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COOPERATIVE AGREEMENT MODIFICATION

Agreement/Appendix Title and Number: W912PQ-14-2-1001

Project Name/Description and Location: ARNG FACILITIES PROGRAM

Modification Number: P0004

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

1. JUSTIFICATION: Increase in VFRE Allotment, decrease in 100% AFP, increase in IKA
2. ACTION: Approve and sign modification of the ARNG Facilities Program Cooperative Agreement to increase allotment in VFRE, decrease in 100% AFP, increase in IKA
3. See attached memorandum from MNFE dated 27May2014, 4June2014, and IKA letter dated 23May2014.
4. Replace page 6 of Appendix 1001 for FY 14 with attached updates.

Action	Funding Source	From	Change	To
FED MFL	Federal Share (Source A Funding)	\$ -	-	\$ -
	Allotment 100%	\$ 9,986,600.00	0.00	\$ 9,986,600.00
	75%	\$ 625,000.00	0.00	\$ 625,000.00
	50%	\$ 7,483,200.00	140,000.00	\$ 7,623,200.00
	<b>TOTAL FEDERAL MFL</b>	<b>\$ 18,094,800.00</b>	<b>140,000.00</b>	<b>\$ 18,234,800.00</b>
FED AFP	Federal Share (Source A Funding)	\$ -	-	\$ -
	AFP 100%	\$ 14,757,500.00	(289,500.00)	\$ 14,468,000.00
	-75%	\$ 625,000.00		\$ 625,000.00
	50%	\$ 8,408,200.00		\$ 8,408,200.00
	<b>TOTAL FEDERAL AFP</b>	<b>\$ 23,790,700.00</b>	<b>(289,500.00)</b>	<b>\$ 23,501,200.00</b>
FED IKA	In Kind Assistance	\$ 4,000,000.00	400,000.00	\$ 4,400,000.00
STATE MFL	Allotment 50%	\$ 7,483,200.00	140,000.00	\$ 7,623,200.00
	25%	\$ 208,333.33		\$ 208,333.33
	<b>TOTAL STATE MFL</b>	<b>\$ 7,691,533.33</b>	<b>140,000.00</b>	<b>\$ 7,831,533.33</b>
STATE AFP	AFP 50%	\$ 8,408,200.00		\$ 8,408,200.00
	25%	\$ 208,333.33		\$ 208,333.33
	<b>TOTAL STATE AFP</b>	<b>\$ 8,616,533.33</b>	<b>\$0.00</b>	<b>\$ 8,616,533.33</b>
	<b>PROGRAM GRAND TOTAL MFL</b>	<b>\$ 25,786,333.33</b>	<b>\$280,000.00</b>	<b>\$ 26,066,333.33</b>
	<b>PROGRAM GRAND TOTAL AFP</b>	<b>\$ 32,407,233.33</b>	<b>(\$289,500.00)</b>	<b>\$ 32,117,733.33</b>

5. As FY2014 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  
PATRICK A. MURPHY  
Major General, NYARNG  
The Adjutant General

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

Date: 10 July 14

Date: 16 JUL 14

APPROVED AS TO LEGAL FORM:

APPROVED AS TO LEGAL FORM:

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

BY: Paul Sausville  
Counsel Paul Sausville, COL, JA, NYARNG

Date: 17 June 2014

Date: 19 Jun 2014

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%)	\$ 14,468,000.00	\$ 9,986,600.00
Federal Share (75%)	\$ 625,000.00	\$ 625,000.00
Federal Share (50%)	\$ 8,408,200.00	\$ 7,623,200.00
Federal Total	\$ 23,501,200.00	\$ 18,234,800.00
Accomplished as In-Kind Assistance \$ 4,000,000.00		
Grantee Share (50%)	\$ 8,408,200.00	\$ 7,623,200.00
Grantee Share (25%)	\$ 208,333.33	\$ 208,333.33
Program Income	\$ 0.00	\$ 0.00
Grantee Total	\$ 8,616,533.33	\$ 7,831,533.33

## 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 an increase in allotment of \$140,000 in VFRE. This brings the new allotment total to \$596,700 in VFRE. \$108,300 was received via a MIPR to support the MCN3 Pad Project located at the Latham AASF.

Section 109. Funding Limitation is changed as follows:

## a. Funding.

	(Allotment) Maximum Funding Limitation	(AFP) Estimated Cost
QRPA	10,070,200.00	13,164,000.00
ERVt	1,108,300.00	1,108,300.00
QDPW	4,773,100.00	6,916,400.00
EAFS	786,500.00	786,500.00
QDEM	900,000.00	900,000.00
VFRE	596,700.00	626,000.00
Federal Total	18,234,800.00	23,501,200.00
Federal Share (100%)	9,986,600.00 ✓	14,468,000.00 ✓
Federal Share (75%)	625,000.00 ✓	625,000.00 ✓
Federal Share (50%)	7,623,200.00 ✓	8,408,200.00 ✓
Federal Total	18,234,800.00 ✓	23,501,200.00 ✓

State Share (50%)	7,623,200.00 ✓	8,408,200.00 ✓
State Share (25%)	208,333.33 ✓	208,333.33 ✓
Program Income	0.00	0.00
State Total	7,831,533.33 ✓	8,616,533.33 ✓
Grand Total	26,066,333.33 ✓	32,117,733.33 ✓

b. \$108,300 received via MIPR from PEO STRI to support the construction of the MCN3 Pad Project located at the Latham AASF.

