

COOPERATIVE AGREEMENT MODIFICATION

Agreement/Appendix Title and Number: W912PQ-16-2-1005

Project Name/Description and Location: ARNG Command, Control, Communications, Computers and Information Management (C4IM) Services

Modification Number: P0001

ISSUED BY: NATIONAL GUARD BUREAU

ISSUED TO: THE STATE OF NEW YORK

This modification is issued pursuant to the Authorities, 31 U.S.C. Chapter 63; MCA and Appendices Article VII, Sect 703; MCCA Article XII, Sect 1201 of the basic cooperative agreements. Mark purpose and obtain signatures as appropriate IAW NGR 5-1, Chapter 3.

- a. FUNDING
- b. TERMS AND CONDITIONS
- c. TERMINATION
- d. OTHER ADMINISTRATIVE: OPEN FY 16 APP 1005

Funding Source	From	Change	To
Allotment (MFL) IKA		0.00	
Allotment (MFL) 90% (MCA)		0.00	
TOTAL FEDERAL MFL-QOIM (IKA and MCA)	\$ -	0.00	\$ -
Allotment (MFL) R&R Phones 100%		0.00	
FEDERAL PROGRAM TOTAL MFL	\$ -	0.00	\$0.00
AFP IKA		843,619.00	\$ 843,619.00
AFP MCA		1,673,351.00	\$ 1,673,351.00
TOTAL FEDERAL AFP-QOIM (IKA and MCA)	\$ -	2,516,970.00	\$ 2,516,970.00
AFP R&R Phones 100%		19,000.00	\$ 19,000.00
FEDERAL PROGRAM TOTAL AFP	\$ -	2,535,970.00	\$ 2,535,970.00
Allotment (MFL) 10% IKA	\$ -	0.00	\$ -
Allotment (MFL) 10% MCA	\$ -	0.00	\$ -
STATE PROGRAM TOTAL MFL	\$ -	0.00	\$0.00
AFP 10% IKA	\$0.00	84,361.90	\$84,361.90
AFP 10% MCA	\$0.00	167,335.10	\$167,335.10
STATE PROGRAM TOTAL AFP	\$0.00	84,361.90	\$251,697.00
PROGRAM TOTAL IKA	\$ -	927,980.90	\$ 927,980.90
PROGRAM GRAND TOTAL MFL	\$ -	0.00	\$ -
PROGRAM GRAND TOTAL AFP	\$ -	2,787,667.00	\$ 2,787,667.00

DESCRIPTION OF MODIFICATION:

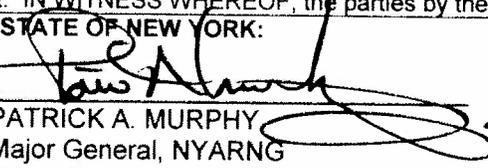
- JUSTIFICATION: OPEN W912PQ-16-2-1005, Appendix 1005, C4IM Services for Fiscal Year 2016.
- SUMMARY: Appendix, W912PQ-15-2-1005 is hereby extended for Fiscal Year 2016. The effective date is 01 October 2015 and the termination date is 30 September 2016. Appendix W912PQ-15-2-1005 is changed to read W912PQ-16-2-1005 for FY2016.
- ACTION: TAG signature and review of the ARNG C4IM Services Appendix 1001 MOD 1. Return signed modification to MNPF-EA, Room 207, Cooperative Agreements, x4775/4709.
- This Appendix is subject to the availability of funds.
- Replace page 5 of Appendix 1005, FY 16 with updated attachment.
- As FY2016 budgets are approved by NGB, program managers will add funding to the Appendix by separate modification.

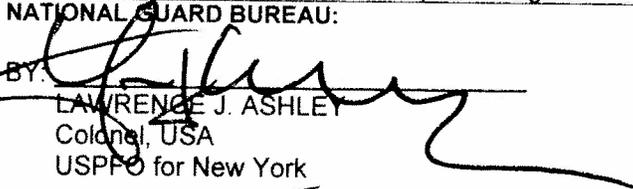
EXECUTION

Except as provided herein, all terms and conditions of the Cooperative Agreement and/or Appendix remain unchanged in full force and effect. IN WITNESS WHEREOF, the parties by their authorized representatives execute this Cooperative Agreement Modification.

