

MEMORANDUM OF AGREEMENT

**BETWEEN THE U.S. GENERAL SERVICES ADMINISTRATION
AND THE
WEST VIRGINIA STATE HISTORIC PRESERVATION OFFICER
REGARDING THE HUNTINGTON FEDERAL BUILDING MODERNIZATION,
CITY OF HUNTINGTON, CABELL COUNTY, WEST VIRGINIA**

WHEREAS, pursuant to the American Reinvestment and Recovery Act of 2009 (ARRA), the U.S. General Services Administration (“GSA”) plans to modernize the Huntington Federal Building (“Undertaking”) in cooperation with the sole tenant, the U.S. Army Corps of Engineers, Huntington District (Huntington District); and

WHEREAS, to meet both GSA’s ARRA requirements and the Unified Facility Criteria (UFC) 4-010-01: Department of Defense Minimum Anti-Terrorism Standards for Buildings; the Undertaking consists of modernizing the existing building, including structural security modifications, the removal and replacement of the existing façade, interior alterations, upgrades to the mechanical plant, and the installation of solar panels on the roof of the building and

WHEREAS, the Undertaking also includes GSA’s procurement and build out of separate temporary leased space in Huntington, to be occupied by the Huntington District during construction at the Huntington Federal Building; and

WHEREAS, pursuant to ARRA, GSA anticipates commencing the Undertaking in Summer 2011; and

WHEREAS, GSA and the West Virginia State Historic Preservation Officer (SHPO) agree on the Area of Potential Effect (APE) for the Undertaking as depicted and described in Attachment I; and

WHEREAS GSA has determined that the Undertaking will have an Adverse Effect on the Downtown Huntington Historic District, which is listed in the National Register of Historic Places, and has consulted with the SHPO pursuant to 36 C.F.R. part 800, of the regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f); and

WHEREAS, GSA has consulted with the Huntington District regarding the effects of the Undertaking on historic properties and has invited them to sign this MOA as a concurring party (“Concurring Party”); and

WHEREAS, the Huntington District has deferred lead agency status to GSA pursuant to 36 C.F.R. Part 800(a)(2) and GSA is the responsible party for all costs associated with resolving adverse effects to historic properties for this Undertaking; and

WHEREAS, GSA has informed the Huntington Historic Landmark Commission, Cabell County Historic Landmarks Commission, the Madie Carroll House Preservation Society, and the Preservation Alliance of West Virginia of the Undertaking, and received no response from these

The meeting is anticipated to be held in Fall 2011.

IV. GSA shall prepare a documentation package for the existing Huntington Federal Building that will include a narrative history, the original construction drawings, historic photographs as available, as-built drawings, and existing condition photographs. Further, GSA shall ensure:

1. The documentation package will be prepared in HABS / HAER Short Format narrative report, Level 3, in accordance with the "Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation: HABS / HAER Standards" (revised 1990) as described in Attachment III; excepting that photographs included in the documentation package will be digital and comply with the "Proposed Updated Photograph Policy National Register of Historic Places" (Revised March 2008) as described in Attachment IV.
2. Archival copies of the documentation package will be produced in accordance with the "Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation: HABS / HAER Standards" (revised 1990) and "Proposed Updated Photograph Policy National Register of Historic Places" (revised March 2008) as described in Attachments III and IV.
3. Archival hard and digital copies of the documentation package will be deposited with the SHPO, West Virginia State Archives, Cabell County Library, Huntington Historic Landmark Commission, Cabell County Historic Landmark Commission, and Silling Associates, Inc.
4. The documentation package will be made available for download in.pdf format by GSA on a publicly accessible website.
5. GSA shall submit the documentation package to SHPO for review and comment prior to commencing the Undertaking.
 - a. The SHPO shall provide comments and / or final acceptance in writing within thirty calendar (30) days of their receipt of the draft documentation package for review.
 - b. Should the SHPO not comment within 30 days after receipt of the draft documentation package, GSA shall assume it has been accepted and finalize the documentation package.

V. GSA shall produce a video presentation on the Huntington Federal Building project. The video will include annotated, animated views of 3D models of the building as designed, as existing prior to implementation of the Undertaking, and as proposed.