MNFE (37)

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

c. In-Kind Assistance.

Within the Federal Share indicated above \$4,400,000.00<sup>✓</sup> 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

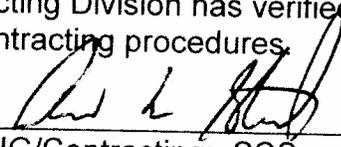
MNPF

4 June 2014

MEMORANDUM FOR MNPF-CO

SUBJECT: Approval of the attached request for In-Kind Assistance Modification 3, from MNFE FY 14, Appendix 1001, ARNG Facilities Program

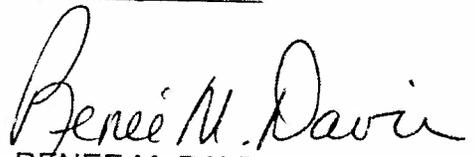
1. In accordance with NGR 5-1 Chapter 9, In-Kind Assistance (IKA) is the federal procurement of supplies or services for a State's/Territory's State Military Department through a Cooperative Agreement. In-kind assistance can be federally procured supplies, services, or construction. Services can include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

Date

6/6/14

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](mailto:renee.m.davin.mil@mail.mil).

  
RENEE M. DAVIN  
CW2, 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 - CFMO Contracted Employee – extended 1 full year.

(2) Real Property Manager – Latham – CFMO Contracted Employee – extended 1 full year.

(3) Data Administrator Contract – CFMO Contracted Employee – extended 1 full year.

(4) The purchase request for a Program Analyst (CFMO Contracted Employee) will fulfill a necessary need for data entry for utility usage, contract vendor, contract cost, and contract expiration date statewide. MNFE is currently working with the State Human Resource Department in order to align this position as a full time state position. Extended for 6 months.

(5) The purchase request for a Fire and Safety Coordinator (CFMO Contracted Employee) will provide the NYARNG with a subject matter expert. This coordinator will not only provide a service that will benefit the safety of facilities and service members, but will add significant cost savings as the services rendered will not have to be contracted out for every facility. MNFE is currently working with the State Human Resource Department in order to align this position as a full time state position. **Extended for an additional 6 months.**

(6) The purchase request for a Master Planner for Planning and Programming (CFMO Contracted Employee) is a necessity in Planning the Capital Investment Strategy for future construction, renovation, repair and overall construction and engineering budget allocation recommendations. The position is responsible for developing the Long Range Construction Plan and advising TAG-NY on future strategies that support Real Property, Sustainment and growth.

MNFE

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

The Master Planner is recognized by ARNG as the critical link to producing a Real Property Development Plan for Programming and Execution. MNFE is currently working with the State Human Resource Department in order to align this position as a full time state position. **Extended for an additional 6 months.**

(7) The Purchase Request for a Project Manager to provide oversight and organization of construction phases for the Readiness Center Alterations project at 2366 5<sup>th</sup> Avenue, NYC.

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 (ISSA).

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

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

(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.

(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 – On hold per LTC Pettit

MNFE

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

- (13) MIPR for Support Agreement (ISSA) 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 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 for Support Agreement (ISSA) at Ft Drum MATES, NY.
- (18) MIPR to purchase three Portable Field Armories with equipment.
- (19) MIPR for NYARNG Readiness Center located at FT Drum - Demo Island Curbs & Pave P855 - Remove 12 separate curbed islands located in the POV parking area then provide an additional 4" of stone aggregate. Remove 5" of stone aggregate at the 12 separate areas and provide 3" of binder course to enhance personnel safety during snow removal operations, reduce snow plow damage and to help reduce POV damage at snow covered and unmarked islands.
- (20) MIPR to Conduct Environmental Condition of Property (ECOP) for the Camp Smith CSMS MILCON Project conducted by the Army Public Health Command
  - 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.

MNFE

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

- (4) CSMS C - Provide digital direct communications – HVAC.
- (5) CSMS C – Insulate steam and condensate return piping.
- (6) CSMS C – Replace outdated AC Systems-Servicing electronic shop and break room.
- (7) Scotia CST Pallet Racks

**(8) HVAC Maintenance for Farmingdale (Trane Contract)**

2. The Master Cooperative Agreement (MCA), Appendix 1, currently reflects \$4,000,000 for IKA. **A modification requesting an increase of \$400,000 changing the current MCA IKA to \$4,400,000 is to follow.**

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

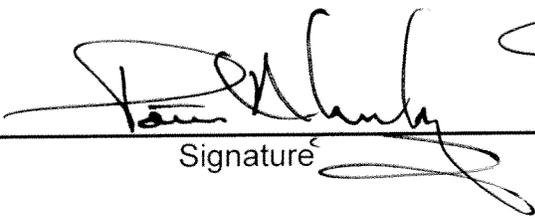
MNFE

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

MNAG-TAG

Concur/~~Non-Concur~~

2 Dec 14



Date

Signature

The Adjutant General

USP&FO-NY

Concur/~~Non-Concur~~

12 Jul 14



Date

Signature

USP&FO- NY