THE STATE OF NEW YORK:

NATIONAL GUARD BUREAU:

BY: 
 PATRICK A. MURPHY
 Major General, NYARNG
 The Adjutant General

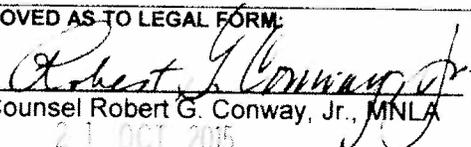
BY: 
 LAWRENCE J. ASHLEY
 Colonel, USA
 USPFPO for New York

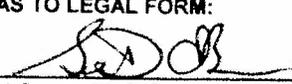
Date: 9 Nov 15

Date: 10 Nov 15

APPROVED AS TO LEGAL FORM:

APPROVED AS TO LEGAL FORM:

BY: 
 Counsel Robert G. Conway, Jr., MNLA

BY: 
 Counsel Sean D. O'Brien, MAJ, JA, NYARNG
 LTC

Date: 21 Oct 2015

Date: 21 Oct 2015

APPENDIX 5 ARNG COMMAND, CONTROL, COMMUNICATIONS, COMPUTERS, AND INFORMATION MANAGEMENT (C4IM) SERVICES

Section 501. General.

a. This Appendix prescribes the terms, conditions, policies and procedures for the National Guard Bureau's (NGB's) Federal contributions for the Army National Guard (ARNG) Command, Control, Communications, Computers, and Information Management (C4IM) Services of the Army National Guard within the State.

b. Statements of Fact.

(1) The authorities and provisions set forth in the following regulations and directives are incorporated into this Appendix by reference.

(b) AR 25-1, Army Information Technology, dated 25 June 2013.

(c) DA PAM 25-1-1, Information Technology Implementation Instructions, dated 25 June 2013.

(d) Army C4IM Services List, dated 23 July 2011.

(e) National Defense Authorization Act dated 8 July 2013.

(2) NGB Appropriations 2065, Operations & Maintenance (O&M) funds can be used in support of this Agreement. The support of ARNG C4IM services is authorized for facilities described and coded for federal support in the Facilities Inventory and Support Plan (FISP). These facilities shall be provided for the joint use of the State and the Federal Government.

(3) Information Technology Services are generally acquired from commercial common carriers. The services are acquired according to tariff provisions and at established tariff rates unless cost or operational requirements dictate otherwise. All major IT hardware/equipment should be procured using the CHES program IAW DA PAM 25-1-1, Para 2-7 dated 25 June 2013. See also section 506 of this appendix for **Unauthorized Activities/Charges**.

(4) Acquisition of leased base communications services within the ARNG is subject to policies and procedures contained in OMB Bulletins, DOD Directives, Army Regulations and other directives issued pursuant thereto.

(5) Network design is a coordination effort between the J6/G6/DCSIM/DOIM in the state and the Chief, ARNG-IMG. Final approval of network design and acquisition of circuits is with the Chief, ARNG-IMG.

(6) The nature of the cost for communications in support of the National Guard in the states is such that it is not practical, desirable, nor economical to provide completely separate communications systems to meet State and Federal requirements. Communications are provided by a common system, and the State and Federal portions of the costs must be apportioned between the two. The USPFO in coordination with the TAG shall determine that percentage.

Section 502. Additional Definitions

a. Command, Control, Communications, Computers and Information Management Service (C4IM) consist of four categories; baseline services; enhanced services; mission funded services and mission unique services.

(1) Baseline services: These services are specifically designated as "baseline". State Joint Force Headquarters (JFHQ) J6/G6/DCSIM/DOIMs will provide baseline IT services to ARNG activities on a non-reimbursable basis.

(2) Enhanced services: These are "baseline" services with enhanced performance measures that exceed one or more of the standards listed in the Army's C4IM Service List, dated 23 July 2011. ARNG activities desiring enhanced IT services will request and obtain these services from the JFHQ J6/G6/DCSIM/DOIM on a reimbursable basis. ARNG activities and JFHQ J6/G6/DCSIM/DOIM will enter into a support agreement for enhanced services.

(3) Mission funded services: These services are specifically designated as "mission funded" in the C4IM services List, ARNG activities will reimburse the JFHQ J6/G6/DCSIM/DOIM for these services unless the J6/G6/DCSIM/DOIM determines that J6/G6/DCSIM/DOIM operations can reasonably provide the required services within its current IT budget.