1. The video presentation shall be displayed in rotation on the video displays in the lobbies of the Huntington Federal Building and the Sidney L. Christie Federal Building for a period of five (5) years after the conclusion of the Undertaking.
2. GSA shall submit the video to the SHPO for review and comment prior to finalization.
 - a. The SHPO shall provide comments and / or final acceptance in writing within thirty calendar (30) days of their receipt of the draft video for review.
 - b. Should the SHPO not comment within 30 days after receipt of the video, GSA shall assume it has been accepted and finalize the video.

VI. GSA shall produce a brochure on the existing building to be made available in the lobbies of the Huntington Federal Building and the Sidney L. Christie Federal Building. Further, GSA shall ensure:

1. The brochure will be made available for download on a publicly accessible website.
2. Copies of the brochure will be deposited with the SHPO, West Virginia State Archives,

V. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by all Signatories. The amendment will be effective on the date a copy, signed by all of the Signatories, is filed with the ACHP.

VI. TERMINATION

If any Signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation VIII, above. If within thirty (30) days (or another time period agreed to by all Signatories) an amendment cannot be reached, any Signatory may terminate the MOA upon written notification to the other Signatories.

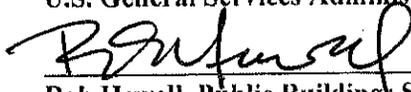
Once the MOA is terminated, and prior to work continuing on the Undertaking, GSA must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. GSA shall notify the Signatories as to the course of action it will pursue.

Execution of this MOA by the GSA and SHPO and implementation of its terms evidence that GSA has taken into account the effects of this Undertaking on historic properties and afforded the ACHP an opportunity to comment.

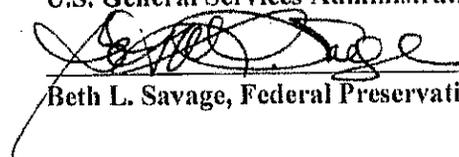
Memorandum Of Agreement Regarding The Huntington Federal Building Modernization,
City Of Huntington, Cabell County, West Virginia

SIGNATORIES:

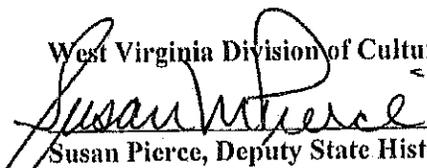
U.S. General Services Administration

 Date 9/26/2011
Rob Hewell, Public Buildings Service Mid-Atlantic Regional Commissioner

U.S. General Services Administration

 Date 8/8/11
Beth L. Savage, Federal Preservation Officer

West Virginia Division of Culture and History

 Date 9/19/11
Susan Pierce, Deputy State Historic Preservation Officer

CONCURRING PARTY:

U.S. Army Corps of Engineers

_____ Date _____
Robert D. Peterson
Colonel, Corps of Engineers
District Engineer

ATTACHMENTS:

Attachment I: APE

Attachment II: New Huntington Federal Building Façade Concept Plan

Attachment III: Secretary of the Interior's Standards and Guidelines for Architectural and
Engineering Documentation: HABS / HAER Standards (revised 1990)

Attachment IV: Proposed Updated Photograph Policy National Register of Historic Places
(Revised March 2008)

