

# COOPERATIVE AGREEMENT MODIFICATION

Agreement/Appendix Title and Number: W912PQ-16-2-1007

Project Name/Description and Location: ARNG Training Support System (TSS) Programs

Modification Number: P0001

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 OPEN FY 16 APP 1007

Action	Funding Source	From	Change	To
FED	Allotment 100% - VFRE		\$0.00	\$ -
	Allotment 100% - VSCW		\$0.00	
	Allotment 100% VSRM		\$0.00	
	Allotment 100% - TATM		\$0.00	\$ -
<b>TOTAL ALLOTMENT</b>		<b>\$ -</b>	<b>\$0.00</b>	<b>\$ -</b>
FED	AFP 100% - VFRE		\$0.00	\$ -
	AFP 100% - VSCW		\$250,000.00	\$ 250,000.00
	AFP 100% VSRM		\$0.00	
	AFP 100% - TATM		\$300,000.00	\$ 300,000.00
<b>TOTAL AFP</b>		<b>\$ -</b>	<b>\$550,000.00</b>	<b>\$ 550,000.00</b>
IKA	In-Kind Assistance		\$0.00	

**DESCRIPTION OF MODIFICATION:**

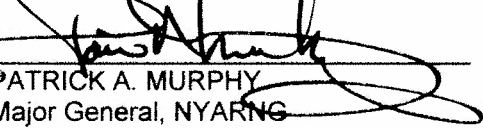
1. JUSTIFICATION: OPEN W912PQ-16-2-1007, Appendix 1007, ARNG Training Support System (TSS) Programs for Fiscal Year 2016.
2. SUMMARY: Appendix, W912PQ-15-2-1007 is hereby extended for Fiscal Year 2016. The effective date is 01October 2015 and the termination date is 30September 2016. Appendix W912PQ-15-2-1007 is changed to read W912PQ-16-2-1007 for FY2016.
3. ACTION: TAG signature and review of the ARNG TSS Programs Appendix 1007 MOD 1. Return signed modification to MNPF-EA, Room 207, Cooperative Agreements, x4775/4709.
4. This Appendix is subject to the availability of funds.
5. Replace page 6 of Appendix 1007, FY 16 with updated attachment.
6. As FY2016 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:

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

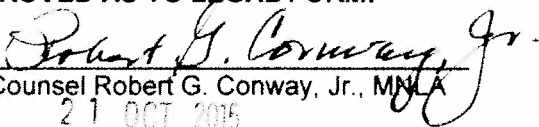
Date: 9 Nov 15

NATIONAL GUARD BUREAU:

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

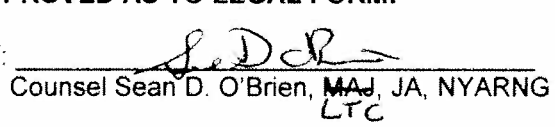
Date: 10 Nov 15

APPROVED AS TO LEGAL FORM:

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

Date: 21 OCT 2015

APPROVED AS TO LEGAL FORM:

BY:   
 Counsel Sean D. O'Brien, MAJ, JA, NYARNG  
 LTC

Date: 21 Oct 2015

## APPENDIX 7

### ARNG Training Support System (TSS) Programs

#### Section 701. General.

a. This Appendix to the Master Cooperative Agreement prescribes the terms, conditions and administrative requirements related to the National Guard Bureau's (NGB's) Federal contribution for operations, management and maintenance of the Army National Guard Training Support System (TSS) programs Cooperative Agreement (CA). TSS programs covered in this Appendix are the Soldier Training Support Program (STSP) and the Sustainable Range Program. The SRP includes the Range and Training Land Program (RTLTP) and the Integrated Training Area Management (ITAM) program.

#### b. Statements of Fact.

(1) The authorizations and provisions set forth in NGR 5-1 are incorporated into this Appendix by reference.

(2) Federal funding under the ARNG TSS will be on a requirements basis within Federal budget limitations. The ARNG TSS Programs Appendix will only fund facilities coded for 100% Federal support in the Facilities Inventory and Support Plan (FISP). Ranges and training lands not on the FISP must be supported with other than Federal funds.

(3) NGB is authorized to contribute 100% Federal funding for ARNG TSS Programs.

(4) Federal funding under ARNG TSS Programs is not for State Military Department services covered under the Appendix 1, ARNG Facilities Program.

#### Section 702. Additional Definitions. Following are general descriptions of the Management Decision Package (MDEP) codes that explain what each program is authorized to expend funds on.

