues.

Despite the lack of an overwhelming crisis, we have had some accomplishments this year. The following is a brief listing:

### MembersOnly Mailing List

In response to the board's decision in Denver to find ways to communicate better with the membership, we instituted a new mailing list for corporate members, called "MembersOnly" in March. All members, and their employees with an email address on file in our database have been signed up for this list. The list is intended to pass along timely information to our members and their employees, and to provide a venue for "private" discussions among the membership about our mutual concerns. The list is relatively quiet and unobtrusive, and is not designed to keep your mail box full.

### Monitor BLM Permitting in New Mexico

ACRA also monitored the BLM permitting situation in New Mexico this year where 13 micro areas, each requiring qualifying for a separate permit, was proposed. ACRA wrote a letter in support of cutting back these unnecessarily detailed and ultimately anti-business permit zones. Currently, the BLM has cut back the number of permit areas from 13 to 5.

### Errors and Omissions Insurance

We are also still looking into an ACRA E&O insurance policy for our members. This spring's effort fell through, but our agent is still looking for a solution, and we will keep folks posted.

### ACRA Portable Display Unit

ACRA has purchased a portable display that will be set up at archaeological and historical conferences to lure in new members, but perhaps more importantly, will be used to educate our clients about the benefits of working with ACRA member firms. The layout and graphic materials

continued on page 3

### In This Issue...

ACRA Business	
Remembrance... Thomas H. Hargrove	pg. 2
ACRA 1999 Accomplishments contd.	pg. 3
Conference Review	pg. 3-4
ACRA Member Support	
Treasure's Report	pg. 4
New Board Members/Officers	
1999 ACRA Awards	pg. 5
Committee Reports	
Federal Contracting Practices Committee	pg. 6-7

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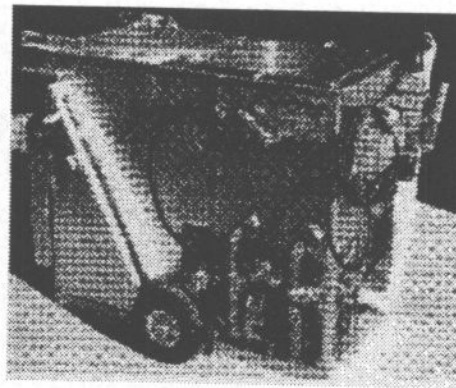
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## *In Rememberance..*

### Thomas H. Hargrove

Thomas H. Hargrove, owner of Archaeological Resource Consultants, Inc., of Raleigh, North Carolina, an ACRA member firm, died on Saturday, October 16, 1999. Tom was born in Berkeley, California, and grew up in Chapel Hill and Raleigh, North Carolina. He graduated with honors from the University of New Mexico in 1974 with a degree in anthropology. Tom completed his master's degree from George Washington University in 1980. His thesis was "Food Production and Culture Change Among Hunter-gatherers of Southern Africa." He was completing Ph.D. studies at the University of North Carolina at Chapel Hill. Tom was known for his pioneering techniques of geophysical survey and had conducted remote sensing surveys for many firms and institutions throughout the Southeast and in France. Tom was a strong advocate of traditional music, serving as president of the Piedmont Council of Traditional Music (PineCone) for many years, and as a director of "The Old Time Herald." Tom is survived by his brother Bill, a niece and nephew, and by his longtime companion, Patricia Samford of New Bern.

continued from page 1

are still in development and we hope to have something ready before the February board meeting. If you would like to offer illustrative photographs or would be prepared to accompany the display to client trade shows near you, please let Tom Wheaton know (770-498-5159, [tomwheaton@newsouthassoc.com](mailto:tomwheaton@newsouthassoc.com)).

#### National Park Service Contracting Initiative

Although our National Park Service (NPS) Contracting initiative has been somewhat dormant this year, the committee charged with this effort will have set up a meeting with the Park Service before the next board meeting in February. This initiative is intended to present to NPS (and ultimately to other federal agencies) our concerns about federal contracting practices and how we can work together to improve contracting practices and the final product received by the agencies.

#### Contracting Workshop

In April, ACRA gave a Contracting Workshop at the National Council on Public History in Lowell, Massachusetts. There were comments from some attendees that this is something all federal agency technical representatives should attend. If you know of a group (SHPO staff, federal agency, CRM firms) who could benefit from learning about overhead and how we put proposals and projects together, please let Patrick O'Bannon (215-790-1050) or Kevin Pape (513-287-7700, [wkpape@graypape.com](mailto:wkpape@graypape.com)) know.

#### Congressional Visit

In February, four board members visited Congressional staff and their Congressmen's offices with Nellie Longworth. The purpose of this long day of meeting and greeting was to introduce ourselves and ACRA to the staffs of the committees dealing with items of importance to ACRA members, and to learn how the system works and what may be coming down the road. This will need to be repeated on a regular basis to make a lasting impression.

#### ACRA Protests US Army Environmental Center's PAA-99-2

Late this summer, the board was made aware of the US Army Environmental Center's PAA-99-2. This was a new program to replace private, for-profit contracting services with non-profit contracts. Not only is this a threat to private consulting firms, it could also be used to get around Corps of Engineers cultural resources contracting offices. ACRA submitted a letter of protest, but the Army was adamant that they are not taking business away from the private sector, we can just bid on the contracts without charging a profit, and thus compete against universities who don't think they have overhead. ACRA's lawyer did not hold out much promise of our ability to prevail in this situation despite the contradiction in a program that promotes indefinite quantity contracts while ostensibly stating that the program is to be for specific research situations with a clearly defined outcome. We are currently at an impasse on this issue.

#### ACRA's Support for American Heritage Rivers

Last fall, ACRA was asked by the new director of the American Heritage Rivers Initiative and past ACRA board member, Loretta Neumann, to participate in the inaugural meeting held in Atlanta. As a result, ACRA organized an excursion of the Chattahoochee River with a local environmental engineering firm and hosted a workshop promoting private cultural and environmental resource contractors. This was a chance for ACRA to promote a program that will enhance our communities while allowing us to introduce the concept of private sector CRM to local leaders from across the country.

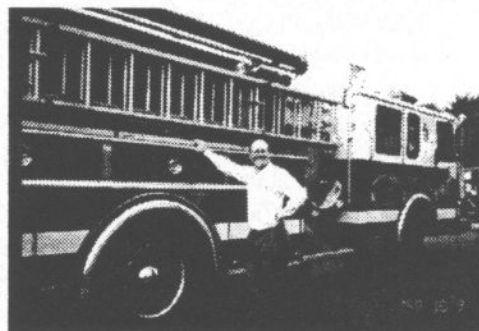
Once again, we urge our members who do not have email to subscribe so you can participate more fully in ACRA and keep up to date with what is going on. To those of you who have not sent in your email address or have recently changed your address, please send us your address for our database. Email is our best chance of providing concerted and effective input into issues of importance to us all.

1999

## ACRA Conference Review

*Ian Burrow, Hunter Research, Inc.*

The 1999 conference was called "A Maturing Profession": both a wry recognition that many of us running and managing CRM firms are past the first flush of youth, and also an affirmation that we really are an established industry as we end the millennium. Many of the 60 or so out-of-state attendees were apprehensive about the location: would there be anything other than concrete and toxic waste in New Jersey? Well, we addressed the concrete issue by having the hotel renovations continue during the conference, and even managed to arrange for a fire alarm to go off, requiring a short evacuation of the building. Nevertheless, several members actually noticed trees (complete with leaves) growing in some numbers near the hotel, and on either side of our routes into Trenton and Philadelphia for the evening entertainments.



*Ian Burrow during fire drill.*

The conference sessions and workshops addressed a number of topics related to our theme. The Public Participation and Outreach workshop, ably (if sleepily) moderated by jet-lagged Dana McGowan (Jones & Stokes), brought together a lively group of panelists who gave us insights into how to reach our growing number of audiences. Workshops on OSHA requirements and HABS/HAER recording were both well received. Chuck Niquette (Cultural Resource Analysts, Inc.) and Henry Holt (Louis Berger and Associates, Inc.) did a valuable review of safety issues, while John Burns (Deputy

continued on page 4

continued from page 3

chief of HABS/HAER) and Kathleen Milley of the Philadelphia HABS/HAER support office provided a similar level of detail for trends in building recording.

