## **106 Compliance Requirements for Design and Construction at Historic Buildings**

These clauses address the specific requirements of design and construction projects at historic buildings to ensure compliance with the National Historic Preservation Act. These requirements also apply to new construction adjoining a historic building or within a historic district.

**106 COMPLIANCE REQUIREMENTS FOR DESIGN AND CONSTRUCTION PROJECTS AT HISTORIC BUILDINGS**

## To ensure compliance with the National Historic Preservation Act, include the following clauses in design contracts for work at GSA historic buildings. These requirements also apply to new construction adjoining a historic building or within a historic district. Also include GSA Qualification Requirements for Preservation Architects and [Section 106 Compliance Report](https://www.gsa.gov/real-estate/historic-preservation/historic-preservation-policy-tools/preservation-tools-resources/proposal-contract-and-project-planning-tools) in the A/E solicitation and design submission documents.

Project schedules, submission requirements and budgets must take into account design and consultation time for development and review of alternatives to address Section 106 requirements. Compliance budgets, alternatives, and timeframes should be established in consultation with the Regional Historic Preservation Officer and the Project Team. Section 106 compliance must be completed before design development concludes, committing GSA to one alternative.

Design contract clauses follow:

**General**

Design development and final construction documents must adhere to any conditions and processes set forth in related Section 106 correspondence or formal agreements governing the undertaking. Include applicable construction specialist qualification requirements for repair, restoration or replication of historic materials, as specified in [GSA Restoration Competency Requirements for Construction Contracts](https://www.gsa.gov/real-estate/historic-preservation/historic-preservation-policy-tools/preservation-tools-resources/proof-of-competency-other-documentation).

Construction execution must also allow for coordination with the preservation architect responsible for the approved preservation design solutions. Allow ample time for procurement of specialized materials required for work in restoration zones.

**Criteria Governing Survey, Analysis, Recommendations and Design**

Services to be performed by the Architect-Engineer under this contract shall conform to all applicable requirements and criteria of the following laws, directives and guidelines and to the latest issuances of and changes thereto:

1. National Historic Preservation Act of 1966 (NHPA), as amended
2. ADM 1020.3 GSA Historic Preservation Procedures
3. GSA P100 Facilities Standards, provisions on Alterations to Historic Buildings for each applicable design category
4. The Secretary of the Interior’s Standards for Rehabilitation and Guidelines for the Treatment of Historic Properties
5. GSA Technical Preservation Guidelines
6. GSA Building Preservation Plan or Historic Structure Report

**Section 106 Compliance**

Work at GSA historic properties is subject to NHPA Section 106 compliance review, coordinated by GSA’s Regional Historic Preservation Officer (RHPO). Engage the RHPO as a project team member in early planning to identify preservation issues the project may raise and guide compliance through design development and execution.

Design work at historic buildings to be consistent with the Secretary of the Interior’s Standards for Rehabilitation (SOI Standards), applicable GSA Technical Preservation Guidelines and GSA Building Preservation Plan recommendations. Allow time for RHPO review and concurrence verifying that proposed alternatives conform to these standards and guidelines.

Submit for RHPO review and concurrence a [106 Compliance Report](https://www.gsa.gov/real-estate/historic-preservation/historic-preservation-policy-tools/preservation-tools-resources/proposal-contract-and-project-planning-tools) identifying historic spaces and materials that may be affected by planned alterations, along with photographs of existing conditions, design details, and a brief narrative justifying proposed design solutions for GSA’s 106 compliance submission. Update this report with each design submission as preservation issues are resolved.

Plans for any alterations that will result in adverse effects on historic property will require consultation with the State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation, at its discretion, and interested parties. This process, initiated during concept design, includes public consultation with the goal of identifying alternatives for avoiding, minimizing, or mitigating adverse effects. Projects that will result in unavoidable adverse effects may require extended consultation to explore additional alternatives and prepare project documentation required by the SHPO.