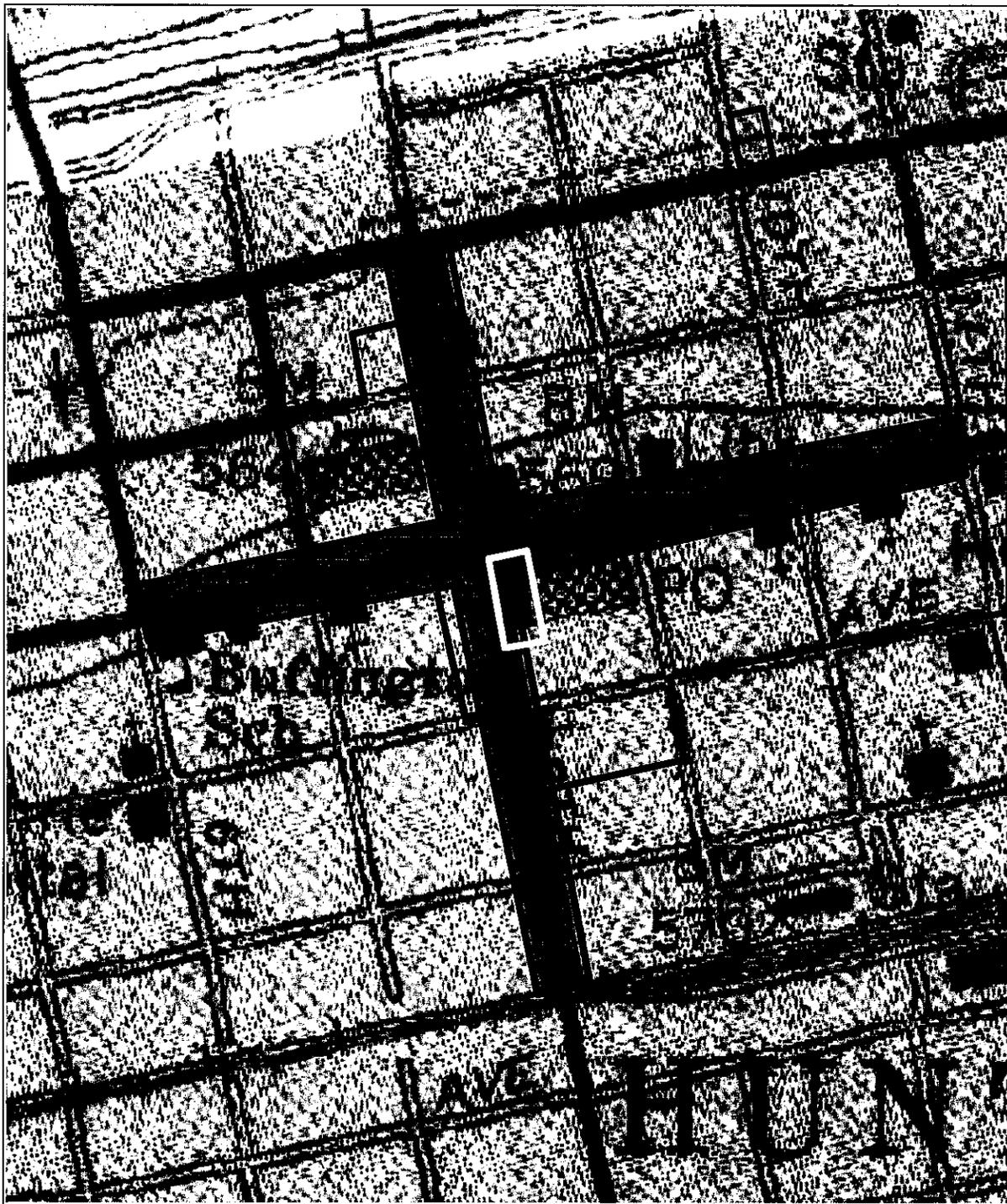
~~Attachment V: Modern Federal Building Brochure Examples (3)~~

ATTACHMENT I

APE

The Area of Potential Effect (APE) for Direct Effects for this Undertaking is limited to the physical boundaries (legal description) of the subject property, the Huntington Federal Building, as delineated in the map below. The proposed Undertaking will not include any below-grade work likely to disturb any archaeological resources. For the purposes of Direct Effects, the APE is limited to the structure of the building itself. For the purposes of Indirect Effects, the APE incorporates the view sheds along 8th Street and 5th Avenue in the Downtown Huntington Historic District. The APE includes 8th Street from 3rd Avenue to the railroad tracks just north of 7th Avenue, and 5th Avenue from 6th Street to 11th Street, City of Huntington, Cabell County, West Virginia.