The Changing CRM Workforce Session, moderated by Marcy Gray (Gray & Pape, Inc.) generated much discussion which overflowed into the Saturday "Current Concerns" session and the Sunday membership meeting. A number of important initiatives were taken as a result of this and members will be seeing these in the Newsletter and on the web in the coming months. The panel of Joe Schuldenrein (Geoarchaeology Research Associates), Terry Klein (URS Greiner Woodward-Clyde) and Michael Stewart (Temple University) worked well together to air many aspects of this topic: how do we train our people, how do we structure our companies, how do we pass the baton?

Breakout sessions were held on Benefits and Retirement Plans, and on Marketing and New Work Opportunities: both areas which have been less than familiar to many of us. Lunchtime sessions comprised New Jersey propaganda: firstly on the urban archaeology of Trenton, and then on Dutch architecture in the state.

In addition to conviviality in the hospitality suite (thanks to Chuck Niquette for the Rebel Yell bourbon), there were trips to the state capital of Trenton and to Philadelphia. In Trenton we were guided around urban renewal areas by the former Director of Housing and Development. We then split up for a tour of the State House (for those who like to look up) or the surrounding archaeology (for those who prefer to look down). A buffet dinner in the 1758 British Barracks completed the event. In Philadelphia we were given an expert walking tour of the Old City area by Dan Roberts (John Milner and Associates) and Patrick O'Bannon (Kise Straw and Kolodner). Drinks and hors d'ouvres were consumed at the City Tavern.

The ACRA awards recognized a unique HABS/HAER project on a Cold War aircraft and early warning system (Hardlines Design and Delineation), and a unique person: Lynne Sebastian. Lynne was until recently the SHPO for New Mexico, and

has been a tireless and eloquent advocate of all the things that concern ACRA. It was an honor to present her with the ACRA Government Award (See ACRA Annual Awards for more details).

As one of the organizers of the conference, it is probably not my place to pass judgment on its success. I can say, however, that I enjoyed myself considerably. So thank you to all my colleagues who were able to come. This event confirmed me in my view that ACRA is an important organization, whose members care both about our profession and about each other. If you didn't come this time, make sure you come to Phoenix (November 2-5, 2000).

## ACRA Members Support 5th Annual Conference

Hunter Research organized a great conference in Mt. Laurel, New Jersey (and they said it couldn't be done!). However, as conference organizer Ian Burrow noted, they could not have done it without the help of many others, including ACRA member firms in the area. We would like to take this opportunity to thank the following members for donating their time, talents, and hard-earned cash to the cause. Without them we would not have had the well-supplied coffee breaks (more like brunches) or the luxurious buses, tours and receptions in Philadelphia and Trenton. Many thanks to the following:

Archaeological and Historical Consultants,  
Centre Hall, PA  
Heite Consulting, Camden-Wyoming, DE  
John Milner and Associates, West Chester, PA  
MAAR Associates, Inc., Newark, DE  
McCormick Taylor & Associates, Inc.,  
Cherry Hill, NJ  
Kise Straw and Kolodner, Philadelphia, PA  
RBA Group, Morristown, NJ

## Treasurer's Report October 1999

Don Weir reported that ACRA is in the process of applying to the IRS to have our non-profit tax status made retroactive to 1995. His report is summarized as follows:

**Financials** - Dues collected for 1999 are \$48,675.00. The 1999 estimate was \$48,000.00. Total income to date for 1999 is \$50,546.68. We have received \$1,304.84 in bank interest, \$50.00 in donations, and a \$516.84 refund from the IRS.

**Cash** - Bank balance for ACRA's Business Account, as of September 17, 1999 is \$41,529.24.

**Legal Fund** - For 1999 ACRA received \$720 in donations to the Legal Fund. During 1999 ACRA expended \$0.00 in legal expenses. The fund balance, as of September 21, 1999, is \$2,293.80. There are no outstanding legal bills at this time. The Legal Fund will remain separate from the general fund, if the Board decides to eliminate this it will be returned on a pro-rated basis to the donors.

**Video Fund** - At the request of the Board the Video Fund account has been eliminated and the funds deposited into the general account. A total for \$467.65 was transferred in 1998 to the general fund.