#### a. The Sustainable Range Program consists of the following MDEPs

(1) MDEP VSCW (Training Range Operations): Funds range operations to include pay for state or state-contracted employees for range divisions. Funds day-to-day range operations expenses to include consumable supplies on ranges (e.g., target materials), local range operations, target/instrumentation maintenance contracts, operational unexploded ordnance (UXO) clearance, miscellaneous services and personnel training and travel. Funds support to Army range programs provided by the Executive Agent and agencies managing Army-wide range program projects and initiatives. Includes support to range management.

(2) MDEP TATM (ITAM): Funds to maintain the outdoor classroom to improve training efficiency, soldier and unit readiness and survivability by sustaining realistic training and testing lands through integration of land use requirements with land capability.

(3) MDEP VSRM (Sustainable Range Modernization): Funds range modernization to include unspecified minor military construction level projects, development, acquisition and fielding of range targetry, instrumentation and other technology to properly cover range instrumentation post-deployment software support (PDSS). Includes funds for support of ADA unit STRAC qualification. Funds range modernization projects and unexploded ordnance (UXO) clearance and National Environmental Policy Act (NEPA) for range projects.

b. The Soldier Training Support Program, under this Appendix, is funded through MDEP TAVI (Training Support Centers): Resources installation Training Support Centers (TSC) operating costs for the TSCs that manage Training Aids Devices, Simulators and Simulations (TADSS), production and fabrication of training devices, loan and issues of TADSS. Provides Instructor/Operator support for specific virtual TADSS and other TADSS support including minor construction infrastructure improvements that enables the Mission Commander to execute individual and collective training at Army installations.

c. Overseas Contingency Funds (OCO): When available, these funds support operational needs for the deployment of ARNG soldiers still on Title 32.

**Section 703. Office of Primary Responsibility.**

a. The Office of Primary Responsibility for this Appendix is the Army National Guard Training Division, Training Support Branch (ARNG-TRS).

b. Chief, ARNG Training Division, for the purposes of this Appendix, is a designee of the Chief, National Guard Bureau. This individual or his designee (ARNG-TRS) is authorized to make final approval of all Operations and Maintenance budgets and modifications to them, and to the language of this Appendix. The Chief, ARNG-TR is also authorized to distribute and recall TSS program funds to the USPFO, to receive specified accounting reconciliation reports, and to take any other action on behalf of NGB or the Chief, NGB, as specifically reserved under this Appendix for ARNG-TR.

**Section 704. Scope of Agreement.**

a. Scope of Services.

(1) The Grantee shall provide TSS programs services for the operation, maintenance and repair of TSC/Simulation Facilities and ARNG authorized ranges and training land listed on the Federal Installation Stationing Plan (FISP).

(2) The Grantee shall provide for the ARNG Targetry Centers of Excellence (TCOE) program. The TCOE program provides intermediate-level target maintenance/repair services (depot-level) and range instrumentation support to Army National Guard (ARNG) training centers. The TCOE program operates from two different locations: Gowen Field/Orchard Range, Idaho and Camp Blanding, Florida. The TCOE program is an extension of the existing State/Installation's range maintenance operations. These entities are not target or parts warehouses. Training centers that need to acquire parts or new systems must do so through normal procurement measures.

(a) The TCOE program may provide target repairs for other Department of Defense agencies through an established DD Form 1144, Support Agreement.

(3) The Grantee shall provide for the Range Facility Management Support System (RFMSS) Center of Excellence at Camp Ripley, MN. The RFMSS is a centrally funded activity that develops and enforces the business rules used by ARNG to track training facility usage. The RFMSS Functional Administrators (state-level operators) are also centrally funded to meet Congressional Mandate to track all ammunition expenditures from "cradle to grave".

(4) The Grantee may subcontract for the services herein described, if necessary and appropriate.

b. Performance Specifications. Operations and Maintenance of TSS programs shall include, but not be limited to actions by the Grantee, through employment by the Grantee, by contract or hire, of sufficient personnel, acquisition by contract of supplies or services, purchase of equipment or other necessary actions, to accomplish the following tasks.

(1) Maintenance, operations and repair of ranges and training areas will be accomplished up to sound commercial practice or as specified. U.S. Army Standard Range and Targetry requirements are contained in Training Circular (TC) 25-8, Training Ranges.

(2) Alteration or rehabilitation of ranges and training lands authorized by applicable law and regulation.

(3) Maintenance, operations and repair of TSC and Simulation facilities will be accomplished up to sound commercial practice or as specified IAW with applicable regulations

**Section 705. Authorized Charges/Personnel/Activities.**

a. Activities.

