Heritage Trust Fund Grants Manual 2024

Kansas Historical Society
Historic Preservation Office
6425 SW 6th Avenue
Topeka, KS 66615-1099
785.272.8681 ext. 240
Fax 785.272.8682
www.kshs.org

YOUR STORIES OUR HISTORY | KANSAS HISTORICAL SOCIETY

Table of Contents

Grant Agreement **3**
- Title Search
- Maintenance Agreement

Architect/Engineer (a.k.a. Consultant) Selection **4**
- Recommended procurement steps
- Requests for Proposals (RFP)
- Evaluation of RFP's
- Consultant Interview
- Consultant Selection
- Consultant Contracts

Project Planning Documents **6**
- Projects without architectural and/or engineering services
- Projects that will utilize architectural and/or engineering services
- Archeology Projects

Selection of Contractor(s) **7**
- Recommended procurement steps
- Contractor Contracts

Reimbursement Requests and Reporting **9**
- Reimbursement Requests

General Terms and Conditions **10**
- Changes to Approved Projects
- Extensions
- Completion Report
- Progress Reports and Site Visits
- Retention of Property
- Public Acknowledgement of Funding Source
- Project Sign
- Additional Information

Appendix
- Appendix A: Checklist for Competitive Selection 11

- Appendix B: Example RFP and ITB 14
- Appendix C: Example Scope of Work 16
- The Secretary of the Interior's Standards for Rehabilitation 18

HERITAGE TRUST FUND GRANTS MANUAL - 2024

GRANT AGREEMENT

Upon the award of a Heritage Trust Fund (HTF) grant by the Kansas Historical Society's (KSHS) Executive Director, the HTF staff will prepare a grant agreement (sometimes called a project agreement) that includes:

- General scope of work
- Project schedule
- Reimbursement criteria
- Budget line items
- Reimbursement & procurement procedures
- Responsibilities of grantees

The grant agreement is a standard contract. It will state a project start date. No physical project work may begin, nor any grant related expenses be incurred **prior** to the project start date. Contracts for professional services to be reimbursed from grant funds must not be signed **prior** to the project start date. Execution of the project scope of work **must begin** within sixty (60) days of the project starting date. If the project needs to be delayed, a written approval by the HTF grants manager is needed.

The scope of work, schedule, and budget are drawn from the information presented in the grant application. Only those parts of the contract that deal with the specifics of the project may be altered. The grant agreement may be amended or released only by mutual written consent between the contracting parties or termination by KSHS for cause. **The applicant must sign the grant agreement and the applicant's project administrator must attend an HTF grant management training session (orientation) presented by the HTF Grants Manager before physical work begins.**

TITLE SEARCH

Proof of ownership should have been submitted with the original grant application. If SHPO staff needs further documentation, a title search may be required. The cost of the title search is a reimbursable expense under the conditions described in the grant contract. For example, if the grant agreement allows the KSHS to reimburse eighty percent of incurred costs, eighty percent of the title search can be requested for payment. A maximum of one hundred dollars ($100.00) can be requested from the HTF to cover the costs of the title search. Any costs more than one hundred dollars will be the sole responsibility of the grantee.

Documentation supporting proof of ownership will need to be presented **prior** to initiating any reimbursable activities. Grantees who have current title insurance may submit proof of such insurance in lieu of a title search. County courthouses and city halls are exempt from proof of ownership.

MAINTENANCE AGREEMENT

All grant agreements contain a maintenance agreement (Section H) in which the grantee agrees to preserve the work funded with HTF monies for a period of **five years** from the **completion** of the grant project. This agreement also specifies that work related to the historic property must be submitted to the Kansas State Historical Society (KSHS) for review for the duration of the maintenance agreement. This review is in addition to that already required by the Kansas Historic Preservation Act (K.S.A. 75-2724) and constitutes a direct obligation to the Kansas Historical Society. **Please refer to Section H of the Grant agreement for further information.**

Upon completion of the project, the grantee will be required to submit a completion report including a schedule of property maintenance. This schedule should cover no less than five years from the project completion date. The maintenance schedule should cover the entire property (not just the grant-funded portions). Upon approval of the maintenance schedule and the final project completion report the SHPO will release the final 10% retainage to the grantee.

ARCHITECT / ENGINEER (CONSULTANT) SELECTION

Projects that include architectural and/or engineering services (sometimes called consulting services) as stated items within the grant agreement budget must have complete plans and specifications prepared by a qualified architect/engineer representing the scope of work. Copies of all contracts for professional services must be submitted to the HTF grants manager for written approval.