(4) Mission unique services: These services do not appear on the C4IM Services List since the list only includes the most commonplace IT services. Resources and provisioning for these services are the responsibility of the tenant activity. If the unique mission service interfaces in any way with the JFHQ W912PQ-16-2-1005

or state/territory IT infrastructure, ARNG activities will submit acquisition plans to the installation JFHQ J6/G6/DCSIM/DOIM for review and approval.

b. IT Metrics: The IT Metrics Program, outlined in DA PAM 25-1-1, provides a common framework which allows installation commanders and IT managers to assess the current status of IT operations and infrastructure and evaluate the degree to which each component supports mission accomplishment. By identifying mission capability shortfalls, commanders and IT managers at all levels can make informed decisions regarding allocation of limited IT investment resources.

c. QOIM: Services which include manpower authorizations, contracts, peculiar and support equipment, and associated costs specifically identified and measurable to plan, manage, coordinate, and execute Information Technology Services Management (ITSM). Includes the delivery of services consisting of secure and non-secure fixed voice communications, wireless voice, data and video connectivity services, video conferencing services (excludes desktop video teleconferencing (VTC) Collaboration). Provides infrastructure support, including the design, installation, and maintenance of special circuits/systems in support of life safety/security systems and monitoring/control systems. Provides Collaboration and Messaging Services including services and tools for workforce to communicate and share information. Provides Application and Web-hosting including operation and management services required to support web and application hosting. Provides for IT Operations Centers including systems and processes necessary to allow customers to have seamless access to IT applications and solutions. Provides Desktop Management Support including management and support for end-user hardware and software services and tools. Includes Service Desk Support, Continuity of Operations (COOP) and Disaster Recovery support.

d. MUIM: Provide funding for Visual Information (VI) investment equipment, documentation, production, army-wide distribution, and presentation services for all regions, missions and functions of the Army, OSD, JCS and HQDA. These include motion picture, digital and linear video production, digital and still photography, audio, graphic art, web ready access image files; and provide tele-training/telemedicine material development support. It also provides funding for the management of VI activities including civilian pay, equipment replacement, supplies, travel, and contract support.

Section 503. Office of Primary Responsibility.

a. The Office of Primary Responsibility for this Appendix is the Army National Guard Information Technology Plans, Policy, and Resource Division (ARNG-IMG), Army National Guard Directorate, National Guard Bureau, Army National Guard Readiness Center, 111 South George Mason Drive, Arlington, Virginia 22204-1373.

b. The Chief, ARNG-IMG, for the purposes of this appendix, is a designee of the Chief, National Guard Bureau, and is the individual authorized to make final approval of all C4IM Service budgets and modifications to it and to the language of this Appendix, to authorize distribution and recall of communications funds to the USPFO, to receive specified accounting reconciliation reports, to approve minor communications projects above a set limit and to take any other action on behalf of NGB or the Chief, NGB, as specifically reserved under this appendix for ARNG-IMG.

c. The Joint Forces Headquarters (JFHQ), J6/G6, Director Information Management (DOIM), or Deputy Chief of Staff for Information Management (DCSIM), as appointed by the Adjutant General, is responsible for reviewing all requests for procurement of C4IM communications services and validating requests for payment through commercial accounts. The responsible person is also responsible for making inspections as necessary to determine the extent of compliance with and efficiency of operation under this Appendix.

Section 504. Scope of Agreement.

a. Scope of Services.

(1) The Grantee shall provide baseline C4IM Services to facilities described and coded for federal support in the Facilities Inventory and Support Plan (FISP).

(2) The Grantee may contract for the services, provided that the required and appropriate paragraphs and clauses are included as prescribed in the MCA.

b. Performance Specifications.

(1) The Grantee shall adhere to the guidelines of IT Metrics updates and the performance specifications as stated in the C4IM Service List.

