
ASSOCIATION OF PROFESSIONAL ARCHAEOLOGISTS

Box 101, McMaster University P.O., Hamilton, Ontario L8S 1C0

NEWSLETTER, VOLUME 5, NUMBER 1, 1994

1994 MEMBERSHIP FEE REDUCTIONS

It is with considerable pleasure that the executive announces a one year trial reduction in APA membership fees to \$25. Our organization is financially healthy and we would like to encourage membership from advanced students across the country.

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President's Message

As the APA enters its sixth year of serving professional archaeologists it is clearly time to undertake some new initiatives and re-evaluate the focus and goals of the organization. As with our parent American organization, the Society of Professional Archaeologists, perhaps the most difficulty is persuading "professional" archaeologists to offer their involvement. When confined to a single state or province, membership in such a professional group tends to peak among those who are involved and giving of their time and expertise. The answer, with SOPA and I believe with APA, is to

vigorously expand membership in a National organization.

Serving the needs of only Ontario archaeologists, the APA has quickly reached the point where broader issues need to be tackled. For instance, we have been asked by SOPA to assist with passage of a United States legislative bill concerning artifact control. Similarly, we are repeatedly asked to investigate or deal with reports of illegal artifact trade between Canada and the U.S. It is time that we organized ourselves more effectively as a nationwide voice.

This year we are also inaugurating a new policy on membership fees to attract younger participation, beginning employment programs for advanced students, and making a more concerted effort to address international problems in archaeology.

As reported elsewhere in this issue, nominations to serve on the APA Executive for 1994-1996 filled all vacant positions with none contested. Our only current vacancy is Newsletter editor since Neal Ferris, after five years of volunteer service, has taken on other tasks. We would be remiss in not thanking him for five years of excellent editorship. Associate member Alison Ariss has volunteered to produce our next newsletter issue so there is no break in continuity.

Grievance Co-ordinator Dean Knight reported for 1993 that there were no allegations of ethics code violations laid by or against APA members. Hopefully, this is a positive sign that our membership and the community in general are maintaining high ethical standards.

Lawrence Jackson, President
Submitted Dec., 1993

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APA Election Results

The candidates who have been acclaimed for the APA Executive are as follows:

President: Lawrence Jackson
Vice-President: Phil Woodley
Secretary/Treasurer: Bill Fitzgerald
Directors:
Dean Knight
Bud Parker
Phil Wright

All nominations were received by the extended closing date of October 20, 1993 (originally October 11, 1993). No offices were contested.

Alison Ariss, Nominations Committee.

Advocacy Issues:

Ministry of Municipal Affairs, Consultation Paper, "A New Approach to Land Use Planning".

Regarding this paper, the following letter was sent to the Ministry of Municipal Affairs by Bud Parker, (APA Director), on behalf of the APA, January 23, 1994.

To whom it may concern:

In response to the Minister's request for comments on the above-noted document, dated December 1993, we the Association of Professional Archaeologists have the following concerns.

First, we support the initiative to reform the current planning and development system, and we applaud the efforts of the Municipal Policy Branch in presenting such a comprehensive series of proposals in the above-noted Consultation Paper.

In regard to Section 3 of the Planning Act which states that, in exercising any authority that affects planning matters, planning authorities "shall have regard to" policy statements issued under the Act, we support the strengthening of the wording proposed in the Consultation Paper (page 3) so that the Planning Act, Section 3(5) be revised to require that planning authorities' decisions "shall be consistent with "provincial"

policies. We agree that this proposed amendment will both strengthen the mechanisms for implementing provincial policies, and be flexible enough to be applicable to a wide variety of individual municipal concerns.

Our main concern is with one of the comprehensive policy statements in Section 6 of the Consultation Paper. Under part "B. Community Development and Infrastructure Policies", your goal is:

To manage growth and change to foster communities that are socially, economically, environmentally, and culturally healthy, and that make efficient use of land, new and existing infrastructure, and public service facilities.

As professional archaeologists, we are greatly concerned about item B.15 of this section of proposed policy statements, which is a revised version of a statement found in the original "Draft report on Planning and Development Reform in Ontario" (commonly called the Sewell Report). This new policy statement (as well as the policy statement of the final Sewell Report) compromises the goal which is stated in the beginning of Section B of the Consultation Paper (see above). This policy will not foster culturally healthy communities. Archaeological resources, which are very important parts of both our Euro-Canadian, and Native communities, will be destroyed unless this policy statement is revised. The original policy statement in the Sewell Draft report (B.13) stated:

Areas of known archaeological sites and areas of archaeological potential will be identified. On lands containing significant archaeological heritage, development will not be permitted where, by its nature, the resource must be preserved on site to ensure its heritage integrity. In other cases, development may be permitted if the site is studied and significant heritage is catalogued, analyzed, and removed

by licensed archaeologists prior to development.

A version of the proposed revised policy statement in the Consultation Paper (B.15), on page 11, has been previously seen in "New Planning for Ontario" the Final Report of the 'Sewell Commission', of June 1993 (B.14, page 139):

On lands containing significant archaeological heritage, development shall not be permitted where, by its nature, the resource must be preserved on site to ensure its heritage integrity. In other cases, development may be permitted if the site is studied and significant archaeological heritage is catalogued, analyzed, and removed by licensed archaeologists prior to development.

The proposed policy statement in the December 1993 Consultation Paper (B.15) reads:

Development and infrastructure may be permitted on sites containing significant archaeological resources if the site is studied and significant archaeological resources are removed, catalogued and analyzed prior to development or construction. Where archaeological resources must be preserved on site to ensure their heritage integrity, only development and infrastructure which maintains the heritage integrity of the site will be permitted.

On lands which have never been archaeologically studied (either for archaeological potential or for actual archaeological resources), there may be archaeological sites. The December 1993 policy statement has no provision for the archaeological assessment of lands which, due to the lack of study, have no known archaeological sites. The proposed policy statement only promotes the proper study of or preservation, of archaeological resources on

lands already containing archaeological sites. What about the 90+ % of the lands in southern Ontario which have never been archaeologically studied? There are probably tens of thousands of archaeological sites which are **not known**, ranging from small prehistoric camp sites to large villages with unmarked cemeteries, and dating from circa 10,000 BC to AD 1900. These **unknown** sites would never be **known** if the proposed policy statement is enacted. This policy statement would cause the destruction of not only the burials, artifacts, settlement patterns, and other archaeological data, but would also jeopardize Ontario's archaeological community. Archaeologists, both academic researchers and consultants, would be limited to only those sites that are known, limiting the prehistoric and historic data which could be generated by research, but also negatively impacting hundreds of summer and full-time archaeological survey, excavation and analysis jobs.

In addition, the proposed policy statement states that development may be permitted on lands containing significant archaeological resources, as long as these resources are removed, catalogued and analyzed prior to development. **Who will do this development?** From the text of the proposed policy statement, it is implied that anyone may remove, catalogue and analyze the archaeological resources prior to development. This is a dangerous statement, and if this policy statement is enacted, we may see people such as developers doing their own pre-development archaeological work using non-archaeologists. According to the Ontario Heritage Act any archaeological activity must be performed by a licensed archaeologist. Only licensed archaeologists should be permitted to conduct a pre-development archaeological study.

The Association of Professional Archaeologists submit the following alternative policy statement for B.15, which we believe will

both protect Ontario's archaeological resources and be more consistent with the goal stated in the Consultation Paper under "B. Community Development and Infrastructure Policies":

Areas of known archaeological sites and areas of archaeological potential will be identified, through the use of archaeological assessment. Development and infrastructure may be permitted on sites containing significant archaeological resources if the site is studied and significant archaeological resources are removed, catalogued and analyzed by licensed archaeologists prior to development or construction. Where archaeological resources must be preserved on site to ensure their heritage integrity, only development and infrastructure which maintains the heritage integrity of the site will be permitted.

Archaeological assessment guidelines have been established by the Ministry of Culture, Tourism and Recreation (Cultural Programs Branch, Archaeology and Heritage Planning Unit).

L.R. Bud Parker,
APA Director.