The HTF program requires the use of qualified professionals within archeology and/or architectural/engineering services when the project necessitates it. Archeological site preservation should be planned with the direction of an archeological conservator or equivalent professional. Architects/engineers must be licensed by the state of Kansas. They will be responsible for preparing plans and specifications that include major structural repairs or that involve the reconstruction of missing architectural elements. They should also prepare a work-cost breakdown and other required contract documents. They must provide frequent on-site observation during the project work. Consultants must meet the Secretary of the Interior's *Professional Qualification Standards* – see https://www.nps.gov/articles/sec-standards-prof-quals.htm.

Choosing the right preservation consultant for the project is an important responsibility. Making an "investment" in the proper consultant will help guide the project through planning and implementation. Not all consultants are qualified to handle every type of project.

If the HTF grant is reimbursing for consultant expenses of more than $5,000, the following procurement procedures must be followed. See Appendix A for additional guidance and consult your grant agreement.

Step 1 – Establish Evaluation Criteria

Establish a selection procedure and evaluation criteria **prior** to contacting any consultants. It is important to express the scope of work and established priorities in the Request for Proposals (RFP) so potential consultants understand what is expected of their proposals.

Evaluation criteria might include:

- Relevant experience/specific expertise
- Performance references on previous projects
- Qualifications of consultants and staff
- Availability of key personnel
- Current and projected workloads (could affect ability to perform the required work on schedule)
- Knowledge of the Secretary of Interior's *Standards for the Treatment of Historic Properties*

Step 2 – Draft a Request for Proposals

Issuing a Request for Proposals (RFP) identifies potential architects/engineers. An RFP states the type of work involved, the scope of services required, budget and time constraints, evaluation criteria, and submittal deadline. It requests qualifications of the professional submitting a proposal and a proposed cost. **Allow the HTF Grants Manager to review a draft RFP before you post it.**

Step 3 – Distribute the Request for Proposals

Directly solicit bids, by mail or e-mail, to a minimum of 3 (preferably more) qualified firms/individuals to receive as many responses as possible. Post the RFP publicly where potential bidders are likely to see it. Suggested postings might be local or regional newspapers, social media pages, websites, or even local construction supply businesses with public bulletin boards.

The recommendation is to allow at least 21 days for the consultants to reply before closing the bidding, but minimum requirements are determined by the anticipated value of the consultant services. **See the grant agreement or Appendix A for more details.**

Step 4 – Evaluate Responses to the RFP

Using the evaluation criteria set up prior to the distribution of the RFP and as stated in the RFP, evaluate each proposal received and rank them in preferred order. The purpose of this evaluation is to select a manageable number of firms for personal interviews if necessary. The number of firms to be interviewed depends in part on the size, scope and complexity of the project, the number of qualified proposals, and the time available to complete the selection process.

Most submitted proposals are sufficient to review qualified applicants and justify a selection. If those involved with the selection process feel an interview is needed, an interview with selected consultants may be conducted. If the written responses do not warrant an interview, you may choose to move directly to negotiation with the qualified firm.

Even if interviews are deemed unnecessary, discussions should be held with the top-ranked firm to confirm its ability to perform the necessary work, on time, within budget, and at the expected level of quality and to further refine the performance requirements.

If there is any concern about the proposals received, please contact the HTF Grants Manager.

Step 5 – Submit Documentation of Selection

When a selection has been made, be sure to contact the HTF Grants Manager and provide the required documentation of consultant selection – **See Appendix A.**

Step 6 – Submit Draft Contract

Submit a draft consultant contract for review and approval **prior to signing**, to determine any conflicts with HTF policies and/or procedures.

Consultant Contracts and Compensation

The grantee is responsible for understanding all provisions of their contract with the consultant and for getting signatures from both parties.

Contract styles will vary but all contracts must contain the following:

1) A start date and completion date for consultant services.
2) Fee for consultant services.
3) Description of services (i.e., production of construction documents, administration or bidding phase, supervision of construction work…).
4) Acknowledgement that property is listed in the National / State Register of Historic Places.

5) The phrase “All work must follow the Secretary of Interior’s *Standards for the Treatment of Historic Properties.*”
6) Notification that all changes to the contract must be agreed to in writing.

