

# COOPERATIVE AGREEMENT MODIFICATION

Agreement/Appendix Title and Number: W912PQ-13-2-1005

Project Name/Description and Location: ARNG COMMAND, COMMUNICATIONS, COMPUTERS, and INFORMATION, MANAGEMENT (C4IM) SERVICES

Modification Number: P00001

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

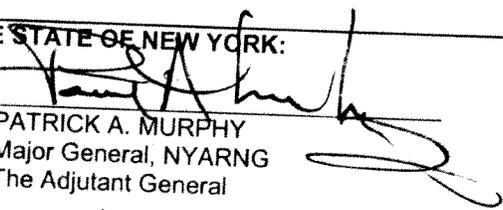
### DESCRIPTION OF MODIFICATION:

1. This Appendix, W912PQ-12-2-1005, is hereby extended for Fiscal Year 2013. The effective date is 01 October 2012 and the termination date is 30 September 2013, "Subject to availability of Funds".
2. The Appendix number W912PQ-12-2-1005 is changed to read **W912PQ-13-2-1005 for FY 2013**.
3. The Estimated Cost (AFP-Federal) for this Appendix W912PQ-12-2-1005 for FY 13 is established at \$1,233,557.00.
4. The Estimated Cost (AFP-State) for this Appendix, W912PQ-12-2-1005 for FY13 is established at ~~\$127,338.00~~ 127409.51 *col*
5. The Maximum Funding Limitation (MFL-Federal) for this Appendix, W912PQ-12-2-1005 for FY13 is established at \$1,233,557.00.
6. The Maximum Funding Limitation (MFL-State) for this Appendix, W912PQ-12-2-1005 for FY13 is established at ~~\$127,338.00~~ 127409.51 *col*
7. In-Kind Assistance is established at \$868,714.00.
8. As FY 2013 budgets are approved by NGB, program managers funding will be added to the Appendix by separate modification.

### EXECUTION

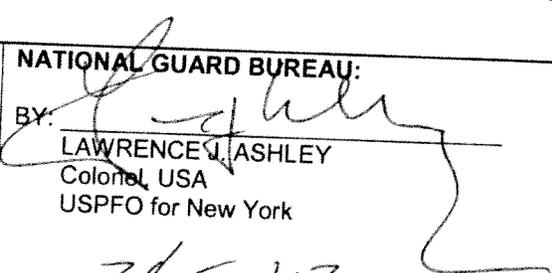
Except as provided herein, all terms and conditions of the Cooperative Agreement and/or Appendix remain unchanged in full force and effect. IN WITNESS WHEREOF, the parties by their authorized representatives execute this Cooperative Agreement Modification.

THE STATE OF NEW YORK:

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

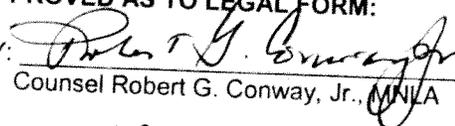
Date: 23 Jan 13

NATIONAL GUARD BUREAU:

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

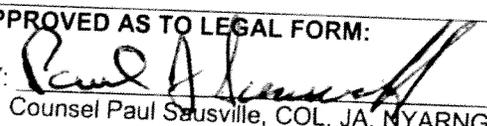
Date: 26 JAN 13

APPROVED AS TO LEGAL FORM:

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

Date: 14 Jan 2013

APPROVED AS TO LEGAL FORM:

BY:   
Counsel Paul Sausville, COL, JA, NYARNG

Date: 14 JAN 2013

MNAS

December 19, 2012

MEMORANDUM FOR: MNPF-PC

SUBJECT: 1st Qtr, FY 13 Cooperative Funding Agreement, Telecommunications

1. Request the following first Qtr, entry be made to FY 13 Cooperative Agreement, Appendix 5, page 4, section 506, paragraphs a. and b.:

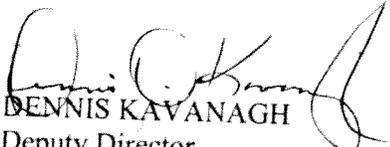
Current FY MCA AFP: \$1,233,557.00  
FY ALLOTMENT: \$1,233,557.00

a: Funding	Allotment Maximum Funding Limitation
Federal Share Inkind	\$868,714.00
Federal Share Telephone	\$364,843.00
<b>Federal Total</b>	<b>\$ 1,233,557.00</b>
State Share Inkind	\$86,871.00
State Share	<del>40,467.00</del> 40,532.11 RMD
<b>State Total</b>	<del>127,338.00</del> 127,409.51 RMD
<b>Grand Total</b>	<del>\$1,360,895.00</del> <b>\$ 1,360,966.51 RMD</b>

b: In-kind Assistance:

Within the federal share indicated above, \$868,714.00 is withheld 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 USPF&O. NGB-AIS approval is not necessary.

