

COOPERATIVE AGREEMENT MODIFICATION

Agreement/Appendix Title and Number: W912PQ-17-2-1002

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

Modification Number: P0003

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

Action	Funding Source		From	Change	To
FED	Allotment	100%	\$ 723,062.00	\$ -	\$ 723,062.00
		75%	\$ 70,038.00	\$ -	\$ 70,038.00
	Total Federal Allotment		\$ 793,100.00	\$ -	\$ 793,100.00
FED	AFP	100%	\$ 723,062.00	\$ -	\$ 723,062.00
		75%	\$ 70,038.00	\$ -	\$ 70,038.00
	Total Federal AFP		\$ 793,100.00	\$ -	\$ 793,100.00
FED	In-Kind Assistance (IKA)		\$ 125,000.00	\$ 5,820.00	\$ 130,820.00
STATE	Allotment - State	25%	\$ 23,346.00	\$ -	\$ 23,346.00
STATE	AFP - State	25%	\$ 23,346.00	\$ -	\$ 23,346.00


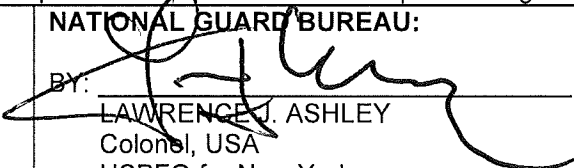
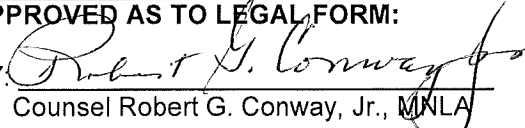
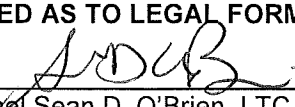
DESCRIPTION OF MODIFICATION:

1. JUSTIFICATION: Changes to reflect an increase in IKA for Appendix 1002, Environmental Programs Resources Management for Fiscal Year 2017.
2. SUMMARY:
 - a. Increase IKA in the amount of \$5,820.00, changing total to \$130,820.00
3. ACTION: TAG signature and review of the Environmental Programs Resources Management Appendix, MOD 3. Return signed modification to MNPF-EA, Room 207, Cooperative Agreements, x4775/4709.
4. This Appendix is subject to the availability of funds.
5. Replace pages 8 of Appendix 1002, FY 17 with updated attachment.
6. As FY2017 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.

<p>THE STATE OF NEW YORK:</p> <p>BY:  ANTHONY P. GERMAN Major General, NYANG The Adjutant General</p> <p>Date: <u>2/13/17</u></p>	<p>NATIONAL GUARD BUREAU:</p> <p>BY:  LAWRENCE J. ASHLEY Colonel, USA USPFO for New York</p> <p>Date: <u>6 Feb 2017</u></p>
<p>APPROVED AS TO LEGAL FORM:</p> <p>BY:  Counsel Robert G. Conway, Jr., MNLA</p> <p>Date: <u>30 Jan 2017</u></p>	<p>APPROVED AS TO LEGAL FORM:</p> <p>BY:  Counsel Sean D. O'Brien, LTC, JA, NYARNG</p> <p>Date: <u>24 Jan 2017</u></p>

(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 PM must submit a written request to ARNG-ILE 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 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 ARNG-ILE during the fiscal year.

b. Return of Funds: When returning funds to ARNG, coordination must be made with ILE-R prior to return. This will ensure funds are returned to the correct and appropriate MDEP.

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

d. Supplies: Supplies purchased with ENVR and VENQ funding may only include the following; paper, pencils, pens, publications and other office supplies. Supplies NOT included or approved for purchase are vehicles, furniture, computers and or software. The purchase of any of these items, including information technology items (i.e., hardware, software, or services) without proper approvals may result in violation of the Anti-Deficiency Act, the Misappropriation Act, or non-compliance with various requirements of Title 10 of the United States Code (U.S.C). AR25-1 and AR25-2 provide guidance and reference on the various approval processes.

e. Accomplished as In-Kind Assistance (IKA): 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.

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

October 2015

1. Fiscal Year 2016:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 864,150.00	\$ 864,150.00
Federal Share (75%)	\$ <u>68,250.00</u>	\$ <u>68,250.00</u>
Federal Total	\$ 932,400.00	\$ 932,400.00
	Accomplished as In-Kind Assistance \$120,000.00	
Grantee Share (25%)	\$ <u>22,750.00</u>	\$ <u>22,750.00</u>
Grantee Total	\$ 22,750.00	\$ 22,750.00

2. Fiscal Year 2017:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 723,062.00	\$ 723,062.00
Federal Share (75%)	\$ 70,038.00	\$ 70,038.00
Federal Total	\$ 793,100.00	\$ 793,100.00
	Accomplished as In-Kind Assistance \$130,820.00	
Grantee Share (25%)	\$ 23,346.00	\$ 23,346.00
Grantee Total	\$ 23,346.00	\$ 23,346.00

3. Fiscal Year _____:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ _____	\$ _____
Federal Share (75%)	\$ _____	\$ _____
Federal Share (50%)	\$ _____	\$ _____
Federal Total	\$ _____	\$ _____
	Accomplished as In-Kind Assistance \$ _____	
Grantee Share (50%)	\$ _____	\$ _____
Grantee Share (25%)	\$ _____	\$ _____
Grantee Total	\$ _____	\$ _____

4. Fiscal Year _____:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ _____	\$ _____
Federal Share (75%)	\$ _____	\$ _____
Federal Share (50%)	\$ _____	\$ _____
Federal Total	\$ _____	\$ _____
	Accomplished as In-Kind Assistance \$ _____	
Grantee Share (50%)	\$ _____	\$ _____
Grantee Share (25%)	\$ _____	\$ _____
Grantee Total	\$ _____	\$ _____