**1999 Budget** - A detailed budget was submitted to the Board at the October 7, 1999, annual board meeting. Included were expenditures as of September 17, 1999. Expenses for 1999 (as of September 17, 1999) were \$36,831.15. Total income was \$50,546.68.

**ACRA's Officers for the Year 2000**

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*President*

Kay Simpson  
*President Elect*

Cory Dale Breternitz  
*Past President*

Susan M. Chandler  
*Vice President for Government Affairs*

Terry H. Klein  
*Secretary*

Donald Weir  
*Treasurer*

Thomas R. Wheaton  
*Executive Director*



Year 200 Board Members

**Board Members for the 2000-2002 Term**

**Marion Almy**  
 Archaeological Consultants, Inc.  
 Sarasota, FL

**Susan M. Chandler** (re-elected)  
 Alpine Archaeological Consultants, Inc.  
 Montrose, CO

**Ann Emmons** (re-elected)  
 Historical Research Associates, Inc.  
 Missoula, MT

**Steve Mehls**  
 Western Historical Studies, Inc.  
 Lafayette, CO

**Elton R. Prewitt**  
 Prewitt and Associates, Inc.  
 Austin, TX

**Jo Reese**  
 Archaeological Investigations NW, Inc.  
 Portland, OR

**Kay Simpson** (re-elected)  
 Louis Berger & Associates  
 Richmond, VA



*"Cory Breternitz Presents ACRA Quality Product Award to Stan Popovich, Hardlines: Design & Delineation"*



*"Elton R. Prewitt, Prewitt and Associates, Inc."*



*"Marion Almy, Archaeological Consultants, Inc."*



*W. Kevin Pape President of Gray & Pape Inc. and ACRA President 2000*

**1999 ACRA Awards**

ACRA Awards honors people and projects that represent outstanding research, management, and commitment to our nation's cultural resources. Past winners include categories such as long-term research, documentation of industrial buildings, public outreach publications, and innovative ways of educating the public on archaeology. The 1999 ACRA Awards were presented by Dr. Ian Burrow of Hunter Research, our host for this year's ACRA conference, and Cory Breternitz, 1999 ACRA President. This year's jury consisted of the owners of three well-known cultural resources management companies in the Midwest:

- Shaune Skinner of ASC Group, Inc., in Columbus, Ohio
- Kevin Pape of Gray & Pape, Inc., in Cincinnati, Ohio
- Chuck Niquette, of Cultural Resource Analysts, Inc., in Lexington, Kentucky

This year's jury elected to make two awards:

The ACRA Quality Product Award recognizes an ACRA company's innovative or long-term research, preservation of a cultural resource for future generations (such as a building or archeological site), or an outstanding report,

continued from page 5

brochure, book, etc. This award was presented to Hardlines: Design & Delineation, of Columbus, Ohio, for their outstanding documentation of a unique cultural resource, Looking Glass Historic District.

The jury recognized the uniqueness of this project, which was the HAER documentation of the Looking Glass aircraft and historic district. This is the first time an actual aircraft has been documented for the HAER collection. Project Looking Glass, based at Offutt Air Force Base in Nebraska, kept a customized KC-135 aircraft in the air 24 hours a day. The plane could guarantee retaliation against Russia should the underground SAC facility be incapacitated. The capabilities of the aircraft mirrored those of the underground base; hence the name Looking Glass. With the end of the Cold War, the aircraft were decommissioned. In 1998, the National Park Service initiated efforts to document the aircraft before their re-assignment and reconfiguration. Since aircraft are assembled from small pieces, not constructed, no documentation of the entire plane existed. The field team measured the entire aircraft, establishing an artificial datum line. Extensive field notes and photography were taken to document all vital aspects of the plane, including cramped areas such as the air-refueling boom station. The project included documentation of the entire flight line, as well as the aircraft. Accepting on behalf of Hardlines is Mr. Stan Popovich, Preservation Planner and Landscape Designer.

The ACRA Government Award is awarded to a SHPO, government agency, employee of a government agency, or legislature that has worked with the CRM community in a cooperative and supportive way in protecting cultural resources. This year's government award is made in the midst of some unexpected controversy. The award is made to Dr. Lynne Sebastian, a state government employee who, for the past 12 years, has shown extraordinary commitment to historic preservation in the state of New Mexico.