2. Any further questions may be directed to Dennis Kavanagh at ext 4819.

  
DENNIS KAVANAGH  
Deputy Director,  
Administrative Support

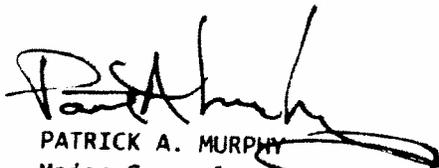
CF: Tom Halabuda

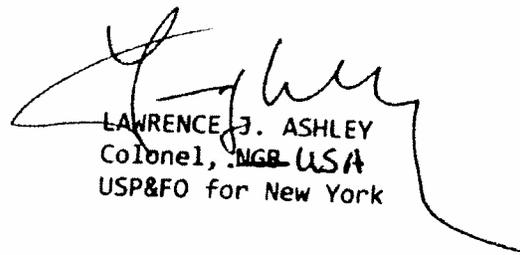
Attachment A

Master Cooperative Agreement, Appendix 5  
 In Kind Assistance Detail  
 FY13 – As of December 2012

Detailed below is a complete list of the products and services that provide state and federal shared communications support which must be funded with federal contracts:

Item #	Product or Service	Brief Description of Product or Service	Reason for federal procurement	Status of ICA	Annual	
					Estimated Annual Cost	State 10%
1	Credit Card MODs	Provides adhoc network repair supplies	State CC doesn't allow sufficient funding amounts	Proposed	\$ 84,000.00	\$ 8,400.00
2	Avaya Maintenance (Rochester)	Monitoring, Repair & Tech Support	State Contract cost significantly higher	Proposed	\$ 714,385.00	\$ 71,438.00
3	Avaya Maintenance (Latham)	Monitoring, Repair & Tech Support interval until upgrade	State Contract cost significantly higher	Proposed	\$ 22,484.00	\$ 2,248.00
4	Veremark ECAS Maintenance	Provide software maintenance for our chargeback solution	Established Federal Contract	Proposed	\$ 1,901.00	\$ 190.00
5	Avaya Contract (Farmingdale)	Monitoring, Repair & Tech Support	State Contract cost significantly higher	Proposed	\$ 45,944.00	\$ 4,594.00
Totals					\$ 868,714.00	\$ 86,871.00

  
 PATRICK A. MURPHY  
 Major General, NYARNG  
 The Adjutant General

  
 LAWRENCE J. ASHLEY  
 Colonel, MGR USA  
 USP&FO for New York

## 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.

- (a) NGR 5-1, NGB Grants and Cooperative Agreements
- (b) AR 25-1, Army Knowledge and Information Technology
- (c) DA PAM 25-1-1, Information Technology Support and Services

(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 including equipment and facilities incidentals to those 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.

(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 information manager in the state and the Chief, ARNG-IMP. Final approval of network design and acquisition of circuits is with the Chief, ARNG-IMP.

(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 State (Grantee) and the USPFO 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/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 C4IM service list. ARNG activities desiring enhanced IT services will request and obtain these services from the JFHQ J6/G6/DOIM on a reimbursable basis. ARNG activities and JFHQ J6/G6/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/DOIM for these services unless the J6/G6/DOIM determines that J6/G6/DOIM operations cannot reasonably provide the required services.

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

(5) IT Metrics: The IT Metrics Program provides a common framework which allows installation commanders and IT managers to assess the current status of IT operations and infrastructure and to

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

(6) QOIM: Services which Includes 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.

### **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-IMP), National Guard Bureau, Army National Guard Readiness Center, 111 South George Mason Drive, Arlington, Virginia 22204-1382.

b. The Chief, ARNG-IMP, 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-IMP.

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 equipment and 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 List. Other than baseline items and services are authorized and maybe provided subject to the availability of funds. These services include but may not be limited to the following types of services:

(1) Funding, billing and internal controls for (installation/activity/armory) Base communications  
W912PQ-13-2-1005

(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 use base communications funds (MXCB/QOIM) will be authorized on a case-by-case basis by ARNG-IMP.
- (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-IMP. 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/Charges**

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

- (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 (DA PAM 25-1-1).
- (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.).
- (6) C4IM Services 16 and 17.

#### **Section 507. Budget Requirements.**

a. State Operating Budget. Each State J6/A6 shall be provided Annual Funding Guidance (AFG) by ARNG-IMP. The State J6/A6 shall break out the AFG by specified budget categories (MXCB/QOIM AMSCOs). ARNG-IMP may specify funding ceilings or floors for particular budget categories. The State J6/A6 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/A6 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-IMP 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-IMP.

