COOPERATIVE AGREEMENT MODIFICATION

Page 1 of 4

Agreement/Appendix Title and Number: W912PQ-14-2-1002

Project Name/Description and Location: ARNG Environmental Programs Resources Management

Modification Number: P0009

ISSUED BY:

ISSUED TO:

NATIONAL GUARD BUREAU

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.

[X] a. FUNDING

- [] b. TERMS AND CONDITIONS
- [] c. TERMINATION
- [] d. OTHER ADMINISTRATIVE :

Action	Funding Source	From		Change	То
FED	Allotment 100%	\$ 658,359.47	\$	(6,929.29)	\$ 651,430.18
	75%	\$ 97,240.53	\$	838.12	\$ 98,078.65
	Total Federal Allotment	\$ 755,600.00	ŝ	(6,091.17)	\$ 749,508.83
FED	AFP 100%	\$ 658,359.47	\$	(6,929.29)	\$ 651,430.18
***************************************	75%	\$ 97,240.53	\$	838.12	\$ 98,078.65
	Total Federal AFP	\$ 755,600.00	Ş	(6,091.17)	\$ 749,508.83
FED	In-Kind Assistance (IKA)	\$ 98,805.00	\$	1,168.22	\$ 99,973.22
STATE	Allotment - State 25%	\$ 32,413.72	\$	279.38	\$ 32,693.10
STATE	AFP - State 25%	\$ 32,413.72	\$	279.38	\$ 32,693.10

DESCRIPTION OF MODIFICATION:

- 1. JUSTIFICATION: Federal AFP was \$755,600.00 in which a total of \$749,508.83 was executed. \$6,091.17 was deobligated from Federal AFP. An upward obligation of \$1,168.22 to IKA and \$279.38 to State AFP will also be applied and thereby officially closing Appendix 1002 for FY14.
- 2. ACTION: Approve and sign modification of the ARNG Environmental Program to close FY14.
- 3. Replace page 8 of Appendix 1002, FY14.
- 4. See MNFE-CFMO memo dated 22 June 2016.

EXECUTION

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

IN WITHESS WHEREOF, the parties by their authorized repres	entatives execute this Cooperative Agreement Modification.
THE STATE OF NEW YORK:	NATIONAL GUARD BUREAU:
BY: ANTHONY P. GERMAN Major General, NYARNG The Adjutant General Date:	BY: LAWRENCE J ASHLEY Colonial, USA USPFO for New York Date:
APPROVED AS TO LEGAL FORM:	ADDDOVED AS TO LEGAL FORM
BY John, r. V. Couve of Fr. Counsel Robert G. Conway, Jr., MNLA	BY:Counsel Sean D. O'Brien, LTC, JA, NYARNG
Date: 12 August 2016	Date: 1/ Avg 2016

- (c) Generally, environmental resource support shall be provided funds for authorized facilities as coded in the FISP. However, some environmental services and projects are not facility-related but mission-related, and as such, will be supported with 100 percent federal funding.
- (2) The percentage share (e.g., 100%, 75%, 50%) of federal reimbursement shall be broken out in Section 209, Funding Limitations.

f. Budget Changes.

- (1) The CA PM must submit a written request to NGB-ARE to decrease or increase funds in the budget. The request shall include an updated budget reconciliation report as an enclosure. The request and approval shall not be binding, nor can any expenditure of funds be approved, unless a CA modification to this appendix has been executed.
 - (2) Budget changes will be reflected in the periodic reports required by NGB-ARO-FP.

Section 208. Appendix Administration.

- a. Real Property, Construction, Repair, and Maintenance:
- (1) For environmental requirements involving real property, construction, repair, and maintenance, the CFMO is responsible for work classification, technical adequacy, and compliance with criteria associated with all ARNG real property activities within the state, regardless of the federal program-funding source.

b. Contract Provisions:

- (1) Grantees will include a requirement for contractors to conform with ARNG eMS policy, regarding: complying with applicable environmental regulations, preventing pollution, and implementing actions that minimize environmental impacts from those aspects found to have potentially significant impacts. In meeting this requirement, Grantees should brief appropriate contractors on their eMS requirements prior to initiation of contracted work.
 - (2) Grantees will include all provisions of Article VIII, of the Master Cooperative Agreement in contracts.
 - (3) Changes to the terms and or conditions of this Appendix will be processed IAW NGR 5-1, Chapter 3.

Section 209. 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 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. The following funding limitations are provided for each fiscal year as it occurs:

1. Fiscal Year 2010:

	Αp	proved Budget/(AFP)	To	otal Dollars Obligated
Federal Share (100%)	\$	988,845.00	\$	988,845.00
Federal Share (75%)	\$	73,942.00	\$	73,942.00
Federal Share (50%)	\$	0.00	\$	0.00
Federal Total	\$	1,062,787.00	\$	1,062,787.00
Accomplished as I				
Grantee Share (50%)	\$	0.00	\$	0.00
Grantee Share (25%)	\$	26,52105	\$	26,521.05

