CASE DIGEST:
SECTION 106 IN ACTION
When responses to GSA’s initial solicitation indicated that the project could achieve Leadership in Energy and Environmental Design (LEED) Platinum, the highest certification level offered by the U.S. Green Building Council, GSA further challenged select bidders to develop schemes to achieve “net-zero” energy performance. A relatively new concept that reaches beyond LEED, net-zero performance buildings utilize sustainable technology to produce as much (or more) energy than they would normally consume.

The bidders determined that the building could achieve both LEED Platinum certification and net-zero performance by utilizing interior storm windows, dozens of on-site geothermal wells, photovoltaic (PV) panels, and increased insulation. Eager to show the building’s sustainable features, the GSA Source Selection Evaluation Board (SSEB) selected a bidder that also proposed a PV canopy that covered the entire roof.

GSA’s Regional Historic Preservation Officer (RHPO) participated in the SSEB effort, and was impressed with the bidder’s interior renderings depicting a sensitive rehabilitation of character-defining spaces. However, the RHPO determined that the PV canopy posed an adverse effect.

ARRA funding requirements called for project
completion in 2015. To meet project goals and requirements, GSA elected to commence construction in March 2011 via a design-build contract. This fast-track project delivery method, regularly employed in the private sector, has become popular among federal agencies.

Under the traditional design-bid-build project delivery method, an architect is hired to develop a design, a contractor is hired based on its bid on that design, and construction occurs in accordance with the design (except for occasional change orders). Under the design-build method, a contractor is hired, and then hires an architect to develop a design; construction occurs in parallel with design refinement. For design-build, agencies contract and coordinate only with the contractor, who is responsible for both design and construction.

There is often ample time for Section 106 consultation during the first stage of the design-bid-build method. However, design-build compliance challenges can arise when contractors are hired based on solicitations that do not specify adherence to the Secretary of the Interior’s Standards (Standards), when consultation does not adequately consider alternatives early on, and when qualified agency personnel are not integrated into ongoing design refinement.

Given GSA’s commitment to preservation, its initial solicitation for the Aspinall building included rehabilitation in compliance with the Standards. In addition, a peer with historic preservation expertise, contracted through GSA’s Design Excellence program, accompanied the qualified RHPO to SSEB reviews. The RHPO alerted the Colorado State Historic Preservation Office (SHPO), the ACHP, and consulting parties—including the City of Grand Junction Historic Preservation Board—of GSA’s determination of adverse effects in a timely manner.

With singular support from the SHPO, consultation occurred expeditiously, but in keeping with regulations. A Memorandum of Agreement (MOA), executed in spring 2011 among GSA, the ACHP, and the SHPO, included baseline approved concept drawings and renderings as attachments. They depicted a smaller PV canopy; due to consultation and input from GSA’s regional and national preservation programs, GSA did a further analysis and determined that a different combination of green technologies could achieve the targeted performance goals. Thereafter, consultation focused on a limited set of adverse effects, managed by the RHPO, who regularly attended meetings with the contractor and coordinated with the SHPO in accordance with the MOA.

Construction at the Aspinall building is ongoing. The postal lobby and elevator lobbies are being rehabilitated, hardwood floors have been refurbished, and a historic mural is being restored and reinstalled in a suitable publicly accessible location. GSA also is reopening a walled-off staircase from the postal lobby to the intact historic courtroom area. Though minimized in the revised design, the PV canopy remains visible from the rear of the building and from a distance. Due to security concerns and the building’s raised plinth, GSA also encountered challenges associated with the placement and design of ABAA ramps, but arrived at a solution GSA considers as reversible.

Rehabilitation and modernization is slated to be complete in January 2013. By achieving operational savings, GSA will ensure the long-term viability of this historic building. As Congressman Aspinall was an ardent supporter of energy self-reliance policy, it is fitting that his namesake building is slated to become the first net-zero federal building on the National Register.

For more information: www.gsa.gov/historicbuildings