From 1987 until last month, Dr. Lynne Sebastian was the deputy director and then the director of the New Mexico Historic Preservation Division, and served as Deputy SHPO, State Archaeologist, and SHPO. From the beginning, Lynne's public career was marked by a determined effort to make the historic preservation machine benefit more people. For example, Lynne negotiated a State Substitution Agreement under 36 CFR 800, in order to create a more streamlined and "user friendly" compliance process than under the standard 800 regulations. She encouraged the identification of Traditional Cultural Properties during Section 106 review, at a time when awareness of TCPs was still very low. When a coal gas boom in northwest New Mexico seemed likely to result in hundreds of unconnected surveys, testing projects, and data recovery projects, she took the lead in developing a programmatic research approach used by all of the CRM projects.

Lynne created New Mexico Heritage Preservation Week, an annual celebration of the state's heritage that includes a poster, an awards ceremony, an Archaeology Fair, and dozens of events around the state. She worked tirelessly to promote public education about archaeology, including bringing the "Project Archaeology" teacher training program to New Mexico and creating the annual Archaeology Fair. Lynne worked to create positive incentives for historic preservation, preferring to give people carrots instead of sticks.

Despite all this, Lynne has also maintained a full load of Section 106 compliance review, published a book on the Chaco Anasazi, and served for three years as Secretary of the Society for American Archaeology. This award recognizes her accomplishments and affirms ACRA's desire for continued excellence in historic preservation in New Mexico.

## Comittee Reports

### Federal Contracting Practices Committee

Report to the ACRA Board of Directors  
 October 7, 1999 Mike Polk Committee Chair

This committee consists of the following individuals, all appointed by the President: Michael Polk, Chair; Tom Lennon, Ann Emmons, David Stanley, Dan Roberts, and Patrick O'Bannon.

The Federal Contracting Practices Committee was formed at the February ACRA Board of Directors Meeting in West Chester, Pennsylvania. Work on the committee has not proceeded as quickly as hoped for by the board, in part, due to the constraints of the contracting business on a number of the members of the committee, particularly the chair. Because this committee has only recently been appointed, however, I would like to digress in order to provide perspective and context for members not familiar with the purpose and goals of this committee.

Historically, the ACRA membership lacks agreement about issues to pursue as an organization. For the most part, our still young-organization has been a crisis-oriented one. It has reacted to attacks that have often struck at the heart of our profession. We have done well with these battles, though efforts have more often consisted of surges of energy directed toward specific threats. Despite this, ACRA has made progress toward dealing with ongoing issues and has developed programs to enhance areas of CRM. However, many members have experienced events and frustrations over the past several years which have brought certain chronic issues to the forefront. Perhaps the most significant and acute of these is contract issues, particularly Federal Contracting issues, which effects virtually the entire membership. While many members seldom contract directly with the Federal government, they frequently sub-contract with those who do. The bottom line is that problems in this arena have the potential to adversely affect our livelihoods.

While contracting problems have been discussed since ACRA was formed in 1995 (see reports of the now-dissolved Best Practices Committee from that time period), contracting issues were brought to a slow boil during a session of the 1998 ACRA Annual Meeting when persons representing the U. S. Forest Service (USFS), National Park Service (NPS), and Bureau of Land Management (BLM) were present to discuss a variety of issues, contracting included. Many long simmering frustrations were expressed by members in attendance, especially when the NPS contracting representative reacted with surprise to the assertion that, on many past NPS cultural resources contracts, there have been problems with inconsistencies, shoddy contracting practices, poor payment records, and other issues of special concern to the CRM community. Finally, these issues have gained enough momentum to move forward. Discussions held during this session, and at the Sunday morning membership meeting, made it clear that this issue was important enough to move forward with now.

While a variety of agencies were identified as having particularly acute contracting problems, it is acknowledged that ACRA has limited resources. Therefore, the board selected one agency that most members deal with regularly, is nationwide, and at present has some degree of contracting problems for the CRM community. The National Park Service (NPS) was determined to be a perfect agency for this committee's first endeavor.