(1) Activities of the State/Installation's range maintenance operations; activities at the ARNG Targetry Centers of Excellence (TCOE) located at Gowen Field/Orchard Range, Idaho and Camp Blanding, FL; and activities of the (RFMSS) Center of Excellence at Camp Ripley, MN

b. Personnel

(1) No later than November 1 of each fiscal year, the CA PM will submit a roster (by MDEP) of full-time, Federally-reimbursed employees under this Appendix. The roster will include the number, job title and budgeted cost for the employees. Costs should include basic salary and allowable benefits.

(a) Payments for salaries, to include approved overtime and allowable benefits, in accordance with state personnel policy for the payment and benefits of like state government positions within the same geographic area. When there is no like state government position available, salaries and benefits will be equivalent to a comparable grade and series Federal Technician position in the geographic area. If a state has a pay raise, pay freeze, pay cap, a hiring freeze or employee furloughs for like positions throughout the state then SRP employees will have corresponding limitations as directed by the appropriate Human Resources Office.

(b) Benefits include Social Security, worker's compensation, and unemployment contributions; health insurance and contribution to the employee retirement fund.

(c) Costs for merit and incentive awards based on performance providing the awards are part of a program available and consistent with those offered to similar state government positions.

(d) Costs for travel expenses and per diem, at a rate consistent with state travel regulations, for performing TSS program activities away from their home office.

(e) Costs for training fees associated with certification, examinations, or licenses required by state or Federal agencies for operations in support of the TSS Agreement.

(2) Costs for full-time, permanent personnel, for TSS approved positions. Expenditures for full-time personnel should not exceed 60% of the approved Appendix budget.

(3) Costs for part-time and seasonal personnel required to support responsibilities under this Appendix.

(4) TATM (ITAM) Standard Personnel Organization. The following full-time positions are authorized under this agreement: ITAM Coordinator, RTLA Coordinator, Geographic Information System (GIS) personnel and Land Rehabilitation and Maintenance (LRAM) Coordinator. ARNG-TRS must approve any exceptions to authorized personnel positions.

(5) TAVI (TSC) Standard Personnel Organization. TSC Manager (cannot be contracted), Materiel Handler, and Senior Supply Specialist.

(6) VSCW (Range) Standard Personnel Organization. VSCW personnel for range operations, targetry maintenance and safety (e.g., RTLP Coordinator/Manager, Target Repair Technician, Range Ops and Safety Technician, Range Fire Desk Operator/Range Scheduler).

(7) Mechanics and Supply Technicians for the TCOE Program. The TCOE managers will decide the most efficient means of staffing their respective operation.

c. Facilities.

(1) Costs to provide operations, maintenance and repair of components, equipment, or range specific simulation devices for supported range facilities, TSCs and housing for TADSS.

(2) Costs that improve an ISR F-Rating are normally SRP (VSRM, VSCW, or TAVI) costs.

(3) Costs to fund modernization of ranges (VSRM) and TSC facilities (TAVI) as required for operations (subject to minor construction policies and funding caps).

d. Special Machines, Tools, and Construction Equipment. Costs for the purchase of special machines, tools or equipment required to support responsibilities under this Appendix.

(1) The item(s) shall not be for the principal use of someone or some function covered under 10 USC Chapter 39, 32 USC Chapter 3, 32 USC 502, or 32 USC 709 (i.e., active duty soldiers, technicians, and M-Day soldiers).

(2) Equipment necessary for personnel to properly and safely operate machines, tools, or equipment used in support of activities covered under this Appendix.

(3) Rentals for items essential to the state's performance of its responsibilities under this Appendix, and used in support of activities covered under this Appendix.

(4) Except for vehicle leases, rental or lease of items for a period in excess of 240 days requires USPFPO approval of an economic analysis showing that this is the most cost-effective alternative to ensure the State Military Department meets its responsibilities under this Appendix.