ATTACHMENT I: APE

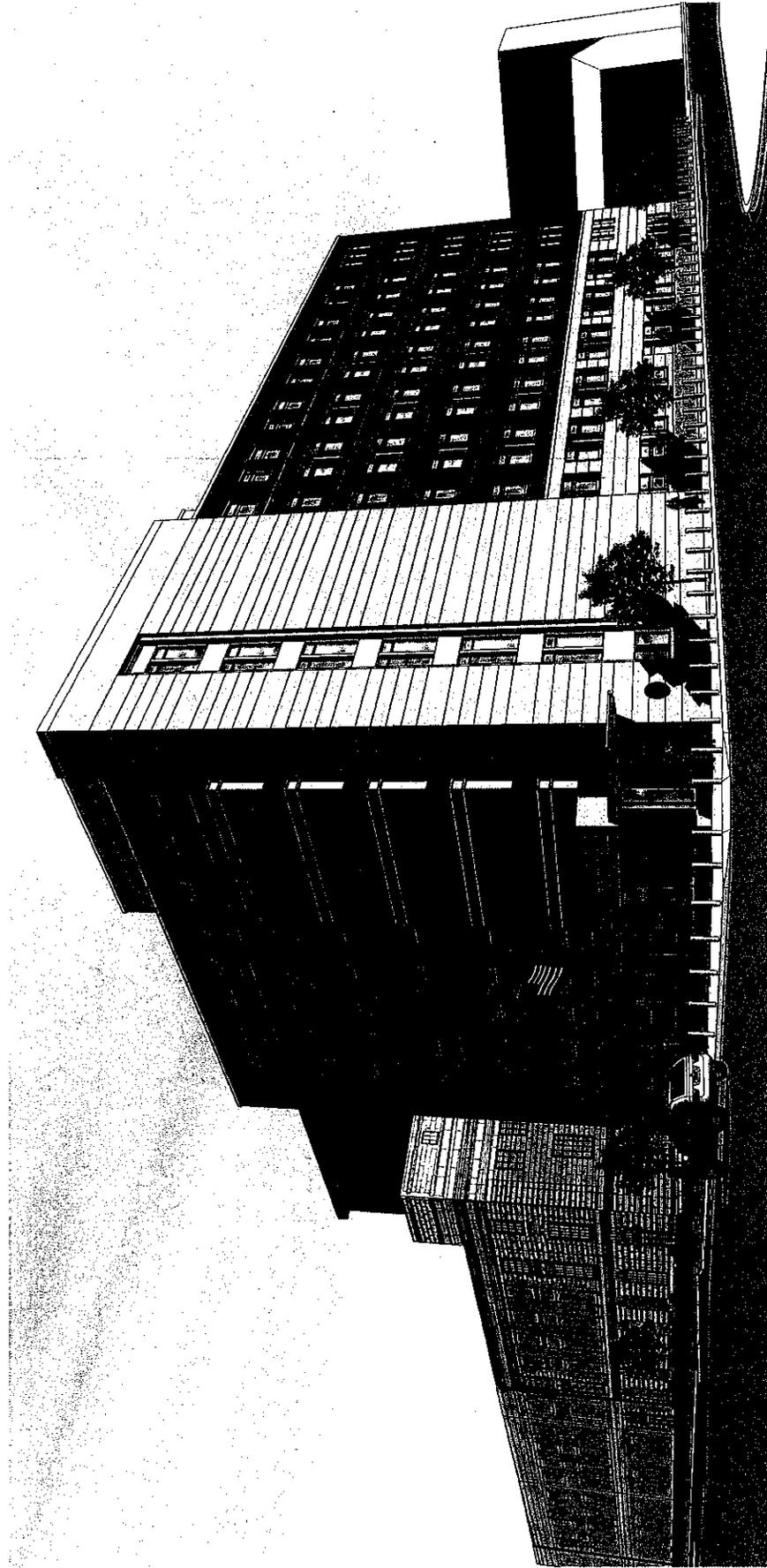


Portion of the Huntington, WV-OH U.S.G.S. 7.5' Quadrangle depicting the subject property and APE for Direct Effects (outlined in yellow), the APE for Indirect Effects (shaded in blue) and the boundaries of the Downtown Huntington Historic District (outlined in red).