The contract must include an agreement on compensation (fee for services). Compensation based on a percentage of work completed is **not** allowable. Compensating architectural / engineering fees must be done with either hourly rates up to a maximum limit or a lump sum.

PROJECT PLANNING DOCUMENTS

Planning documents that detail the scope of the project must be submitted to SHPO for review and approval **prior** to advertising for bids, letting contracts, or execution of work. These include, but are not limited to construction documents, plans and specifications, and applicant-generated project descriptions. Work funded by the Heritage Trust Fund may **not** proceed until the planning documents related to the project have been approved, in writing**,** by the HTF staff. HTF staff strive to review the project materials within 30 days of receipt. Revisions to the submitted plans often will be required before final approval is granted. Please keep in mind that the grant agreement will provide general descriptions of the work to be performed. **The completed planning documents take precedence over the description in the grant agreement or your grant application.**

Projects without architectural and/or engineering services

Grantees planning to implement their projects without the benefit of an architect/engineer will still need to develop a scope of work, in consultation with the HTF staff, to serve as their planning document. The Scope of Work document may not be used to solicit bids until HTF staff has approved it. **See Appendix C for an example of a scope of work.**

Projects utilizing architectural and/or engineering services

Plans and specifications, completed by an architect/engineer, will also receive comments by HTF staff. It is the responsibility of the professional to provide any necessary information and make modifications to the documents for review. HTF staff may request additional information if the materials are not complete or do not clearly describe the proposed work. Written approval of the final planning documents is required **before** any project work is advertised for bid, contracts are let, or work is undertaken on the historic property. Although a professional may prepare plans, the grantee must assume full responsibility for the accuracy of the plans and specifications as they represent the work desired by the property owner.

Project Plans – General

All plans must be based on adequate historical and physical documentation. The plans must indicate whether existing materials, both historic and more recent, are to be retained, altered, or replaced. If existing materials or features are to be altered, the plans must indicate how the alteration will affect the material or feature. If an historic material or feature is being replaced, the plans must document the existing conditions, substantiate the decision to replace rather than repair, and indicate the basis of the specification or design for the new material or feature. Detailed descriptions of how historic materials will be treated, such as how surfaces will be cleaned or prepared for painting or repointing, must be included.

Appropriate testing and analysis may be required for treatments that involve activities such as refinishing, masonry cleaning, or repointing and other uses of mortar. Testing ensures that replacement or repair materials are physically and visually compatible with historic materials, and that the proposed treatments will not damage the existing historic materials. Provisions for necessary testing must be written into the project specifications by the professional consultant.

Archeology Projects

A qualified archeologist must prepare proposals for archeology projects, as well as any resulting study, investigation, excavations, or written reports. Contact the SHPO for more information.

General Conditions

- All Heritage Trust Fund grants must be implemented in accordance with the Secretary of the Interior’s *Standards for the Treatment of Historic Properties*.

- Work that is being done during the grant period, but not being reimbursed by HTF grant funds or apart of the HTF grant application scope of work, still must be in accordance with the *Standards*. A copy of the *Standards* is available from the State Historic Preservation Office (SHPO) or online at https://www.nps.gov/orgs/1739/secretary-standards-treatment-historic-properties.htm. HTF staff will advise the grantee when proposed work does not meet the *Standards* and will offer advice for alterations to the proposals to achieve conformance. All HTF grant projects must also meet all applicable state and local codes and regulations.
- When a project will include ground disturbing activities, such as foundation work, landscaping, grading, or underground utilities, the opinion of the State Historic Preservation Officer (SHPO) must be sought on the need for an archeological survey or other research needed to identify significant archeological deposits or features that may be associated with the property. Recommended archeological work will be eligible for HTF grant assistance.
- **Application for Historic Tax Credits –** When the property owner will be seeking historic tax credits for the out-of-pocket portions of the project, the full scope of work should be submitted to SHPO staff in the form of a tax credit application. This allows staff to review the project simultaneously for the HTF grant and tax credit programs. NOTE: Review of a scope of work for purposes of the HTF grant program does not constitute approval of that work for purposes of the tax credit program. Applications for tax credits must be filed on appropriate forms and signed by the property owner(s).

SELECTION OF CONTRACTOR(S)

HTF Grantees must seek competitive bids for any goods or services over $5,000. The grantee is further obligated to select individuals or companies who can implement the project according to the Secretary of the Interior's *Standards for the Treatment of Historic Properties*, the approved project planning documents, and meet the expectations of the grantee. Expenses associated with work that does not meet the Secretary of the Interior's *Standards for the Treatment of Historic Properties* will not be reimbursed by the HTF grant program.

