

MEMORANDUM OF AGREEMENT

WHEREAS, the General Services Administration (GSA) has determined that the Elevator Replacement Project (Undertaking) will have an effect upon the Muskogee Federal Building-Courthouse (also known as the Muskogee Federal Building), a property eligible for inclusion in the National Register of Historic Places, and has consulted with the Oklahoma State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (Council), pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act [16 U.S.C. Section 470(f)],

NOW, THEREFORE, the GSA, the Oklahoma SHPO, and the Council agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on historic properties.

STIPULATIONS

GSA will ensure that the following measures are carried out:

1. The Undertaking will be carried out in accordance with the construction plans entitled "NEW ELEVATORS AND HOISTWAY," otherwise known to GSA as Project No. ROK92018 for the Muskogee Federal Building. Any changes to the construction plans, such as modifications to these plans, and further addendum or clarifications to the specifications shall be provided to the SHPO for review and comment for at least 30 days prior to the advertisement for bids.
2. Prior to any demolition or removal of the elevator shaft or its openings, GSA will consult with the SHPO to determine an appropriate level and kind of recordation documentation for this undertaking. GSA will complete the documentation, provide copies of this documentation to the SHPO, and any appropriate local archives designated by the SHPO, prior to the demolition or removal of any materials related to the elevator shaft or its openings.
3. In an effort to mitigate the effect that a new shaft will have on the view within the lightcourt, the plans will delete any use of stucco, and will specify using a brick and mortar joint of a similar size and color on the new shaft as was used on the walls in the lightcourt. The new shaft will be differentiated from the rest of the lightcourt by its discontinuance of the terra cotta stringcourse and cap that occurs elsewhere within the lightcourt.

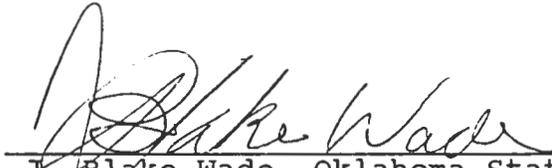
4. GSA will use the existing wood jamb trim material that occurs around the elevator doors on the second, third, and fourth floor. To accommodate the wider elevator doors, the trim headers will be cut in the center, and separated to match the new elevator door width. The additional header width (approximately 10 inches) will be filled with a wooden trim block that will be a dissimilar shape but of a similar finish as the existing trim header. The intent being to retain as much of the existing material as possible, but be able to distinguish new material from the original.
5. GSA will modify the current project plans to eliminate the use of the round bronze car indicator dial. The car indicator dial should be of a contemporary design. However, the new contract finish of all metal elevator dials, trim, and doors should approximate the color and reflectivity of the intact metal building hardware.
6. GSA will ensure that the elements that comprise the terra cotta cap and stringcourses that occur over the fourth and fifth floor within the lightcourt are carefully removed from the elevator shaft. These elements will be tagged and mapped as to their original location, and carefully removed to minimize damage. The adjacent building materials on the main part of the building are to be provided a temporary protective cover to ensure that they are left intact and undisturbed during the demolition of the existing elevator shaft, and during the construction of the new elevator shaft. GSA will store the terra cotta stringcourse materials from the old shaft in the basement of the Muskogee Federal Building, taking precautions to store them in such a manner to avoid breakage and water damage.
7. Should any signatory of this agreement or any member of the public object to any plans, specifications or actions proposed pursuant to this agreement, the GSA shall consult with the objecting party to resolve the objection. If the GSA determines that the objection cannot be resolved, the GSA shall request the further comments of the Council pursuant to 36 CFR § 800.6(b). Any Council comment provided in response to such a request will be taken into account by the GSA in accordance with 36 CFR § 800.6(c)(2) with reference only to the subject of the dispute; the GSA's responsibility to carry out all action under this agreement that are not the subjects of the dispute will remain unchanged.

Muskogee Federal Building MOA

- 8. Any party to this agreement may request that it be amended, whereupon the parties will consult in accordance with 36 CFR § 800.5(e)(5) to consider such amendment.

Execution of this Memorandum of Agreement and implementation of its terms evidence that the General Services Administration has afforded the Council an opportunity to comment on the New Elevators and Hoistway Project for the Muskogee Federal Building, and its effects on historic properties, and that the General Services Administration has taken into account the effects of the undertaking on historic properties.

Oklahoma Historic Society

BY:  DATE 10-14-93
J. Blake Wade, Oklahoma State Historic Preservation Officer

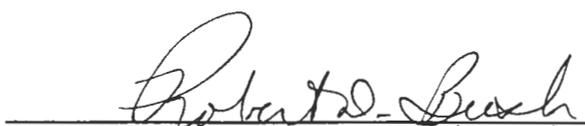
Public Buildings Service, General Services Administration

BY:  DATE 10/1/93
Thora Haggerty, Regional Historic Preservation Officer

Public Buildings Service, General Services Administration

BY:  DATE 10/1/93
Earl W. Eschbacher, Jr., Assistant Regional Administrator

Advisory Council on Historic Preservation

BY:  DATE 11/29/93
Robert D. Bush, Executive Director