Section 505. Authorized Activities/Charges.

a. Authorized Activities/Charges are those Baseline items and services IAW QOIM C4IM Service 15 and 16 List. Other than baseline items and services are authorized and may be provided subject to the availability of funds. These services include but are not limited to the following types of services:

- (1) Funding, billing and internal controls for (installation/activity/armory) Base communications (BASECOM) to include fax, voice, data and other services.
- (2) Specific communications issues and regulatory requirements to include emergency responses.
- (3) Development of NG Strategic communications Plan for the state Military Department.
- (4) Services for the integration of the GuardNet communications network to best support the mission of the state Military Department.
- (5) Provide coordination for a communications disaster recovery plan for the Military Department of State.
- (6) Services for the investigation of electronic commerce initiative as related to communications.
- (7) Services to develop, implement, and coordinate the communications infrastructure.
- (8) Provide services to develop and coordinate inherent processes such as the Network Help Desk to facilitate information support.
- (9) Cost of circuits for Distance Learning (DL) classrooms will be funded primarily by ARNG-TR using MDEP TADT. Exceptions to the use of base communications funds (QOIM (131G50100)) will be authorized on a case-by-case basis by ARNG-IMG.
- (10) Cell and digital services in accordance to TAG policy.

b. Other services under C4IM Services 18 and 19 may be authorized on a case by case basis by ARNG-IMG. Requests for support under C4IM Services 18 and 19 shall state the specific C4IM Services number, Task ID, Task and how the support is to be accomplished, e.g. State employee, State contract hire.

Section 506. Unauthorized Activities/Charges

a. The following base communications services are unauthorized unless specifically requested by the Grantee and approved in writing by ARNG-IMG:

- (1) Request for Foreign Exchange, WATS 800 service, Defense Switched Network (DSN)
- (2) Requests for services that exceed \$2,000 monthly or \$5,000 nonrecurring per work order or circuit.
- (3) Requests for circuits over 25 miles or that cross the LATA line, unless the service is within a State and is procured through the State in accordance with an NGB approved Network Design.
- (4) Request for Secret Internet Protocol Router Network (SIPRNET) and/or Joint Worldwide Intelligence Communications Systems (JWICS) circuits.
- (5) Automation equipment (e.g., computers, servers, printers, and software, etc.). CHES is the primary source for all network hardware/equipment.

Section 507. Budget Requirements.

a. State Operating Budget. Each State J6/G6/DCSIM/DOIM shall be provided Annual Funding Guidance (AFG) by ARNG-IMG. The State J6/G6/DCSIM/DOIM shall break out the AFG by specified budget categories (QOIM AMSCOs). ARNG-IMG may specify funding ceilings or floors for particular budget categories. The State J6/G6/DCSIM/DOIM shall include all of the requirements necessary to provide adequate baseline C4IM service support to facilities authorized or projected to be authorized. It shall do so whether or not there is funding available in order to capture all unfinanced requirements and input /submit data through IT Metrics.

(1) The state J6/G6/DSCIM/DOIM shall develop an Approved Budget and identify an Approved Budget amount for the authorized MDEP for the entire FY, to cover projected state communication costs authorized by this agreement, NLT 30 September. It is not required that ARNG-IMG approves the state's

Budget. However, the Budget amount identified for this agreement shall not exceed the AFG. A Budget's amount may exceed the AFG if approved by ARNG-IMG.

(2) Changes the J6/G6/DCSIM/DOIM makes to its Approved Budget during the fiscal year do not require ARNG-IMG approval. However, increases or decreases to the budget will be processed IAW NGR 5-1, Chapter 3.

(3) Although State Operating Budget reports are not routinely required by ARNG-IMG, the Cooperative Agreement Program Manager (CA PM) shall submit requested financial or budget reports that ARNG-IMG may require.

(4) It is critical that the CA PM provides input to the J6/G6/DCSIM/DOIM to be included into the IT Metrics to track their requirements. The IT Metrics data is used to determine critical requirements for future funding allocations and Program Objective Memorandum (POM) submissions through the federal funding process.

b. Cost Share: (if Applicable)

(1) The Cost Share for This Appendix Shall Be

FEDERAL: %

STATE: %

(2) Costs share may include:

(a) Recurring costs and toll charges. Funding shall be limited to necessary services as substantiated by previous funding programs, for projections for activation/deactivation of units, and planned upgraded communications services in support of NGB approved networks.

(b) Leased equipment. Leased equipment charges shall be prorated based upon the number of lines used for State requirements versus the number of lines for Federal requirements.