See **Appendix A** for specific guidance on how to seek competitive bids for a contractor. **Make sure your project planning documents have been reviewed and approved by SHPO before requesting bids**.

Step 1 – Establish Evaluation Criteria

Establish a selection procedure and evaluation criteria **prior** to contacting any contractors. It is important to express the scope of work and established priorities in the Invitation to Bid (ITB) so potential contractors understand what is expected in their proposals.

Evaluation criteria might include:

- Relevant experience/specific expertise
- Performance references on previous projects
- Qualifications company or staff
- Availability of key personnel
- Current and projected workloads (could affect ability to perform the required work on schedule)
- Knowledge of the Secretary of Interior's *Standards for the Treatment of Historic Properties*

Step 2 – Draft an Invitation to Bid (ITB)

Issuing an ITB allows qualified contractors to participate in open, competitive bidding. An ITB states the type of work involved, the scope of services required including desired materials, evaluation criteria, and submittal deadline. It may request qualifications of the professional submitting a proposal along with the proposed cost. Certificates of insurance, labor and materials payment bonds as well as performance bonds are not required for HTF grant projects but are encouraged for contracts over $25,000.

Allow the HTF Grants Manager to review a draft ITB before you post it. See Appendix B for an example.

Step 3 – Distribute the Invitation to Bid (ITB)

Directly solicit bids, by mail or e-mail, to a minimum of 3 (preferably more) qualified firms/individuals to receive as many responses as possible. Post the ITB publicly where potential bidders are likely to see it. Suggested posting locations might be local or regional newspapers, social media pages, websites, or even local construction supply businesses with public bulletin boards.

The recommendation is to allow at least 21 days for the consultants to reply before closing the bidding, but minimum requirements are determined by the anticipated value of the consultant services. **See the grant agreement or Appendix A for more details**.

Step 4 – Evaluate Responses to the ITB

Using the evaluation criteria set up prior to the distribution of the ITB and as stated in the ITB, evaluate each proposal received and rank them in preferred order. The purpose of this evaluation is to select a manageable number of firms for personal interviews if necessary. The number of firms to be interviewed depends in part on the size, scope and complexity of the project, the number of qualified proposals, and the time available to complete the selection process.

Most submitted proposals are sufficient to review qualified applicants and justify a selection. If those involved with the selection process feel an interview is needed, an interview with selected contractor may be conducted. If the written responses do not warrant an interview, you may choose to move directly to negotiation with the qualified firm.

Even if interviews are deemed unnecessary, discussions should be held with the top-ranked firm to confirm its ability to perform the necessary work, on time, within budget, and at the expected level of quality and to further refine the performance requirements.

If there is any concern about the proposals received, please contact the HTF Grants Manager.

Step 5 – Submit Documentation of Selection

When a selection has been made, be sure to contact the HTF Grants Manager and provide the required documentation of contractor selection – **See Appendix A.**

Step 6 – Submit Draft Contract

Submit a draft contract for review and approval **prior to signing**, to determine any conflicts with HTF policies and/or procedures.

Contractor Contracts

All services reimbursed by the HTF grant must be covered by a written contract of some kind, even if the service is less than $5,000. **Draft contract agreements must be submitted to the HTF grants manager for review and written approval prior to execution (signing), to determine any conflicts with HTF policies and procedures.**

Contract styles will vary but all contracts must contain the following:

- A start date and completion date
- Fee for services
- Acknowledgement that the property is listed in the State/National Register of Historic Places
- The phrase “All work must follow the Secretary of Interior’s *Standards for the Treatment of Historic Properties.”*
- Notification that all changes must be agreed to in writing.

Provisions for compensation (fee for service) should be included in the contract. Compensation must be a lump sum or unit price. The HTF grant program does not allow for “cost plus percentage” and/or “percentage of construction cost” forms of compensation.

REIMBURSEMENT REQUESTS AND REPORTING

The HTF grant program is a reimbursement grant. **The grantee must pay, in full, all costs of the project as they become due and payable.**

HTF staff reviews reimbursement requests and determines if work done is agreeable with all terms set forth in the grant agreement and approved construction documents. HTF staff reserves the right to withhold payment if the grantee falls behind schedule or if the project exhibits substandard work.