U.S. - CANADA Relations

In response to concerns about cross-border smuggling of artifacts from Canada to the United States, the U.S. Customs Service was contacted in September 1990. They responded and agreed that the best way to reduce the traffic of artifact smuggling was to "encourage the reporting of individuals suspected of such activity. With subject identification and vehicle information, we could perform more through screening and

inspections." They enclosed a copy of their Customs Service map "that identifies the ports of entry within each state and shows the boundaries of the three northern border regions (Pacific, North Central and Northeast)." Contacts for each of the three regions are as follows:

Northeast Region

Regional Director, Inspection and Control,
10 Causeway St., Suite 801,
Boston, Massachusetts 02222-1056
(617) 565-6321

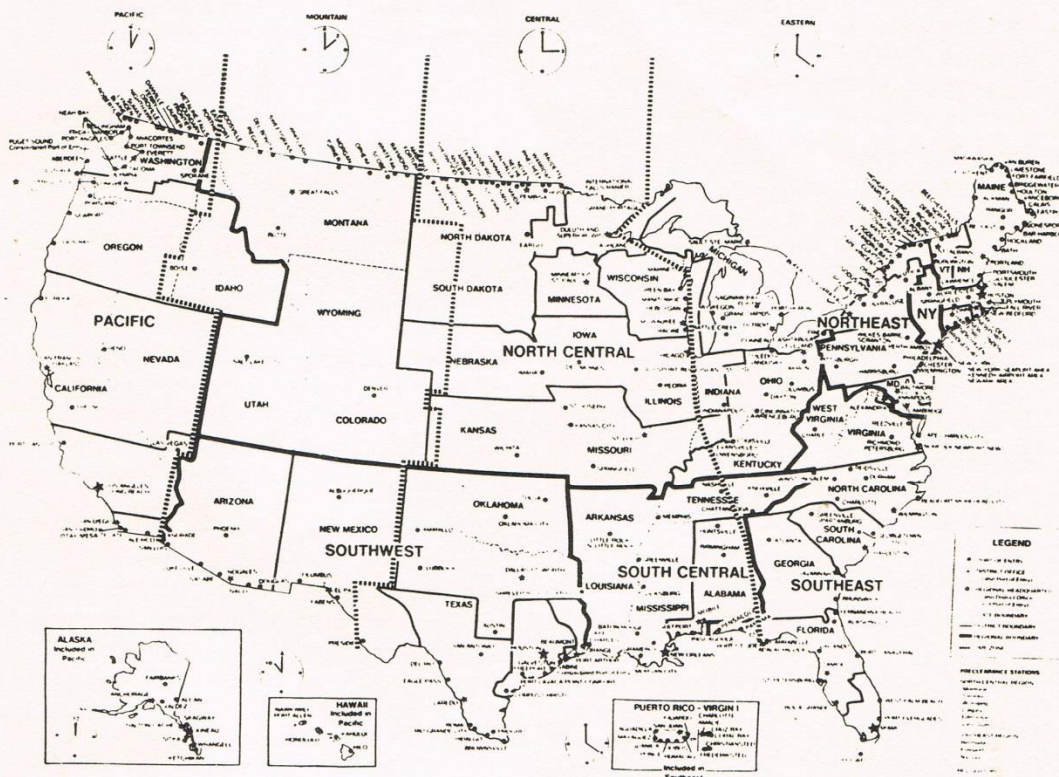
North Central Region

Regional Director, Inspection and Control,
55 East Monroe St., Suite 1501,
Chicago, Illinois 60603-5790
(312) 353-4745

Pacific Region

Regional Director, Inspection and Control, 1
World Trade Center,
Long Beach, California 90831
(213) 491-7300

U.S. CUSTOMS SERVICE



\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ **Treasurer's Note**

This is a report of accounts receivable and payable for the period from November 1992 to October 1993, which was submitted at the APA's Annual General Meeting in November in Waterloo.

Accounts Receivable

Memberships	\$1,451.84
Banquet, 1992	490.00
Bank Interest	25.55

Total Receivable \$1,967.39

Accounts Payable

Phone Charges	365.84
AGM, 1992	312.24
Newsletter	311.37
Travel	170.00
Postage	110.86
Printing	43.33
Incorporation Registration	25.00
Bank Service Charges	3.30

Total Payable \$1,341.94

Balance on Hand,
Nov. 1, 1993: \$2,481.23

\$ \$ \$ \$ \$ \$ \$ \$ \$ \$

Tendering Guidelines: A Draft for Discussion

The following is a draft which I have developed based on: my own experience as a recipient of 'requests for proposals' (RFPs) and; on draft tendering guidelines from the Canadian Association of Professional Heritage Consultants (CAPHC).