(c) Recruiting and Retention costs. Field recruiter communication costs are supported through this Appendix with funding provided by the Recruiting and Retention budget.

Section 508. Appendix Administration.

a. ARNG-IMG may authorize communication services in addition to those listed here to ARNG activities and/or organizations with special communication requirements. Requests submitted to ARNG-IMG for consideration shall be fully justified to include cost estimates and a statement on the availability of funds within the state to support the services requested.

b. Inspection and Monitoring. The JFHQ J6/G6/DCSIM/DOIM is/are responsible for monitoring the extent of compliance with and the efficiency of operation under this appendix as it pertains to the federal guidelines and laws.

c. Requirements and limitations associated with Other Procurement Army (OPA) vs Operational & Maintenance (O&M) funding are identified in the National Defense Authorization ACT (NDAA). It should be noted that systems exceeding the limitations identified in the National Defense Authorization Act (e.g. \$250,000 or more for equipment) must be funded with OPA funds if federally procured. State procurements are federally reimbursed with 2065 funds (NGB O&M) without regard to what might be required if that same item were federally procured.

d. Changes to the terms and conditions of this appendix will be processed IAW NGR 5-1, Chapter 3.

Section 509. Funding Limitation.

a. Approved Budget/Annual Funding Program (AFP): The total dollar amount that NGB anticipates, subject to the availability of funds, being available for reimbursement to the State for its costs in fulfilling its responsibilities under this Appendix. This amount may be increased or decreased by NGB during the fiscal year.

b. Total Dollars Obligated: The total amount of funds obligated for NGB's share under this Appendix. Only funds obligated through an executed CA modification to this appendix are available for reimbursement to the state. Funds shall be obligated as received by the CA PM.

c. Accomplished as In-Kind Assistance: The total dollars expended through Federal acquisition. This dollar amount may reflect anticipated In-Kind Assistance and be updated as IKA is approved, but as a minimum shall reflect the total dollars accomplished through In-Kind Assistance in support of this Appendix for each fiscal year as it occurs.

d. In accordance with Section 507(b) Cost Sharing, the Federal and Grantee shares are indicated for each fiscal year as it occurs:

(1) Fiscal Year 2016 :	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (%)	\$ 843,619.00	\$ _____
Federal Share (%)	\$ 1,673,351.00	\$ _____
Federal Share (R&R)	\$ 19,000.00	\$ _____
Federal Total	\$ 2,535,970.00	\$ _____
Accomplished as In-Kind Assistance		\$ _____
Grantee Share (10%)	\$ 84,361.90	\$ _____
Grantee Share (10%)	\$ 167,335.10	\$ _____
Grantee Total	\$ 251,697.00	\$ _____
Grand Total	\$ 2,787,667.00	\$ _____

(2) Fiscal Year _____:	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (%)	\$ _____	\$ _____
Federal Share (%)	\$ _____	\$ _____
Federal Share (%)	\$ _____	\$ _____
Federal Total	\$ _____	\$ _____
Accomplished as In-Kind Assistance		\$ _____
Grantee Share (%)	\$ _____	\$ _____
Grantee Share (%)	\$ _____	\$ _____
Grantee Total	\$ _____	\$ _____
Grand Total	\$ _____	\$ _____

(3) Fiscal Year _____: Approved Budget/(AFP) Total Dollars Obligated

Federal Share (%)	\$ _____	\$ _____
Federal Share (%)	\$ _____	\$ _____
Federal Share (%)	\$ _____	\$ _____
Federal Total		\$ _____	\$ _____
Accomplished as In-Kind Assistance		\$ _____	
Grantee Share (%)	\$ _____	\$ _____
Grantee Share (%)	\$ _____	\$ _____
Grantee Total		\$ _____	\$ _____
Grand Total		\$ _____	\$ _____

(4) Fiscal Year _____: Approved Budget/(AFP) Total Dollars Obligated

Federal Share (%)	\$ _____	\$ _____
Federal Share (%)	\$ _____	\$ _____
Federal Share (%)	\$ _____	\$ _____
Federal Total		\$ _____	\$ _____
Accomplished as In-Kind Assistance		\$ _____	
Grantee Share (%)	\$ _____	\$ _____
Grantee Share (%)	\$ _____	\$ _____
Grantee Total		\$ _____	\$ _____
Grand Total		\$ _____	\$ _____