- (5) Only machines, tools, or equipment used in support of activities covered under this Appendix will be maintained through this agreement.
- e. Costs of Architectural and Engineering (A-E) Services for range/TSC improvement/modernization projects consistent with the rates in NGR and AR 415-5.
- f. Costs of supplies for maintenance of supported TSS programs equipment, and subcontracts for those items necessary to provide essential maintenance and repair services to authorized TSS programs.
- g. Costs of operational supplies, services and subcontracts for those items necessary to provide essential support for TSCs and Simulation Facilities, ranges/range facilities, and ITAM for training lands. Operational supplies are those items used or consumed in support of the execution of the TSS programs or the preparation of plans and/or specifications for construction, maintenance and repair projects completed by the FMO and supported by the appropriate TSS program.
- h. Costs for Maintenance and Repair (M&R) Projects for ranges and facilities may be accomplished under the RTLP only if not covered under Appendix 1. Projects for training lands may be accomplished under ITAM. Repair by replacement of existing components, materials, and installed equipment that has become unserviceable or has deteriorated beyond economic repair is considered to be repair. Replacement items will be similar in character, nature, and capacity to the replaced item. Replacement items that are more durable and provide longer life may be used if they are economically justified. Maintenance or repairs will not exceed criteria that bring facilities to a state of utility in excess of that which is authorized by construction standards contained in NGB and AR 415-10. If the estimated cost to repair an automated range exceeds 50 percent of the cost to construct a new automated range, a new range should be constructed. Construction projects which exceed the authority limits in this regulation should be programmed for MCARNG execution.
- i. Costs for Petroleum, Oil, and Lubricants (POL) used in the performance of this Appendix for state owned tools and equipment.
- j. Costs of Contracts/Subcontracts with Commercial Agencies in the performance of this Appendix.
- k. Costs of work or contracts associated with meeting National Environmental Policy Act (NEPA) requirements in support of this Appendix.
- l. Costs to complete Unexploded Ordinance survey documents in support of this Appendix.
- m. Other Costs – TCOE Program.
- (1) Cost of diagnostic equipment and expendable items needed to facilitate the repair of targetry and instrumentation not covered by warranty.
- (2) Cost of performing repairs to other ARNG States unserviceable targetry which are reimbursed as direct reimbursement. No funding is allocated for targetry or components that are under warranty through DA purchases.
- (3) Cost of shipping repaired targetry to ARNG States/Installations of origin which are reimbursed as direct reimbursement. The cost of shipping equipment to the TCOE is the responsibility of the supported State/Installation.
- (4) Cost of providing telephonic or email help desk support to ARNG range maintenance personnel.
- (5) Cost of controlling the exchange of non-repairable systems to reuse serviceable parts for the repair of other equipment is authorized.
- (6) Cost of providing assistance visits for State/Installations requiring expertise not locally available, or when is more cost effective to transport repair personnel to the problem.
- (7) Cost of conducting repair and operation classes, as required, to regionally supported ARNG States/ Installations.

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(8) Cost of providing quarterly reports that are appended throughout year. An annual report will be submitted NLT 15 October. Reports will include:

(a) Labor – A report that indicates the labor hours for repair.

(b) Material – A report that indicates the cost of supplies, parts used and approximate costs of replacement item.

(9) Shipping. Provide a report that indicates costs for return shipping.

n. Other services not listed must be approved by ARNG-TRS prior to execution.

#### **Section 706. Unauthorized Charges/Activities.**

a. All charges/activities not authorized in Section 705 or that have not been approved by exception by ARNG-TRS are unauthorized. This includes movement of any funds to support non-TSS related salaries or other operational or maintenance expenses not in direct support of this Appendix.

b. Acquisition of simulators or simulations under the STSP, MDEP TAVI, is not authorized in this Appendix.

c. Costs associated with the purchase or lease of equipment to mow ranges and repair berms will not be supported under this agreement as DAMO-TRS has identified this as a DPW/DEH functional requirement under MDEP QDPW.

d. Costs that improve an ISR Q-Rating are Sustainment, Restoration and Modernization (SRM) costs, not TSS costs.

#### **Section 707. Budgets.**

a. The CA PM shall submit a budget each fiscal year as directed by ARNG-TRS for approval. The budget will list by AMSCO the TSS Operations, Maintenance and Repair activities to be funded and the amount for which it expects reimbursement from NGB.

b. The funding limitation on the approved budget constitutes the maximum amount NGB intends to reimburse the state for its TSS Operations Maintenance and Repair activities under this Appendix.

c. The CA PM is granted flexibility to move funding within the AMSCO to adjust actual expenditures where they differ from the Budget. The CA PM must submit a written request to ARNG-TRS when it wishes to increase or decrease the federal funds in the Budget of this Appendix. The request will include an updated budget reconciliation report as an enclosure. The request will not take effect, nor can any expenditure of funds so implied therein take place, until it receives the approval of ARNG-TRS. The request shall not be binding unless it is so approved. The request and approval shall not be binding unless a CA modification to this Appendix has been executed with signatures of both the USPFO and the TAG.

#### **Section 708. Appendix Administration.**

a. Facilities Inventory Support Plan (FISP).