5. Fiscal Year _____:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ _____	\$ _____
Federal Share (75%)	\$ _____	\$ _____
Federal Share (50%)	\$ _____	\$ _____
Federal Total	\$ _____	\$ _____
	Accomplished as In-Kind Assistance \$ _____	
Grantee Share (50%)	\$ _____	\$ _____
Grantee Share (25%)	\$ _____	\$ _____
Grantee Total	\$ _____	\$ _____

MEMORANDUM FOR MNPF, CW3 Davin

SUBJECT: Request to Modify Master Cooperative Funding Agreement (CFA),
W912PQ-17-2-1002, Appendix 2 (Environmental)

1. Request that modification request #2 be issued to Appendix #2 of the Master CFA for Fiscal Year 2017 to reflect an increase in IKA in the amount of \$5,820.00 changing the IKA from \$125,000.00 to \$130,820.00.


a. Section 207. Funding Limitation is changed as follows:

	(AFP) Estimated Cost	(Allotment) Maximum Funding Limitation
Federal Share (100%)	\$ 723,062.00	\$ 723,062.00
Federal Share (75%)	\$ 70,038.00	\$ 70,038.00
Federal Share (50%)	\$	\$
Federal Total	\$ 793,100.00	\$ 793,100.00
State Share (50%)	\$	\$
State Share (25%)	\$ 23,346.00	\$ 23,346.00
Program Income	\$	\$
State Total	\$ 23,346.00	\$ 23,346.00
Grand Total	\$ 816,446.00	\$ 816,446.00

b. Within the Federal Share indicated above \$130,820.00 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 approval is not necessary.

2. This appendix is subject to the availability of funds.

3. The POC on this issue is SGT Nicole Richardson, and can be reached at extension 6117.


D. SCOTT CLEVELAND
COL, EN, NYARNG
Program Manager (CFMO)

CF:
MNBF, Liz Halpin

NC Status by FC - Summary

Created Nicole Richardson on 01/09/2017 08:51:03

NC Status by FC - Summary

Date of Selection: 01/09/2017 From Period: 1 To Period: 17
 Fund: 206510D17 O & M, ARNG SAG: 131G53VENQ,131G56VENQ Functional Area
 Funds Center: A181X NY J4FMO FP: *

1

FCtr/Fund/FArea	AFP	Allotment	Commitment	Obligation	Expenses	Disbursements	Available Allotm	Avail AFP
*** Total All			5,820.00	779,443.24		5,921.45	791,184.69	791,184.69
** A181X NYConstruction and Facility Managament			5,820.00	779,443.24		5,921.45	791,184.69	791,184.69
* 206510D17 O & M, ARNG			5,820.00	779,443.24		5,921.45	791,184.69	791,184.69
131G53VENQ ENVIRONMENTAL CONSERVATIO				44,025.90			44,025.90	44,025.90
131G56VENQ ENVIRONMENTAL COMPLIANCE			5,820.00	735,417.34		5,921.45	747,158.79	747,158.79

MNFE-EC

06 January 2017

MEMORANDUM THRU MNPF, CW3 Davin

MEMORANDUM THRU MNAG-TAG, ATTN: MG Anthony P. German

MEMORANDUM FOR USP&FO, ATTN: COL Lawrence J. Ashley

SUBJECT: FY-17 IKA for Appendix #2 Environmental Program

1. This memorandum is to request an increase in In Kind Assistance (IKA) to support the following:
 - a) The Removal and Disposal of Hazardous and Non-Hazardous Wastes at all Field Maintenance Shops (FMS), Combined Support Maintenance Shops (CSMS), and Army Support Facilities (AASF).
 - b) MIPR for Support Agreement (ISSA) at Watervliet Arsenal, NY**
2. The Master Cooperative Agreement (MCA), Appendix 2, currently reflects \$125,000.00 for IKA. Request an increase of IKA from \$125,000.00 to \$130,820.00 to support NYARNG Removal and Disposal of Hazardous and Non-Hazardous Wastes.
3. POC for this matter is SGT Nicole Richardson, who can be reached at extension 6117.



D. SCOTT CLEAVELAND
COL, EN, NYARNG
Program Manager (CFMO)

MNFE-EC
SUBJECT: FY-17 IKA for Appendix #2 Environmental Program

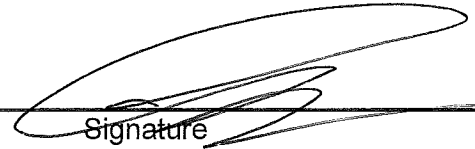
MNAG-TAG

Concur ~~Non-Concur~~

Date

2/3/17

Signature



The Adjutant General

USP&FO

Concur ~~Non-Concur~~

Date



Signature

USP&FO-NY

FY-17 IN KIND ASSISTANCE
GPC

MDEP		
VENQ	Precision Industrial Maintenance - Removal/Disposal of Hazardous Waste For Appendix #2	88,650.00
VENQ	NY Technology and Environmental - Removal/Disposal of Hazardous Waste For Appendix #2	2,000.00
VENQ	OPTEC Environmental Services - Removal/Disposal of Hazardous Waste For Appendix #2	18,000.00
VENQ	Unifirst Corp	10,500.00
VENQ	Safety Kleen - Removal/Disposal of Hazardous Waste For Appendix #2	3,000.00
VENQ		<u>122,150.00</u>

WBS

MDEP		
VENQ	MIPR Ft.Drum	1,850.00
VENQ	MIPR FT Hamilton	1,000.00
VENQ	MIPR Watervliet/ISSA	5,820.00
		<u>8,670.00</u>

TOTAL APPENDIX 2 IN KIND ASSISTANCE

Total 130,820.00