To receive reimbursement:

- One or more-line items identified in the grant agreement must be 100% complete.
- Completed work must correspond to line items identified in a project scope of work, the approved budget, and as covered by written contracts.
- Each line item completed must be within the time schedule documented in the original grant agreement or an amendment.
- The work conforms to Secretary of the Interior’s *Standards for the Treatment of Historic Properties*; and
- The request is adequately documented with purchase orders, requisitions, bills, or other evidence of liability, as well as copied checks, receipts, or other evidence of payment as well as photos of completed work.

Mobilization fees, travel, set-up, material purchase, etc. are not considered individual line items for reimbursement purposes and should be incorporated into applicable physical work items.

HTF staff strive to process reimbursement requests within thirty (30) days of receipt. HTF funds will be reimbursed as defined in the HTF grant agreement if the above criteria are met.

PLEASE NOTE: **Ten percent (10%) of the reimbursement will be withheld as retainage** pending satisfactory completion of the project. The retainage will be reimbursed upon receipt of a final completion report and supporting documentation including the project sign.

GENERAL TERMS AND CONDITIONS

CHANGES TO APPROVED PROJECTS
Requests for changes to the project defined in the grant agreement must be made in writing and approved by the HTF staff. Requests must be received and approved prior to any deviation from the agreed upon grant agreement.

EXTENSIONS
Grantees who are unable to complete the project work by the ending date shown on the original grant agreement must notify the HTF grants manager, in writing, at least thirty (30) days before the ending date to formally request an extension of the project completion date.

COMPLETION REPORT
The grantee must provide a Completion Report within 30 days of completion of the project. The required form is provided by HTF staff. Additionally, the final reimbursement request should be submitted before or with the final completion report.

PROGRESS REPORTS AND SITE VISITS
The HTF grants manager must receive progress reports within **ten (10) days** after the end of each month. Photographs documenting any completed work or work in progress are strongly suggested. Digital photos and electronic submissions of monthly reports may be submitted to bethany.falvey@ks.gov via email. Failure to submit these forms in a timely manner may be considered a breach of the grant agreement.

HTF staff may make site visits as deemed necessary whether at the beginning, during, or at the end of the grant project. The site visits will allow staff to monitor the progress of the project and the quality of the work performed. Grantees may also request site visits.

Retention of Property
If ownership of real property is not maintained by the grantee (or a designated heir, in the case of the grantee's death) from the date of signing of the grant agreement until one year after the project is completed, the **HTF grant funds must be repaid in full**. For properties held between one and five years after the project is completed, the grant recapture amount is reduced by twenty percent per year. Transfers of property during the HTF grant will result in a full recapture of grant funds unless the transfer is approved in writing by KSHS. **Please refer to Section I of the Grant agreement for further information.**

Public Acknowledgment of Funding Source
When issuing press releases, official statements, or documents that describe the project funded by the Heritage Trust Fund, a credit line must be included that reads: **"This project is (was) partially supported by a Heritage Trust Fund grant from the Kansas State Historical Society."**

PROJECT SIGN
All projects must acknowledge state assistance by means of a temporary but prominently displayed project sign. The sign **will be provided** by the Kansas Historical Society and must be returned to the HTF staff at the end of the project. Where local restrictions exist that would prohibit the display of such a sign, the grantee will negotiate a reasonable alternative with the HTF staff. Signs are to be installed upon execution of a grant agreement or when construction begins.

Checklist for Competitive Selection of Consultant or Contractor

All goods and services must be procured by written contract or written agreement.

Value of goods or services is expected to be under $5,000.

- No special procedures needed.
- Every effort should be made to make an advantageous agreement.
- Decisions may be made based on informal discussions with qualified persons or firms but should consider qualifications and availability of the vendor to perform the work.

Value of goods or services is expected to be $5,000 to $24,999 in a single purchase or in multiple purchases from the same vendor.

☐ Submit your draft RFP to the HTF Grants Staff for written approval.

- Be sure to describe the selection process and objective standards you will use to make your hiring choice.

☐ Send your RFP directly to a minimum of three qualified vendors with whom to informally negotiate prior to selection and execution of a contract.

☐ Post your RFP publicly for a recommended 21 days prior to the date stated for receipt of bids, but no less than 3 days.

☐ Receive bids/proposals and evaluate them following the process outlined in the RFP.

☐ Submit documentation to SHPO showing that your selection process followed these steps.