(2) Changes the J6/A6 makes to its Approved Budget during the fiscal year do not require ARNG-IMP 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-IMP, the CA PM shall submit requested financial or budget reports that ARNG-IMP may require.

(4) It is critical that the CA PM provides input to the J6/A6 (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: %90

STATE: %10

- (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-IMP may authorize communication services in addition to those listed here to ARNG activities and/or organizations with special communication requirements. Requests submitted to ARNG-IMP 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/Director of Information Management (DOIM) and/or Information Management Officer (IMO) 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 Security Appropriations Act. It should be noted that systems exceeding the limitations identified in the National Security Appropriations Act (\$250,000 or more for equipment) must be funded through OPA funds and purchases cannot be split to avoid the limitation. However, OPA funding cannot be executed through this appendix.

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



Accomplished as In-Kind Assistance	\$ 911,562.32	
Grantee Share ( 10%)	\$ 220,870.00	\$ 161,007.23
Grantee Share ( %)	\$ 0.00	\$ 0.00
Grantee Total	\$ 220,870.00	\$ 161,007.23
Grand Total	\$ 2,361,570.00	\$ 1,705,081.32

(4) Fiscal Year 2013:                      Approved Budget/(AFP)                      Total Dollars Obligated

Federal Share (100%)	\$ 868,714.00	\$ 868,714.00
Federal Share (90%)	\$ 364,843.00	\$ 364,843.00
Federal Share RR(100%)	\$ .00	\$ .00
Federal Total	\$1,233,557.00	\$ 1,233,557.00

Accomplished as In-Kind Assistance      \$868,714.00

Grantee Share (10%)	\$ <del>40,467.00</del> <sup>40,538.11</sup>	\$ <del>40,467.00</del> <sup>40,538.11</sup>
Grantee Share IKA(10%)	\$ 86,871.00	\$ 86,871.00
Grantee Total	\$ <del>127,338.00</del> <sup>127,409.51</sup>	\$ <del>127,338.00</del> <sup>127,409.51</sup>
Grand Total	\$ <del>1,360,895.00</del> <sup>1,360,966.51</sup>	\$ <del>1,360,895.00</del> <sup>1,360,966.51</sup>

(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.**

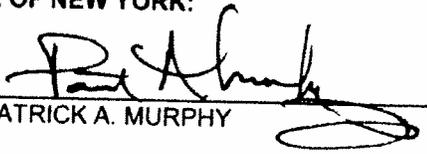
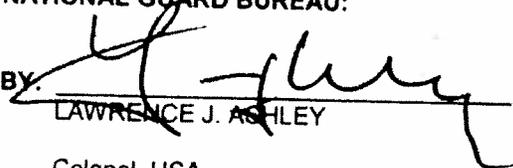
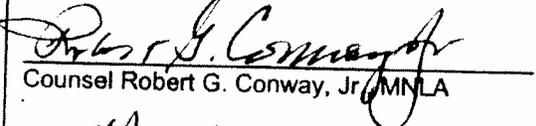
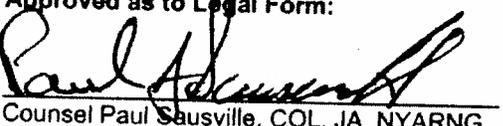
The information below shall be recorded by the Grants Officer's Representative (GOR) for compliance with the reporting requirements of the DoD Assistance Award Action Report System (DAADS) and the Federal Funding Accountability and Transparency Act of 2006.

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):	New York, 12110-3514
(To include Zip + 4)	
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:	01 Oct 2012
q. Starting Date:	01 Oct 2012
r. Ending Date:	30 Sep 2013
s. Record Type:	Individual Action
t. Fiscal Year/Quarter:	2013/1st Qtr

**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><b>STATE OF NEW YORK:</b></p> <p>BY:  PATRICK A. MURPHY</p> <p>Major General, NYARNG The Adjutant General</p> <p><u>23 Jan 13</u> (Date)</p>	<p><b>NATIONAL GUARD BUREAU:</b></p> <p>BY:  LAWRENCE J. ASHLEY</p> <p>Colonel, USA USP&amp;FO for New York</p> <p><u>30 JAN 13</u> (Date)</p>
<p><b>Approved as Legal Form:</b></p> <p> Counsel Robert G. Conway, Jr. MNLA</p> <p><u>14 Jan 2013</u> (Date)</p>	<p><b>Approved as to Legal Form:</b></p> <p> Counsel Paul Sausville, COL, JA, NYARNG</p> <p><u>14 JAN 2013</u> (Date)</p>