Preservation design problem solving and project documentation for 106 submissions must be undertaken by a qualified professional meeting the Secretary of the Interior’s Professional Qualification Standards for historical architects and [GSA Qualification requirements for Preservation Architects](https://www.gsa.gov/real-estate/historic-preservation/historic-preservation-policy-tools/preservation-tools-resources/proof-of-competency-other-documentation). The preservation architect must be integrally involved in the analysis and development of design solutions for work affecting restoration or rehabilitation zones to minimize adverse effects on historic materials and character.

Projects involving substantive ground disturbance for new construction, excavation, utility work or major landscaping (e.g., relocation of mature trees) must include provisions for compliance with the NHPA, the National Environmental Protection Act, Archeological Resources Protection Act and other laws concerned with the protection of archeological resources, including advance assessment of archeological data potential and provisions for responding appropriately to unanticipated discoveries.

**Preservation Design Parameters**

Design shall meet the following preservation design parameters:

* Retain historic materials, features, and spaces restoration or rehabilitation zones as delineated in the Building Preservation Plan or Historic Structure Report.
* Design new installations to be compatible with the historic character of the space and to avoid damaging historic materials.
* Design new construction to complement and be compatible with adjoining historic structures in scale, massing, materials, detailing and other visual qualities, integrating old and new to achieve overall design unity.

**Construction Oversight and Documentation**

1. Include preservation architect oversight to see approved preservation design solutions through successful project execution, as applicable:
2. Review of submittals showing new materials/equipment to be installed in restoration and rehabilitation zones to assure compliance with project's approved design approach.
3. Review of proposed methods for protecting historic materials during construction.
4. Review of on-site samples to assure that specialty restoration work meets contract performance criteria.
5. Revision of preservation design solutions as necessary to address unanticipated conditions
6. Photo documentation
7. Provide digital photographs of completed work in a format enabling GSA use for project recordation and other purposes.

1. Photographs shall meet or exceed National Register of Historic Places digital photo documentation standards.
2. Provide photo caption information including location, date, orientation, subject and photographer credit details for each image, along with a written statement granting GSA rights to use the photographs for educational, reporting and other purposes, which shall credit photographers and project firms as indicated in the submission.

Preservation Report Format

General: 8 ½” X 11” narrative report, with captioned photographs showing existing conditions, keyed to a location plan (s) showing photo orientation, and drawings of each preservation design solutions, reduced to 8 ½” X 11” and bound into report, or, if not legible at 8 ½” X 11”, 11” X 17” foldout or placed in cover pocket.

**Cover:**

Building name, Address, Project title, Project Control Number, Author (Preservation Architect), Preservation Architect’s Signature, and Date of Submission.

**Executive Summary:**

1. Scope and purpose of project
2. Individuals and groups involved: A/E firm, Preservation Consultant, GSA Project Officer, Building Manager, GSA Regional Preservation Officer or Preservation Program staff reviewer.

**Site Conditions:**

1. Building and project location
2. Building size, configuration, materials, conditions.

Include captioned photographs showing existing site and building conditions at each affected area

**Preservation Design Issues:**

Explain solutions explored, how resolved and why, such as (not inclusive):

1. Locating new work/installation: visibility, protection of ornamental finishes, cost concerns
2. Design of new work/installation: address compatibility with existing original materials, research on original design (if original materials non-extant), materials/finishes chosen
3. Method of supporting new work/installation
4. Preservation and protection of historic materials

Include reduced project drawings of site plan, elevations, sections, and details.

For work on historic building, include restoration specifications for work requiring restoration specialists and competency of restoration specialist requirements.

**Effects:**

Summarize and effects the project will have on the building’s architecturally significant qualities. If there are unavoidable adverse affects, explain measures proposed to mitigate the negative impact of changes.

**A/E Design Checklist**

Where does the project affect the historic property?

Exterior

Interior

Exterior

Lobbies/Vestibules

Corridors

Exterior

Stairwells

Elevators

Restrooms

Executive Suites

General Office Space

Utilitarian/Storage Space

Other:

What materials are affected by the project?

Stonework

Brickwork

Bronzework

Architectural Metals

Architectural Concrete

Ornamental Roofing

Woodwork

Ornamental Plaster

Other:

What assemblies are affected by the project?

Windows and Skylights

Doors

Exterior

Interior

Lighting

Other: