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104 to Contract
MADS approval

COOPERATIVE AGREEMENT MODIFICATION

Agreement/Appendix Title and Number: **W912PQ-14-2-1001**
Project Name/Description and Location: **ARNG FACILITIES PROGRAM**
Modification Number: **P00002**

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

DESCRIPTION OF MODIFICATION:

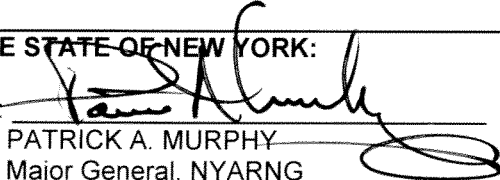
1. JUSTIFICATION: Request that a Modification be issued to increase allotment by \$4,019,200.00 in the 100% Federal Cost Share of Appendix 1001, ARNG Facilities Program, of the Master Cooperative Agreement for Fiscal Year 2014, and is reflected under its respective cost shared category. Additionally AFP in the 100% Federal Cost Share is increased by \$976,000.00 due to OCO (131 VFRE) transfer from MNOT and increase in MDEP ERVT.
2. The Maximum Funding Limitation (MFL-Federal) for this Appendix W912PQ-14-2-1001 for FY-14 is increased by \$4,019,200.00 from \$277,500.00 to \$4,296,700.00.
3. The Estimated Cost (AFP-Federal) for this Appendix W912PQ-14-2-1001 for FY-14 is increased by \$976,000.00 from \$19,530,500.00 to \$20,506,500.00.
4. The Maximum Funding Limitation (MFL-State) for this Appendix W912PQ-14-2-1001 for FY-14 is established at \$1,825,000.00.
5. The Estimated Cost (AFP-State) for this Appendix W912PQ-14-2-1001 for FY-14 remains unchanged at \$6,499,000.00.
6. In-Kind Assistance is increased by \$1,000,000.00 from \$2,200,000.00 to \$3,200,000.00.
7. Add the attached updated pages 6-7 to this Appendix for FY-14.
8. See attached memo from MNFE dated 18 November 2013.
9. FY2014 funding for this modification is authorized pursuant to HR2775, as enacted, Section 116. Funding is authorized to the Grantee for reimbursement of expenses incurred for 1) compensation of furloughed employees during the period of a lapse in Federal appropriations and, 2) expenses incurred by the Grantee that would have been paid by the Federal Government during that period had appropriations been available. HR2775, as enacted, Section 116 in its entirety is attached and incorporated by reference. Reimbursement of authorized, allowable expenses retroactive to 1 Oct 13 is authorized.
10. As FY 2014 budgets are approved by NGB, program managers will add funding to the Appendix by separate modification which is subject to the availability of funds.

EXECUTION

Except as provided herein, all terms and conditions of the Cooperative Agreement and/or Appendix remain unchanged in full force and effect.

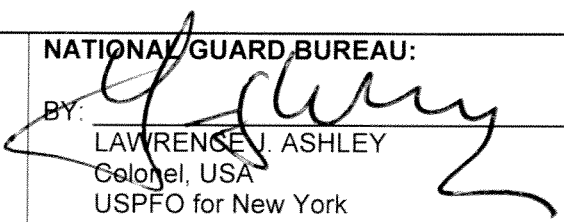
IN WITNESS WHEREOF, the parties by their authorized representatives execute this Cooperative Agreement Modification.

THE STATE OF NEW YORK:

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

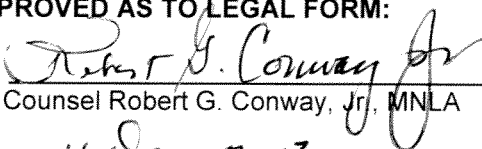
Date: 13 Dec 13

NATIONAL GUARD BUREAU:

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

Date: 17 Dec 13

APPROVED AS TO LEGAL FORM:

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

Date: 11 Dec 2013

APPROVED AS TO LEGAL FORM:

BY: 
Counsel Paul Sausville, COL, JA, NYARNG

Date: 10 Dec 2013

1. Fiscal Year 2010:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 14,011,830.32	\$ 14,011,830.32
Federal Share (75%)	\$ 2,071,739.34	\$ 2,071,739.34
Federal Share (50%)	\$ 4,201,830.34	\$ 4,201,830.34
Federal Total	\$ 20,285,400.00	\$ 20,285,400.00
Accomplished as In-Kind Assistance	\$ 2,966,592.73	
Grantee Share (50%)	\$ 4,201,890.34	\$ 4,201,890.34
Grantee Share (25%)	\$ 690,579.78	\$ 690,579.78
Program Income	\$ 0.00	\$ 0.00
Grantee Total	\$ 4,892,470.12	\$ 4,892,470.12

2. Fiscal Year 2011:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 13,661,541.66	\$ 13,661,541.66
Federal Share (75%)	\$ 595,813.43	\$ 595,813.43
Federal Share (50%)	\$ 4,272,144.91	\$ 4,272,144.91
Federal Total	\$ 18,531,500.00	\$ 18,531,500.00
Accomplished as In-Kind Assistance	\$ 1,639,057.91	
Grantee Share (50%)	\$ 4,272,144.91	\$ 4,272,144.91
Grantee Share (25%)	\$ 257,697.29	\$ 257,697.29
Program Income	\$ 0.00	\$ 0.00
Grantee Total	\$ 4,531,842.20	\$ 4,531,842.20

3. Fiscal Year 2012:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 13,005,100.00	\$ 13,005,100.00
Federal Share (75%)	\$ 500,000.00	\$ 500,000.00
Federal Share (50%)	\$ 8,000,000.00	\$ 8,000,000.00
OCO Funding	\$ 1,766,500.00	\$ 1,766,500.00
Federal Total	\$ 23,271,600.00	\$ 23,271,600.00
Accomplished as In-Kind Assistance	\$ 4,400,501.00	
Grantee Share (50%)	\$ 8,000,000.00	\$ 8,000,000.00
Grantee Share (25%)	\$ 200,000.00	\$ 200,000.00
Program Income	\$ 0.00	\$ 0.00
Grantee Total	\$ 8,200,000.00	\$ 8,200,000.00

4. Fiscal Year 2013:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 12,286,859.00	\$ 12,286,859.00
Federal Share (75%)	\$ 1,100,000.00	\$ 1,100,000.00
Federal Share (50%)	\$ 11,322,541.00	\$ 11,322,541.00
OCO Funding	\$ 219,700.00	\$ 219,700.00
Federal Total	\$ 24,709,400.00	\$ 24,709,400.00
Accomplished as In-Kind Assistance	\$ 4,434,124.01	
Grantee Share (50%)	\$ 11,322,541.00	\$ 11,322,541.00
Grantee Share (25%)	\$ 366,700.00	\$ 366,700.00
Program Income	\$ 0.00	\$ 0.00
Grantee Total	\$ 11,689,241.00	\$ 11,689,241.00

5. Fiscal Year 2014:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 13,757,500.00	\$ 1,971,700.00

Federal Share (75%)	\$ 625,000.00		\$ 225,000.00
Federal Share (50%)	\$ 6,124,000.00		\$ 2,100,000.00
Federal Total	\$ 20,506,500.00		\$ 4,296,700.00
	Accomplished as In-Kind Assistance	\$3,200,000.00	
Grantee Share (50%)	\$ 6,124,000.00		\$ 1,775,000.00
Grantee Share (25%)	\$ 375,000.00		\$ 50,000.00
Program Income	\$ 0.00		\$ 0.00
Grantee Total	\$ 6,499,000.00		\$ 1,825,000.00

Section 110. 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): 36
- f. Grantee/Recipient Congressional District (Primary Place of Performance): Albany
- 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 2013
- q. Starting Date: 1 Oct 2013
- r. Ending Date: 30 Sep 2014
- s. Record Type: Individual Action
- t. Fiscal Year/Quarter: 2014/1st Qtr

MEMORANDUM FOR MNPF, CW2 Davin

SUBJECT: Modification of Master Cooperative Funding Agreement (CFA),
W912PQ-14-2-1001, Appendix #1 (ARNG Facilities Programs)

1. Request that a modification be completed for Appendix #1 to reflect additional first quarter allotment in the amount of \$4,019,200.00 which was distributed amongst MDEPS QRPA, ERVT, QDPW, and QDEM. There was a recent transfer of OCO (131 VFRE) funds in the amount of \$626,000 in AFP and \$56,700 in allotment from MNOT. MDEP ERVT had an increased AFP in the amount of \$350,000. The total allotment for this appendix is reflected under its respective cost shared category and will be used to support the ARNG Facilities Program as outlined within this appendix.

Section 109. Funding Limitation is changed as follows:

a. Funding.

	(Allotment) Maximum Funding Limitation	(AFP) Estimated Cost
QRPA	1,200,000.00	12,616,400.00
ERVT	500,000.00	1,108,300.00
QDPW	1,640,000.00	4,469,300.00
EAFS	0.00	786,500.00
QDEM	900,000.00	900,000.00
VFRE	56,700.00	626,000.00
Federal Total	4,296,700.00	20,506,500.00
Federal Share (Source Fund A)	0.00	0.00
Federal Share (100%)	1,971,700.00	13,757,500.00
Federal Share (75%)	\$225,000.00	625,000.00
Federal Share (50%)	2,100,000.00	6,124,000.00
Federal Total	4,296,700.00	20,506,500.00
State Share (50%)	1,775,000.00	6,124,000.00
State Share (25%)	50,000.00	375,000.00
Program Income	0.00	0.00
State Total	1,825,000.00	6,499,000.00
Grand Total	6,121,700.00	27,005,500.00

MNFE (37)

SUBJECT: Modification of Master Cooperative Funding Agreement (CFA),
W912PQ-14-2-1001, Appendix #1

b. In-Kind Assistance.

Within the Federal Share indicated above \$3,200,000.00 is reserved and designated specifically for in-kind assistance through Federal procurement procedures. The use of in-kind assistance shall be at the request of the Adjutant General as approved by the USPFO. NGB-ARI approval is not necessary.

2. This Appendix is subject to the availability of funds.
3. The POC on this issue is SGT Nicole Richardson, who can be reached at 518-786- 6117.



PAUL R. CONTE
LTC, FA, NYARNG
Program Manager (CFMO)

CF:
MNBF, Tom Halabuda



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
UNITED STATES PROPERTY AND FISCAL OFFICER FOR NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

MNPF

20 November 2013

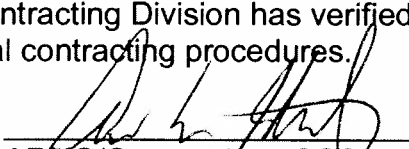
MEMORANDUM FOR MNPF-CO

SUBJECT: Approval of the attached request for In-Kind Assistance Letter Dated: 18 November 2013, from MNFE-CFMO FY 14, Appendix 1001, ARNG Facilities Programs

1. In accordance with NGR 5-1 Chapter 9, In-Kind Assistance (IKA) is the federal procurement of supplies or services for a State's/Territory's State Military Department through a Cooperative Agreement. In-kind assistance can be federally procured supplies, services, or construction. Services can include real property maintenance and repair.

2. Use of federal procurement system to contract supplies, services, or construction does not relieve the state of its responsibility to meet the match or share requirements specified in the appropriate Agreement. In-Kind Assistance comes from the federal share of an agreement. When an agreement has a State match/share the Grants Officer Representative is responsible for ensuring the State meets its match/share requirements. The State Military Department shall credit the amount of its share of the costs of in-kind assistance against the costs claimed for reimbursement under the cooperative agreement. In-kind assistance is program year sensitive and as such the credit due the federal government may be in the form of a check if in-kind assistance coincides with the end of a fiscal year.

3. ARNG Contracting Division has verified they ~~can~~ cannot support the attached request to utilize Federal contracting procedures.

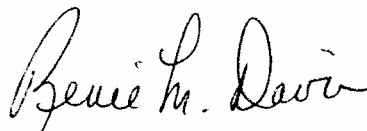


ARNG/Contracting: SCS or Deputy

11/22/13

Date

4. Questions may be directed to MNPF, ATTN: CW2 Renee M. Davin at Commercial, 518-786-4709, DSN: 489-4709, or renee.m.davin.mil@mail.mil



RENEE M. DAVIN
CW2, AG, NYARNG
Management & Program Analyst
Cooperative Agreements

MEMORANDUM THRU MNAG-TAG, ATTN: MG Patrick A. Murphy

FOR MNPF, USPFO-NY, ATTN: COL Lawrence J. Ashley

SUBJECT: FY-14 IKA for Appendix #1 ARNG Facilities Programs

1. This memorandum is to request approval to use In Kind Assistance (IKA) to support the following:

a. ARNG-Z has Indefinite Delivery/Indefinite Quality (IDIQ) contracts for non-inherently governmental positions that are not available through the NYS Personnel System. The NYS Personnel System may request Task Orders from the National IDIQ to fill their contract employee needs:

(1) ISR Manager Contract

(2) The Purchase Request for a Project Manager to provide oversight and organization of construction phases for the Readiness Center Alterations project at 2366 5th Avenue, NYC. This service cannot be provided by NYS at this time because of the state hiring freeze that is currently in place.

b. Military Interdepartmental Purchase Request (MIPR) is generally used to transfer monies for supplies and services and Store Front Leases between two different military organizations. This procedure is outlined in the host tenant agreements for the facilities below. These MIPRs are for 100% federally supported requirements:

(1) MIPR for Scotia Air Base to support the annual cost of maintenance and repair of the CST building.

(2) MIPR/WBS is to support annual maintenance and repair cost at Ft Hamilton, NY for buildings 212, 101, 102, 103, 105 and 106.

(3) MIPR/WBS is to support arms vault repair at Ft. Hamilton, NY.

(4) MIPR for Glenville Readiness Center for refuse removal and janitorial services.

(5) MIPR for Store Front Lease for Watertown, NY.

(6) MIPR for Store Front Lease for Central Avenue, Albany, NY.

MNFE

SUBJECT: FY-14 IKA for Appendix #1 ARNG Facilities Programs

- (7) MIPR for Store Front Lease for North Brooklyn, NY.
 - (8) MIPR for Store Front Lease for Long Island City, NY. (South Brooklyn)
 - (9) MIPR for Store Front Lease for 6159 Route 1, Cicero, North Syracuse, NY.
 - (10) MIPR for Store Front Lease for Patchogue, NY.
 - (11) MIPR for Store Front Lease for Middletown, NY.
 - (12) MIPR for new Store Front Lease for Harlem, NY
 - (13) MIPR for Support Agreement at Watervliet Arsenal, NY.
 - (14) MIPR for carpet replacement for Recruiting and Retention at Watervliet Arsenal, NY
 - (15) MIPR for Fiber Optic Cable for CIF Warehouse at Watervliet Arsenal, NY
 - (16) MIPR/WBS to Conduct Environmental Condition of Property (ECOP) for the Main Entrance Rehab at Camp Smith, NY conducted by the Army Public Health Command.
 - (17) MIPR/WBS for Support Agreement at Ft Drum MATES, NY
- c. Annual cost for the maintenance of the Facility Focus software program. This is 100% federally supported system. NYS does not provide this service at this time.
- d. Demolish various buildings at Youngstown Training Site. (Building 9042B, 9036D, 9001A, 9036C, 9036B, 9036A, ELEC1,9051A, 9051B, 9042A, 9042C, 9010B, 9010A, 9008B, 9008A, 9001B)
- e. Due to Federal procurement being less costly to the government than State contracting, we request the following projects utilize the federal contracting process:**
- (1) FT Drum MATES-Paving.**
 - (2) FT Drum MATES-Provide actuated duct damper system to the F-Wing Vehicle Exhaust.**
 - (3) Scotia Security Upgrade Supply Area.**
 - (4) CSMS C - Provide digital direct communications – HVAC.**
 - (5) CSMS C – Insulate steam and condensate return piping.**

MNFE

SUBJECT: FY-14 IKA for Appendix #1 ARNG Facilities Programs

(6) CSMS C – Replace outdated AC Systems-Servicing electronic shop and break room.

2. Request authorization to increase IKA by \$1,000,000.00 from \$2,200,000.00 to \$3,200,000.00 from the Master Cooperative Agreement (MCA) Appendix 1 to IKA.
3. POC for this matter is LTC Paul Conte, who can be reached at extension 4309.



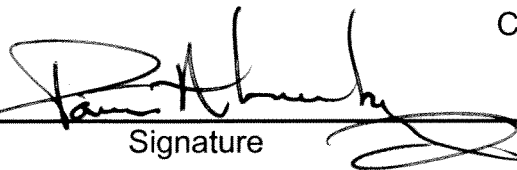
PAUL CONTE
LTC, FA, NYARNG
Program Director (CFMO)

CF:
CW2 Renee Davin

MNAG-TAG

Concur/Non-Concur

15 Dec 13



Date

Signature

The Adjutant General

USP&FO-NY

Concur/Non-Concur

17 Dec 13



Date

Signature

USP&FO- NY

FUNDING ALLOWANCE DOCUMENT RECEIVED DETAIL REPORT

FUND CENTER	PROGRAM	Appropriation	AMSCO	MDEP	AFP		Pub Date	Remarks
					Amount	ALLOTMENT		
A1815	MNOT	206511D14	131		-626,000.00	-56,700.00	29-Oct-13	MOVE AFP FROM MNOT TO MNFE. FUNDS ARE IN SUPPORT OF PRE-MOB INSTALLATION.
A181X	MNF	206511D14	131		626,000.00	56,700.00	29-Oct-13	MOVE AFP FROM MNOT TO MNFE. FUNDS ARE IN SUPPORT OF PRE-MOB INSTALLATION.

SOF: Command Non-Cum

Last Data Refreshed from ECC

11/06/2013 08:11:26

Report Run Time

11/06/2013 09:12:56

Current User

BOGARDUS, LISA

Variables

Fund 206510D14 Operation & Maintenance, Army National G
 Funds Center ARMY/A181X NYConstruction and Facility Management

Fund	Funds Center	MIDEP	Current AFP	Allotment	Comm. (Non Cum)	Oblig. (Non Cum)	Exp (Non Cum)	Disb. (Non Cum)	Available Budget AFP	Available Budget Allotment
206510D14	A181X	ODPW			34,730.66	0.00	0.00	0.00	-34,730.66	-34,730.6
206510D14	A181X	QRPA			86,964.80	0.00	0.00	0.00	-86,964.80	-86,964.8
206510D14	A181X	UA	0.00	2,400,000.00					0.00	2,400,000.0
206510D14	A181X	#	22,988,500.00	2,955,000.00					22,988,500.00	2,955,000.0
Overall Result			22,988,500.00	5,355,000.00	121,695.46	0.00	0.00	0.00	22,866,804.54	5,233,304.5

SOF: Command Cum

Last Data Refreshed from ECC

11/06/2013 08:11:26

Report Run Time

11/06/2013 09:25:33

Current User

BOGARDUS, LISA

Variables

Fund 20651D14 Operation & Maintenance, Army National G
Funds Center ARMY/A181X NYConstruction and Facility Management

Fund	Funds Center	MDEP #	Current AFP \$	Allotment \$	Comm. (Cum)	Open Commitments	Oblig. (Cum)	Undisbursed Obligations	Exp. (Cum)	Disp. (Cum)	Available Budget AFP \$	Available Budget Allotment \$
20651D14	A181X		898,000.00	328,700.00							898,000.00	328,700.00
Overall Result			898,000.00	328,700.00							898,000.00	328,700.00