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Grantee Total	\$ 26,521.05	\$ 26,521.05
2. Fiscal Year 2011 :	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%) Federal Share (75%) Federal Share (50%) Federal Total	\$ 938,431.10 \$ 78,084.97 \$ 0.00 \$ 1,016,516.07	\$ 938,431.10 \$ 78,084.97 \$ 0.00 \$ 1,016,516.07
	n-Kind Assistance \$445,190.10 \$ 0.00	\$ 0.00
Grantee Share (25%)	\$ 26,028.45	\$ 26,028.45
Grantee Total	\$ 26,028.45	\$ 26,028.45
3. Fiscal Year 2012:	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%) Federal Share (75%) Federal Share (50%) Federal Total	\$ 810,347.87 \$ 82,543.79 \$ 0.00 \$ 892,981.66	\$ 810,347.87 \$ 82,543.79 \$ 0.00 \$ 892.891.66
Accomplished as	n-Kind Assistance \$184,704.69	
Grantee Share (50%) Grantee Share (25%)	\$ 0.00 \$ 27,514.60	\$ 0.00 \$ 27,514.60
Grantee Total	\$ 27,514.60	\$ 27,514.60
4. Fiscal Year 2013:	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%) Federal Share (75%) Federal Share (50%) Federal Total	\$ 1,134,832.00 \$ 90,168.00 \$ 0.00 \$ 1,225,000.00	\$ 1,134,832.00 \$ 90,168.00 \$ 0.00 \$ 1,225,000.00
Accomplished as	n-Kind Assistance \$110,000.00	
Grantee Share (50%) Grantee Share (25%)	\$ 0.00 \$ 30,004.00	\$ 0.00 \$ 30,004.00
Grantee Total	\$ 30,004.00	\$ 30,004.00
5. Fiscal Year 2014:	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%) Federal Share (75%) Federal Share (50%) Federal Total	\$ 651,430.18 \$ 98,078.65 \$ 0.00 \$ 749,508.83	\$ 651,430.18 \$ 98,078.65 \$ 0.00 \$ 749,508.83
Accomplished as I Grantee Share (50%) Grantee Share (25%)	n-Kind Assistance \$99,973.22 \$ 0.00 \$ 32,693.10	\$ 0.00 \$ 32,693.10
Grantee Total	\$ 32,693.10	\$ 32,693.10

W912PQ-14-2-1002

MEMORANDUM FOR MNPF, CW3 Renee Davin

SUBJECT: Request to Modify Master Cooperative Funding Agreement (CFA), W912PQ-14-2-1002, Appendix 2 (Environmental)

1. Request that a modification be completed, for Appendix 2 to increase IKA from \$98,805.00 to \$99,973.22 and **close** Appendix #2 for Fiscal Year 2014.

Section 207. Funding Limitation is changed as follows:

a. Funding - VENQ

	,	otment) nding Limitation	(AFP) Estimated Cost
Federal Share (100%) Federal Share (75%) Federal Share (50%)	\$ \$ \$	651,430.18 98,078.65	\$ 651,430.18 \$ 98,078.65 \$
Federal Total	\$	749,508.83	\$ 749,508.83
State Share (50%) State Share (25%) Program Income	\$ \$ \$	32,693.10	\$ \$ 32,693.10 \$
State Total Grand Total	\$ \$	32,693.10 782,201.93	\$ 32,693.10 \$ 782,201.93

b. In-Kind Assistance.

Within the Federal Share indicated above, \$99,973.22 is reserved and designated specifically for IKA through Federal procurement procedures. The use of IKA shall be at the request of The Adjutant General as approved by the USP&FO. ARNG-AEN approval is not necessary.

2. Total AFP was \$755,600.00 in which a total of \$749,508.83 was executed and \$99,973.22 of that total was In-Kind Assistance. \$6,091.17 was de-obligated thereby officially **closing** Appendix #2 for FY14.

MNFE (37)

SUBJECT: Request to Modify Master Cooperative Funding Agreement (CFA), W912PQ-14-2-1002, Appendix 2 (Environmental)

3. The point of contact for this matter is SGT Nicole Richardson, who may be reached at extension 6117.

D. SCOTT CLEAVELAND

COL, EN, NYARNG

Program Manager (CFMO)

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ALLOCATION	\$ \$311,923.86		-	*		4	*	*	4 685.99	4	4 18,317.62	4 28,136.14	23,981.61	33,400.68		21,513.04	22,073.54	204.32	1,250.00	<u></u>	23,188.61		21,277.58	4 24,065.13	3 74,286.56	PERS SVC
749,508.83	\$174,412.96								356.17		9,796.26	13,977.60	12,825.38	17,862.68	11,531.91	11,505.17	11,804.93	120.04	734.38		13,619.78		12,497.06	14,138.27	43,643.35	FRINGES
BALANCE	\$163,198,79	7,240.00	23,197.00	8,455.00	3,091.32	15,296,14	92,477.35	10,018.40		1,560.20										450.00		1,413.38				OTIPS
99.973.22	\$849,535.61	7,240.00	23,197.00	8,455,00	3,091.32	15,296,14	92,477.35	10,018.40	1,022.16	,560.20	28,113.66	40,113.74	38,808.97	61,263,36	33,094,98	33,018,21	33,878,47	324.38	1,984.38	480.00	36,506,39	1,413.38	33,774.84	38,203,40	117,929.91	Total
	\$32,693.10				279.38						1,727.56	2,467.93	2,467.93	4,039.61	2,332.87	2,332.87	2,332.87				3,444.07		2,323.29	2,323.29	6,621.43	Funding
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