ATTACHMENT II

New Huntington Federal Building Façade Concept Plan

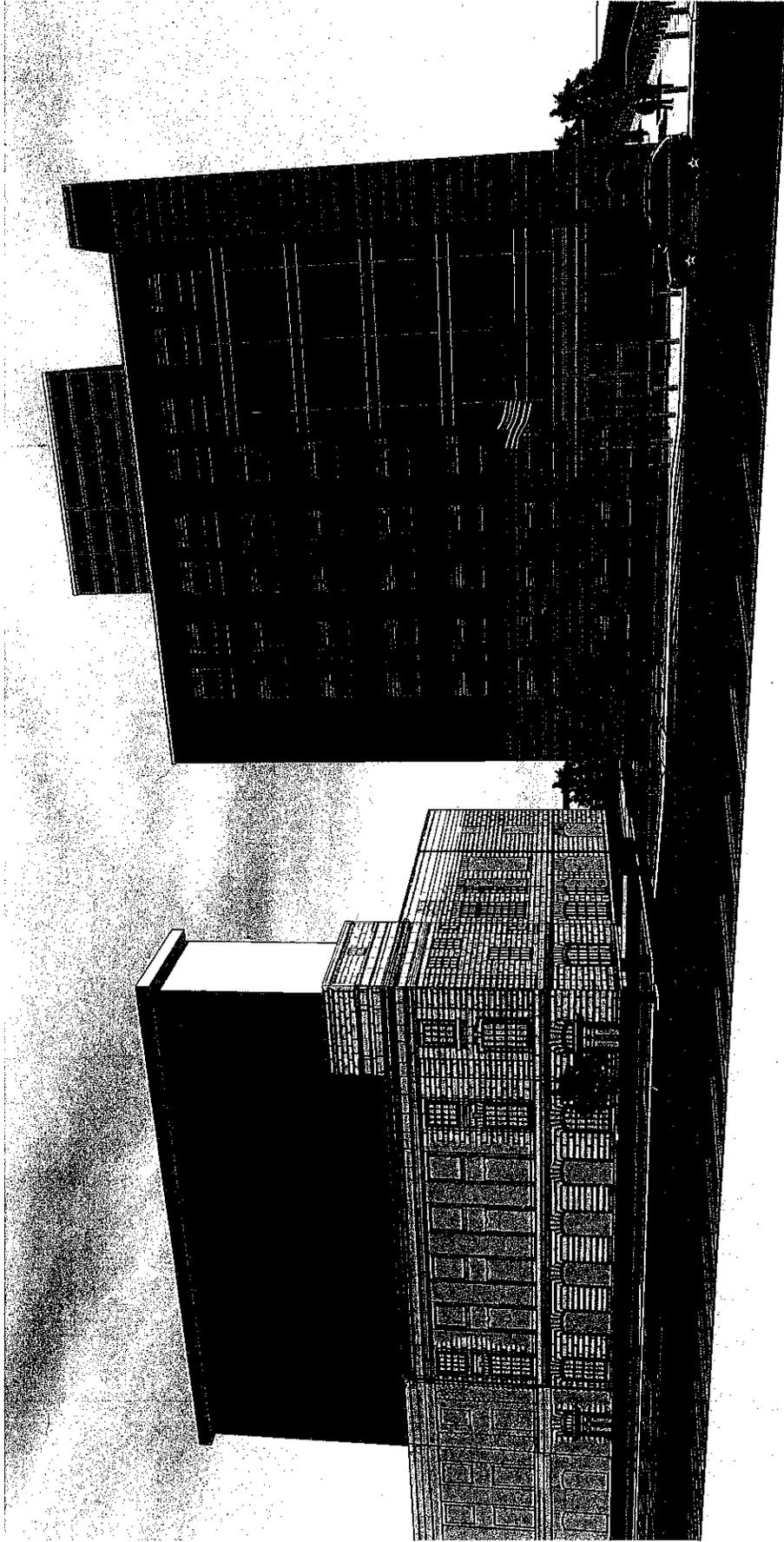
FACADE DESIGN STUDY



CONCEPT Ja - 5TH AVE. & 8TH ST. STREET LEVEL VIEW

HUNTINGTON FEDERAL BUILDING
HUNTINGTON, WV