RFPs range from a five minute phone call or one page FAX to lengthy and detailed documents. Inconsistency is the norm, and often consultants are bidding for what they perceive to be required, and more often than not the resulting bids are all over the scale.

I have also been asked to draft fee scales for archaeological work. This is rather difficult since there are so many variables across the country. If I were to discuss only Southern Ontario, then I may be able to set some basic rates for the different levels of archaeological work (i.e. fieldwork, analysis, research, etc.). I suppose I could just have the members send me their per diem rates from all aspects of archaeological work (anonymously?) so that I could present some sort of standard rate(s). We would all like to be making \$1,000.00 a day like engineers, but few of us can compete with fees like that. However, if members did agree to charge similar rates, then the proponents out there may take us more seriously.

Tendering Guidelines

A tender document or RFP should include the following sections: A)

background information; B) objectives; C) methods and approach; D) deliverables or products; E) qualifications; F) selection criteria; G) fees and schedule; and; H) contracts or agreements.

A) Background Information

RFPs should include project title, appropriate identification number (ie. subdivision "T" number, project number), project location (and legal description if applicable) and study area size. A history of the project, a relevant bibliography of published and unpublished references, maps, site plans, sections, elevations and a list of resource people or agencies should also be enclosed. Maps and plans must contain details of existing conditions (ie. woodlots, water bodies/courses, topography, structures, roads, ploughed versus unploughed lands). They are not acceptable if they are simply legal descriptions which only show proposed lot lines, or are illegible faxed maps.

RFPs should include a statement of purpose and need for the project, described in terms which reflect the four stages of archaeological resource management. These are: Stage 1 = background study/assessment; Stage 2 = field survey/assessment; Stage 3 = evaluation and delineation of known sites/resources, and; Stage 4 = protection and/or excavation of threatened sites/resources.

If possible, the value of the project should be provided, especially if the budget is in the public record. RFPs should allow "adequate" time to prepare the proposal before the submission deadline. One page of RFPs should be devoted to "instructions to tenderers" with the following information" submission deadline; owner; qualifications; references; terms of payment; contact; site visit requirements; reporting requirements brief description of the property, site and/or study area. If a site visit is required, a contact name

and telephone number should be provided and the location, date and time of meeting presented in detail. RFPs should provide statements on policies regarding changes in proposals and notification of bidders of changes or amendments.

B) Objectives

RFPs should be clear and explicit by stating the purpose of a project (ie. literature search, Stage 2/3 assessment, mitigation or monitoring). There should be a statement indicating the scope of the project objectives, such as for data collection, analysis, conclusions, recommendations and implementation.

RFPs should outline the general project methodologies without dictating the approach to be used in order to achieve the desired results. RFPs should not dictate methodologies which compromise the archaeological resource, such as monitoring where the consultant has no mandate to stop mechanized excavation or stripping of the site.

C) Methods and Approach

RFPs should outline the technical guidelines and standards to be followed. For instance, MCTR archaeological assessment technical guidelines, or Parks Canada guidelines, or any other "standards", which are known and acceptable to the jurisdiction, should be explicitly stated.

D) Products or Deliverables

RFPs should clearly list the required format of the project report, plans and maps (ie. according to Ontario's MCTR assessment guidelines). If computer discs are required, then the preferred hardware and software should be

indicated. If draft/interim reports are required, it should be clearly stated. Finally, the number of required copies of the draft and final reports, and the address of the person receiving them should be listed. If any project meetings are required between the consultant and the proponent, their frequency should be made clear.

E) Qualifications

The required qualifications of the consultant should be clearly listed. For example, if the project involves an historic component, the consultant should have corporate experience with historic sites/projects. The proponent will be more able to select or reject bids if qualifications are given.

RFPs should request references, corporate brochures, and/or a list of recently completed projects which are similar to the project for which the RFP is being sent.

F) Selection Criteria

RFPs should require that: 1) all proposals be received at a designated time and place in order to qualify for competition; 2) proposals will be judged on the degree to which they demonstrate a thorough understanding of the assignment, the past experience of the study team, the methodologies and work plans, and the basis of the cost (but not necessarily the lowest bid).

G) Fees and Schedules

Any details of billing or invoicing (ie. purchase/work order numbers), should be listed in RFPs. For example, some proponents will accept invoices for start-up costs, on a monthly schedule, or upon project completion.