- Approval of this process by the SHPO is required prior to the awarding of a contract.

☐ List of all consultants you contacted directly.
☐ Documentation of the public posting.
☐ Copies of all proposals received and correspondence from anyone declining to bid.
☐ Explanation of your selection process and why you chose your preferred candidate.

☐ Receive **written approval** for the selection process and consultant from the HTF Grants Manager to proceed with the negotiation of a contract.

Value of goods or services is expected to be $25,000 to $49,999 in a single purchase or in multiple purchases from the same vendor.

☐ Submit your draft RFP to the HTF Grants Staff for written approval.

☐ Be sure to describe the selection process and objective standards you will use to make your hiring choice.

- The award will be made to the responsive, qualified, and responsible vendor whose bid for the described work is the most advantageous to the project.
- Minimum qualifications may be established for bidders prior to bidding, but they must be explained in the RFP.
- RFP must request bidders to submit **sealed** bids. All bids must be sealed when received and will be opened in public at the hour stated in the notice.

☐ Post your RFP publicly for a recommended 21 days prior to the date stated for receipt of bids, but no less than 3 days.

☐ It is recommended, but not required, to send your RFP directly to a minimum of three qualified vendors requesting sealed bids.

☐ Receive **sealed** bids as indicated in the RFP. Evaluate them following the process outlined in the RFP.

☐ Submit documentation to SHPO showing that your selection process followed these steps.

- Approval of this process by the SHPO is required prior to the awarding of a contract.

☐ List of all consultants you contacted directly.
☐ Documentation of the public posting.
☐ Copies of all proposals received and correspondence from anyone declining to bid.
☐ Explanation of your selection process and why you chose your preferred candidate.

☐ A letter or email indicating when and where the bids were opened along with a list of attendees at the opening.

☐ Receive **written approval** for the selection process and consultant from the HTF Grants Manager to proceed with the negotiation of a contract.

Value of goods and services is expected to be $50,000 or more in a single purchase or in multiple purchases from the same vendor.

☐ Submit your draft RFP to the HTF Grants Staff for written approval.

- Be sure to describe the selection process and objective standards you will use to make your hiring choice.
- The award will be made to the responsive, qualified, and responsible vendor whose bid for the described work is the most advantageous to the project.
- Minimum qualifications may be established for bidders prior to bidding, but they must be explained in the RFP.
- RFP must request bidders to submit **sealed** bids. All bids must be sealed when received and will be opened in public at the hour stated in the notice.

☐ Post your RFP publicly for a recommended 21 days prior to the date stated for receipt of bids, but no less than 10 days.

☐ Send your RFP directly to a minimum of three qualified vendors requesting sealed bids.

☐ Receive **sealed** bids as indicated in the RFP. Evaluate them following the process outlined in the RFP.

☐ Submit documentation to SHPO showing that your selection process followed these steps.

- Approval of this process by the SHPO is required prior to the awarding of a contract.☐

☐ List of all consultants you contacted directly.
☐ Documentation of the public posting.
☐ Copies of all proposals received and correspondence from anyone declining to bid.
☐ Explanation of your selection process and why you chose your preferred candidate.
☐ A letter or email indicating when and where the bids were opened along with a list of attendees at the opening.

☐ Receive **written approval** for the selection process and consultant from the HTF Grants Manager to proceed with the negotiation of a contract.

After receiving written approval of consultant selection from the HTF Grants Staff, the following concludes the consultant selection process.

- ☐ Submit to HTF Grant Staff a **draft contract** between the property owner and consultant.
- ☐ Receive a **written approval** of the draft contract from the HTF Grants Manager before signing.
- ☐ Submit a signed copy of the approved contract back to the HTF Grants Manager within 30 days of it being signed by the consultant and property owner.

General Notes for Competitive Selection

- ❖ Contract awards will not be made to a former employee, contractor, or professional who has developed or has drafted bid specifications, requirements, a statement of work, an invitation for bids, and/or a request for proposals for a particular procurement.
- ❖ Contracts and written agreements must contain the following:
  - A start date and completion date for services
  - Total fee for services
  - Description of services
  - Acknowledgement that the property is listed in the state and/or National Register of Historic Places
  - The phrase “All work must follow the Secretary of Interior’s *Standards for the Treatment of Historic Properties*”.
  - Notification that all changes to the contract must be agreed to in writing.
- ❖ Grantee must retain signed contracts on file for a period of five (5) years after acceptance by the SHPO of the final completion report.
- ❖ SHPO will not pay consultants or contractors directly nor will it mediate any disagreements between Grantee and contracted consultants or contractors. SHPO is not responsible for any damages or liabilities resulting from dissolution of a contract between Grantee and contracted consultants or contractors.

