

MEMORANDUM OF AGREEMENT

WHEREAS, the General Services Administration (GSA) has determined that the Vacant Space Recapture Project (Undertaking) will have an effect upon the Old Post Office-Courthouse (also known as the Tulsa 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 "VACANT SPACE RECAPTURE FEDERAL BUILDING - TULSA OK," Project No. IOK92001, as issued on February 2, 1993, along with the Specifications and the three addendums as of April 29, 1993. The GSA and the SHPO will further define and delineate the building's historic areas and acceptable construction-related activities therein. Any changes to the information specified in this stipulation related to the building's historic areas, such as modifications to these plans, further addendum or clarifications to the specifications, and incorporated, modified, or deleted alternates shall be provided to the SHPO for review and comment for at least 30 days prior to the initiation of the related construction. Until such time as the historic areas have been defined and approved by the GSA and the SHPO, any such changes to the undertaking, whether in the historic or nonhistoric building areas, shall be provided to the SHPO for review and comment at least 30 days prior to the initiation of the related construction.
2. Prior to any alteration or removal of the north stair, 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 removal of any materials in the north stairwell.

3. GSA will ensure that the marble treads, marble wainscot, and brass handrails of the north stair are carefully removed. These elements will be tagged and mapped as to their original location, and carefully removed to minimize damage. GSA will store such materials in the basement of the Old Post Office-Courthouse in Tulsa, taking precautions to store them in such a manner to avoid future water damage.
4. 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.
5. 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 Vacant Space Recapture Project for the Old Post Office-Courthouse in Tulsa, 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: *J. Blake Wade* DATE 6-14-93
J. Blake Wade, Oklahoma State Historic Preservation Officer

Public Buildings Service, General Services Administration

BY: *Thora Haggerty* DATE 6/14/93
Asst Thora Haggerty, Regional Historic Preservation Officer

Public Buildings Service, General Services Administration

BY: *Earl W. Eschbacher, Jr.* DATE 6/14/93
Earl W. Eschbacher, Jr., Assistant Regional Administrator

Advisory Council on Historic Preservation

BY: _____ DATE _____
Robert D. Bush, Executive Director