(5) Fiscal Year _____: Approved Budget/(AFP) Total Dollars Obligated

Federal Share (%)	\$ _____	\$ _____
Federal Share (%)	\$ _____	\$ _____
Federal Share (%)	\$ _____	\$ _____
Federal Total		\$ _____	\$ _____
Accomplished as In-Kind Assistance		\$ _____	
Grantee Share (%)	\$ _____	\$ _____
Grantee Share (%)	\$ _____	\$ _____
Program Income		\$ _____	\$ _____
Grantee Total		\$ _____	\$ _____
Grand Total		\$ _____	\$ _____

Section 510. Agreement Particulars.

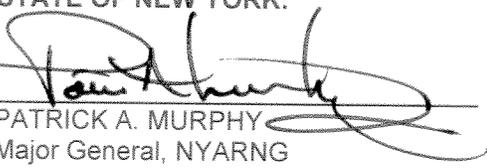
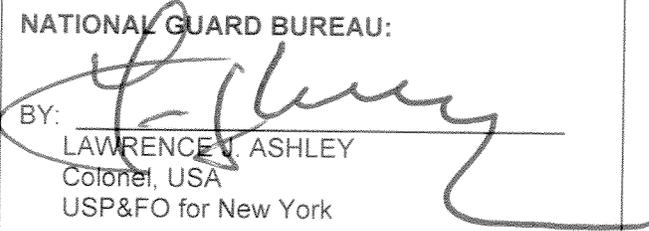
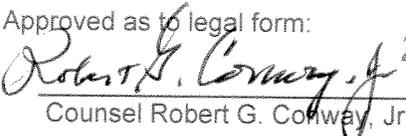
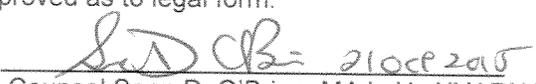
The information below shall be recorded by the Grants Officer's Representative (GOR) for compliance with the reporting requirements of the DoD Assistance Award Action Report System (DAADS) and the Federal Funding Accountability and Transparency Act of 2006.

a. Grantee/Recipient Category:	Government
b. Grantee/Recipient Type:	State Government
c. Grantee/Recipient DUNS:	044776024
d. Primary Place of Performance (if different from 'Issued To' on CA Modification Form): (To include Zip + 4)	New York, 12110-3514
e. Grantee/Recipient County (Primary Place of Performance):	Albany
f. Grantee/Recipient Congressional District (Primary Place of Performance):	36
g. Major Agency:	DOD
h. Agency Code:	2100
i. Funding Agency:	Army
j. Program Source Agency:	21
k. Transaction Type:	Cooperative Agreement
l. CFDA:	12.401
m. CFDA Program Title:	Operation and Maintenance, Army National Guard
n. Program Source Account-Funding:	2065
o. Treasury Appropriation Code:	2065
p. Award/Obligation/Action Date:	1 Oct 2015
q. Starting Date:	1 Oct 2015
r. Ending Date:	30 Sep 2016
s. Record Type:	Individual Action
t. Fiscal Year/Quarter:	2016/1 st Qtr
u. Unique Federal Award Identification Number (FAIN)	W912PQ-16-2-1005
v. Approved Budget Amount:	\$2,535,970.00
w. R&D Award (Yes or No)	No
x. Indirect Cost Rate or CPP Rate:	\$ 5,032.00

EXECUTION

By executing this Appendix, the parties agree to its terms and conditions.

IN WITNESS WHEREOF, the parties by their authorized representatives, execute this Appendix.

<p>THE STATE OF NEW YORK:</p> <p>BY: <u></u> PATRICK A. MURPHY Major General, NYARNG The Adjutant General</p> <p><u>9 NOV 15</u> Date</p>	<p>NATIONAL GUARD BUREAU:</p> <p>BY: <u></u> LAWRENCE V. ASHLEY Colonel, USA USP&FO for New York</p> <p><u>10 NOV 15</u> Date</p>
<p>Approved as to legal form: <u></u> 21 OCT 2015 Counsel Robert G. Conway, Jr., MNLA</p>	<p>Approved as to legal form: <u></u> 21 OCT 2015 Counsel Sean D. O'Brien, MAJ JA, NYARNG LTC</p>