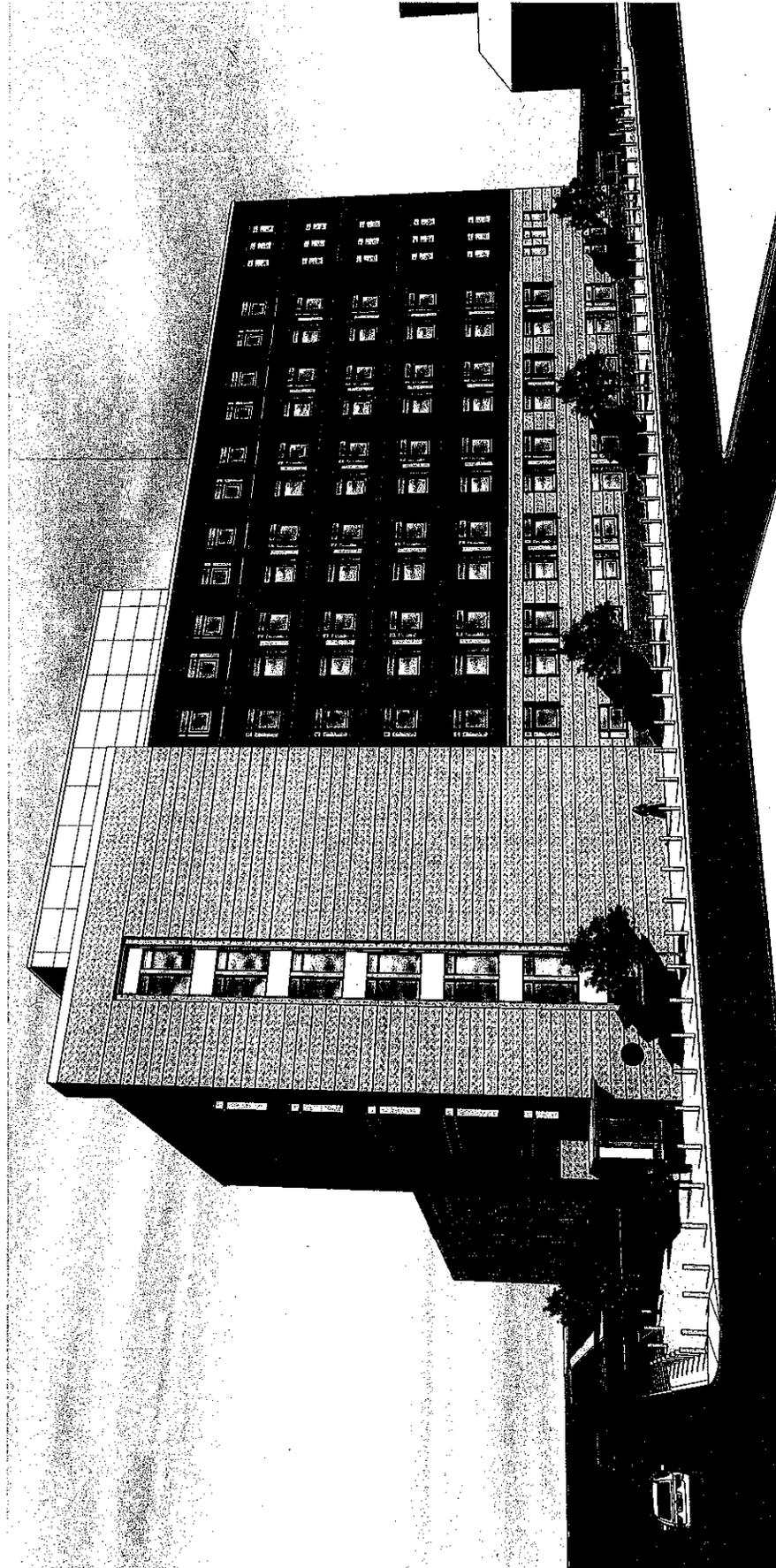
FACADE DESIGN STUDY



CONCEPT Ja - VIEW OF NORTH ELEVATION

HUNTINGTON FEDERAL BUILDING
HUNTINGTON, WV

FACADE DESIGN STUDY



CONCEPT Ja - VIEW OF WEST ELEVATION

HUNTINGTON FEDERAL BUILDING
HUNTINGTON, WV