The Federal Contracting Practices Committee was organized at the midyear ACRA Board Meeting and charged to begin a dialog with the NPS, and to attempt to identify and make contact with the persons most influential to the contracting process in CRM. That may mean dealing with one office (Denver or Washington) or four or five offices. One idea, a trip to Denver to meet with high level people involved in NPS-CRM contracting needs to happen fairly soon to begin an ongoing dialog with NPS to help

focus our energies where we believe we can make a difference.

During the past six months, the committee has outlined some of the most chronic problems to address with the NPS. The decided approach was to go in without an agenda, because they are likely to get nowhere with such an approach. Instead they are focusing on a few questions that will guide their meetings. Key issues to be addressed include:

NPS tendency to pay contracts by milestones instead of monthly progressive billings. This is not required by the FAR and seems to be a uniquely NPS policy with no appreciation of the hardship it places on small firms in particular.

NPS preference for bidding contracts based on costs per acre or per cubic meter of dirt moved. This ignores the ability of the bidder to do the work, it is bad for the resource as the winning bidder may dig holes where there are no artifacts to analyze in order to stay under budget, or the conscientious contractor suffers and eventually goes under trying to meet unreasonable contract demands.

Modify/clarify the NPS COTR training agenda to include:

1. discussion of scope creep (tell technical representatives to stop trying to pile on extras after contract is signed)
2. appropriate review (based on knowledge of the resource, the process, and the statement of work)

Modify the contract procurement practices, to include:

1. streamlined technical proposals, with greater emphasis on previous experience and less empha-

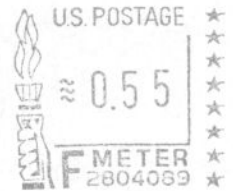
sis on proposed strategy or the requirement of writing the entire research design for free as part of the proposal process rather than as an element of the contract (an effort to avoid spending 40 admin/proposal prep hours on a \$30k project)

2. greater specificity in available funding ranges (anyone else tired of trying to put together a technical proposal based on the information that \$25k-\$100k is available?)

3. phase projects, where consultants are able to contribute to the scope of work/research design, on the basis of "limited Phase I work."

While all of these points are not going to be addressed and certainly not at an initial meeting, they are important to help us focus on important issues when addressing the agency face to face.

So, in sum, while we have not moved forward as quickly as some would have liked, we do have a plan and intend to begin implementation of it in the near future. Any input for the committee would be greatly appreciated.



Michael Polk  
 Sagebrush Consultants L.L.C.  
 3670 Quincy Avenue  
 Suite 203  
 Ogden, UT 84403

1 3 1 8 M a i n S t r e e t , C i n c i n n a t i , O h i o 4 5 2 1 0

## ACRA's New Members Only Listserv

ACRA now has an online discussion group just for members. "Membersonly" is a Listserv that operates much the same way as ACRA-L, with the exception that it is only available to members. Its purpose is to offer the board, members, and the executive director a venue to share the latest news from ACRA; promote dialogue between members on current issues; and enable members to post announcements or inquiries to other members.

To subscribe to the list a member must contact ACRA's Executive Director Tom Wheaton. Once you have supplied Tom with your E-mail address, he will subscribe you to this list. Contact Tom at 770-498-5159 or E-Mail: [tomwheaton@newsouthassoc.com](mailto:tomwheaton@newsouthassoc.com).

## 1999 ACRA EDITION SCHEDULE

DEADLINE	PRODUCTION
February 1	February 15
March 29	April 12
May 31	June 14
August 2	August 16
October 4	October 18
December 6	December 20

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\* Business cards can be scanned.

### ACRA Edition

is a bi-monthly publication of The American Cultural Resources Association. Our mission is to promote the professional, ethical and business practices of the cultural resources industry, including all of its affiliated disciplines, for the benefit of the resources, the public, and the members of the association.

This publication's purpose is to provide members with the latest information on the association's activities and to provide up to date information on federal and state legislative activities. All comments are welcome.

### Please address comments to:

Jeanne Harris, Editor  
 ACRA News  
 c/o Gray & Pape, Inc.  
 1318 Main Street  
 Cincinnati, OH 45210  
 513-287-7700

or

Thomas Wheaton,  
 Executive Director  
 c/o New South Associates, Inc.  
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 Stone Mountain, Georgia 30083

770-498-5159  
[tomwheaton@newsouthassoc.com](mailto:tomwheaton@newsouthassoc.com)