EXAMPLE Request for Proposals

NOTICE TO ARCHITECTS AND CONSULTANTS
REQUEST FOR PROPOSALS

NAME
LOCATION
To provide professional services for a project that will preserve the (Name), in (County), Kansas.

(Describe project) – Be sure to describe the services that you expect the consultant to provide for you (i.e. drawings, specifications, overseeing the construction activities, etc.) Provide the estimated cost of the construction project so the consultants know how big the overall project is expected to be.

Sealed proposals will be received by (grantee name), address, city, Kansas, zip, until (time) pm on date, 202X. Public opening will occur at (time pm) on that date at the project site, address, city, Kansas, zip. Proposals received after the date and time indicated above for opening will be late, and therefore not considered for award, at the discretion of the project administrator. Proposals should include a statement of the consultant's qualifications, a list of previously completed comparable projects (including references), an estimated schedule of work, and a fee proposal itemized by specific project task. The (name) property is listed on the National Register of Historic Places. All work must comply with the Secretary of Interior's *Standards for Rehabilitation* as reviewed by the Kansas State Historic Preservation Office (SHPO).

Inquiries about this request for proposal and requests for copies of the Scope of Work should be directed to project administrator (name), (contact information).

Proposals will be evaluated based on cost and qualifications. Preference will be given to the consultant or consultants who, in the judgment of the project administrators, demonstrate superior understanding of the logistics associated with successful completion of this project. The selected entity should expect to enter into negotiations, which should culminate in execution of a contract for professional services.

The successful entity will be required to comply with all applicable laws and statutory regulations. No consultant will in any way directly or indirectly discriminate against any person because of age, race, color, handicap, sex, national origin or religious creed.

This project is partially supported by a Heritage Trust Fund grant from the Kansas State Historical Society. *[Mandatory phrase.]*

Check a local newspaper or ask HTF Grant Staff for other examples.

EXAMPLE Invitation to Bid

NOTICE TO CONTRACTORS
INVITATION TO BID

[HISTORIC NAME OF BUILDING]
[LOCATION], KANSAS

Repair or replace plaster walls and ceilings, repair wood paneling and doors, widen two doorways, and paint. [DESCRIBE PROJECT BRIEFLY.]

Bids will be received by [PROPERTY OWNER], [PROPERTY OWNER'S ADDRESS], Kansas [ZIP CODE] until [TIME] on [MONTH, DAY, YEAR], for the work noted above according to plans approved by the Kansas State Historic Preservation Office. This structure is listed on the National Register of Historic Places. All work must comply with the Secretary of the Interior's *Standards for Rehabilitation.*

Sealed bids will be publicly opened at [TIME] on [MONTH, DAY, YEAR] at [LOCATION WHERE BIDS SHOULD BE SEND OR DELIVERED].

All inquiries about this Invitation to Bid and requests for copies of the full scope of work / plans may be directed to [NAME AND CONTACT INFORMATION FOR PERSON TO WHOM QUESTIONS WILL BE DIRECTED]. Bids will be received on a total bid price basis and must include a sum to cover the cost of all items of the contract, including insurance, materials, and performance bonds. A mandatory pre-bid meeting will be held at [PLACE, DATE, TIME]. It is mandatory that all bidders be present. Attendance is required for acceptance of bids. *{Pre-bid meetings are recommended by the HTF grant program, but are not required. It is up to the property owner whether to make such meetings mandatory or merely a recommendation to potential contractors.}*

Proposals received after the date and time indicated above for opening will be considered late, and therefore will not be considered for award. The Bid will be awarded based on cost and performance; to the Bidder who, in the Owner's judgment, is the lowest, most qualified, responsible and responsive Bidder. Owner reserves the right to reject any and all Bids and to reject the Bid of any Bidder if the Owner believes it would not be in the best interest of Owner to make an award to that Bidder. The successful Bidder must deliver to the Owner certificates of insurance, performance, and materials payment bonds as security for faithful performance and the payment of all bills and obligations arising from the contract. The successful firm will be required to comply with all applicable laws and statutory regulations. No Bidder will in any way, directly or indirectly, discriminate against any person because of age, race, color, handicap, sex, national origin, or religious creed.