A reasonable amount of time should be provided for completion of the project. It is unacceptable to require archaeological assessment work for which there is an unattainable deadline (ie. 500 acre project with a deadline one week after the RFP issue date).

H) Contract or Agreement

RFPs will state the manner and date by which successful and unsuccessful bidders will be notified. If unsuccessful bidders are not contacted, it is reasonable for them to contact the proponent to request the name of the successful consultant.

A sample contract form should be provided as an appendix of the RFP. If confidentiality, copyright or ownership are concerns, this issue should be detailed in the RFP. RFPs should state the appropriate legislation, regulations and codes with which the consultant must comply (ie. WCB regulations, insurance requirements). RFPs should contain details regarding the cancellation of contracts. Finally, proponents should state that the acceptance of a proposal constitutes a binding agreement.

Summation

This draft is intended to provide a guide to what archaeologists should expect from the tendering process and proponents of RFPs. The APA would like readers to comment on this draft, with any constructive criticisms that would be beneficial to the creation of viable tendering guidelines for the practice of contract archaeology in Ontario, or on a national scale. Please feel free to contact Bud Parker, or the newsletter editor, with any comments you may have.

L.R. Bud Parker,
APA Director.

Archaeological Work Within Ontario 1986-1990: Where is it Happening?

This table of information is based on research carried out by Robert Von Bitter in 1992. "This data reflects only the number of reports that were submitted to the M.C.C. and not the number of sites that were excavated." (Von Bitter, 1992).

<u>County</u>	<u># of Licences</u>
Algoma	3
Brant	39
Cochrane	4
Durham	29
Essex	16
Frontenac	34
Grey	15
Haliburton	4
Hamilton-Wentworth	114
Hearst	1
Ignace	6
Kenora	31
Kirkland Lake	1
Blind River	1
Bruce	17
Dufferin	2
Elgin	13
Fort Frances	2
Gogoma	1
Haldimand-Norfolk	15
Halton	91
Hastings	4
Huron	12
Kapuskasing	1
Kent	8
Lambton	14
Lanark	9
Leeds & Grenville	14
Lennox & Addington	4
Manitoulin	9
Middlesex	62

<u>County</u>	<u># of Licences</u>
Moosonee	3
Muskoka	10
Niagara	80
Nipigon	1
Nipising	2
North Bay	1
Northumberland	22
Ontario	2
Ontario(all sections)	47
Ottawa-Carleton	16
Oxford	6
Parry Sound	2
Peel	140
Perth	1
Peterborough	7
Prescott & Russell	13
Prince Edward	4
Red Lake	2
Renfrew	14
Sault Ste. Marie	3
Simcoe	78
Sioux Lookout	1
Stormont, Dundas & Glengarry	13
Sudbury	2
Temagami	27
Timiskaming	1
Timmins	1
Victoria	8
Waterloo	280
Wawa	2
Wellington	13
York	229

(Ministry of Culture and Communications, compliments of Luisa Beram, 1992).

[This table has been reprinted with the permission of the author, from his unpublished paper, "The Ontario Heritage Act in an Archaeological Perspective." Author, Robert von Bitter, 1992]

News and Notes

'Stats' Canada Notes

Did you know that in 1990-91...

- 57 million visits were reported at Canadian heritage institutions .

- Visits to museums and exhibition centres has increased by almost 3% from the previous year to 25 million.

- Historic sites are the next largest category of visitation after museums.

- More than 42,800 volunteers were reported by heritage institutions, an increase of 11%.

- 9,900 full and 13,900 part-time employees work in heritage institutions.

[This information taken from the *Heritage News* newsletter].

Result of referendum to change Bylaw 4 (Directors: Duties and Numbers)

Motion:

APA Bylaw Number 4 (Directors: Duties and Numbers) will be changed to recognize the following nine (9) APA Executive positions: President; Vice-President; Treasurer; Secretary; Newsletter Editor; Membership Committee Co-ordinator; Director; Director; Director.

Attendance at executive meetings will be optional for the Newsletter Editor and Membership Committee Co-ordinator. The quorum for executive meetings will remain at four (4) of the remaining seven (7) executive members.

Result:

Nine ballots were returned or postmarked by the deadline of 25 March 1994. The result was:

Agree - 8
Disagree - 1



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