This project is partially supported by the Heritage Trust Fund grant program from the Kansas State Historical Society. {Mandatory statement.}

Appendix C

Example Scope of Work

Heritage Trust Fund Grant
1889 Smith House
Scope of Work

Project Description:
Repair existing windows on the east and west side as well as repair roof on the 1889 Smith House.

Building Description:
The 1889 Smith House is a wood structure with slate roof constructed in 1889. It was the resident of Dr. Smith who was a civil war general and local politician. The house now serves as a local museum and historical society.

Detail of Work:

- Assess all windows on the east and west elevations of the building; note areas of deterioration.
- Inventory each window's parts.
- Repair deteriorated areas or replace with in-kind material following Preservation Brief #9 - https://www.nps.gov/orgs/1739/preservation-briefs.htm.
- Assess roof and note areas of deterioration repair.
- Salvage slate that can be reused and then replace or repair deteriorated areas with in-kind material following Preservation Brief #4 - https://www.nps.gov/orgs/1739/preservation-briefs.htm.

General Conditions:

- All work to be in accordance with the Secretary of the Interior's *Standards for Rehabilitation* - https://www.nps.gov/articles/000/treatment-standards-rehabilitation.htm
- Certificates of insurance, performance, and materials payment bonds are required as security for faithful performance and the payment of all bills and obligation arising from the contract.
- Storage and handling of all materials must be in a manner, which prevents additional loss, deterioration and damage; storage area to be designated by project administrator.
- Construction schedule to be itemized with headings related to the breakdown in payment requests.
- All work is subject to review by the Kansas State Historical Society throughout the duration of the project.
- Compliance with all applicable laws and statutory regulations is required.

Project Administrator:
John C. Jones
Smith House Museum
123 Main Street
City, KS 12345

Heritage Trust Fund Grant
Jonesy Jones Boyhood Home
Scope of Work

Example Scope of Work 2

Building Description

The boyhood home of local artist Jonesy Jones is a modest wood structure built in 1900. It was his home for eighteen (18) years. The home is now used as a museum housing many of the artist's personal artifacts, memorabilia.

Project Description:

Update heating and cooling system with a unit that is more compatible for a climate-controlled environment at the Jonesy Jones Boyhood Home, assess and address rainwater runoff at the north side of the building and around the foundation, assess and repair wooden elements of two windows and doors on the north side of the building.

Detail of Work:

- Consult with owner on a proposed replacement heating and A/C system then install system.
- Install underground drainage to remove surface water from the foundation of the building, install seamless guttering with down spout connections to the underground drainage at the north side of the building.
- Repair window sills and door jams on the north side of the building with in-kind materials to match the existing per the guidance in Preservation Briefs #9 and #10 – see https://www.nps.gov/orgs/1739/preservation-briefs.htm.

General Conditions:

- Repair work to be in accordance with the Secretary of the Interior's *Standards for Rehabilitation*. Viewable at https://www.nps.gov/articles/000/treatment-standards-rehabilitation.htm.
- Certificates of insurance, performance and material's payment bonds required as security for faithful performance and the payment of all bills and obligation arising from the contract.
- Storage and handling of all materials must be in a manner which prevents additional loss, deterioration and damage; storage area to be designated by project administrator.
- Construction schedule to be itemized with headings related to the breakdown in payment requests.
- All work subject to review by the Kansas State Historical Society throughout the duration of the project.
- Compliance with all applicable laws and statutory regulations required.

Project Administrator:
Jane Smith
Jonesy Jones Boyhood Home
1234 State Street
City, KS 66000

The Secretary of the Interior's Standards for Rehabilitation

The most common of the four treatments outlined in the Secretary of the Interior's *Standards for the Treatment of Historic Properties,* the Secretary of the Interior's *Standards for Rehabilitation* are ten basic principles created to help preserve the distinctive character of a historic building and its site, while allowing for reasonable change to meet new needs.

The Standards (**36 CFR Part 67**) apply to historic buildings of all periods, styles, types, materials, and sizes. They apply to both the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent, or related new construction.

The Standards are applied to projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment. [Schools become apartments, homes become B & B's, etc.]
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

For a clearer, illustrated explanation, please visit the National Park Service website.

https://www.nps.gov/articles/000/treatment-standards-rehabilitation.htm