(1) TSC and simulation facilities, ranges and training lands eligible for Federal funding must be on the FISP. Ranges must be on the FISP with a category code as identified in Army Training Circular 25-8 to qualify for support.

(2) ARNG-TRS is the approving authority for facilities receiving TSS Program support.

(3) The Department of the Army categorizes ITAM supported training centers. Requests for changes for ITAM support must be submitted in writing to ARNG-TRS not later than 1 February each year.

b. TSS programs Budgets/Funding.

(1) All funding and budget information is updated yearly on the ARNG-TRS Program Guidance Document that is distributed to the states prior to the start of each FY.

(2) Funding for RTLP primarily comes from the MDEPs VSCW and VSRM with funding occasionally being provided through other MDEPs as specified on the FAD (e.g., OCO or VFRE). Funding for ITAM is provided through the TATM MDEP. Funding for the STSP/Training Support Center is provided through the TAVI MDEP.

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

**Section 709. 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 Grantee 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 a modification to this Appendix are available for reimbursement to the Grantee. Funds shall be obligated as received by the CA PM.

(1) Accomplished as In-Kind Assistance (IKA): The total dollars expended through Federal acquisition. This dollar amount may reflect anticipated IKA and be updated as IKA is approved, but as a minimum shall reflect the total dollars accomplished through IKA in support of this Appendix for each fiscal year as it occurs.

(2) Program Income: The gross income received by the Grantee from fees for services performed and from the use or rental of real or personal property, the operation and maintenance of which is supported under this Appendix. Program Income, including Identifiable Incremental Costs, shall be added to the budget as a Grantee contribution regardless of the percentage of Federal contribution reflected in this Appendix. This dollar amount may reflect anticipated Program Income and be updated as Program Income is reported, but as a minimum shall reflect the total dollars received as Program Income for each fiscal year as it occurs.

(3) The following funding limitations are provided for each fiscal year as it occurs:

1. Fiscal Year <b>2016</b> :	Approved Budget/(AFP) \$550,000.00	Total Dollars Obligated \$ _____
Accomplished as In-Kind Assistance	\$ _____	
Program Income	\$ _____	
2. Fiscal Year _____:	Approved Budget/(AFP) \$ _____	Total Dollars Obligated \$ _____
Accomplished as In-Kind Assistance	\$ _____	
Program Income	\$ _____	
3. Fiscal Year _____:	Approved Budget/(AFP) \$ _____	Total Dollars Obligated \$ _____
Accomplished as In-Kind Assistance	\$ _____	
Program Income	\$ _____	
4. Fiscal Year _____:	Approved Budget/(AFP) \$ _____	Total Dollars Obligated \$ _____
Accomplished as In-Kind Assistance	\$ _____	
Program Income	\$ _____	
5. Fiscal Year _____:	Approved Budget/(AFP) \$ _____	Total Dollars Obligated \$ _____
Accomplished as In-Kind Assistance	\$ _____	
Program Income	\$ _____	

**Section 710. Agreement Particulars.**

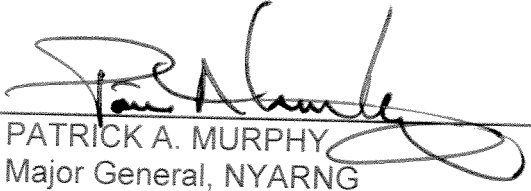

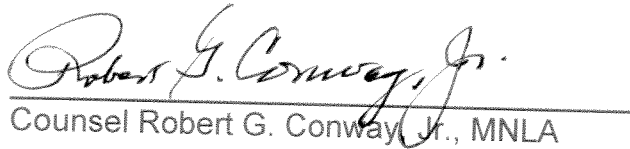

The information below shall be recorded by the Grants Officer's Representative (GOR) for compliance with the reporting requirements of the DoD Assistance Award Action Report System (DAADS) and the Federal Funding Accountability and Transparency Act of 2006.

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):	Albany
f. Grantee/Recipient Congressional District (Primary Place of Performance):	36
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 2015
q. Starting Date:	1 Oct 2015
r. Ending Date:	30 Sep 16
s. Record Type:	Individual Action
t. Fiscal Year/Quarter:	2016/1 <sup>st</sup> Qtr
u. Unique Federal Award Identification Number (FAIN)	W912PQ-16-2-1007
v. Approved Budget Amount:	\$550,000.00
w. R&D Award (Yes or No)	No
x. Indirect Cost Rate or CPP Rate:	\$ 1,237.00



EXECUTION

*IN WITNESS WHEREOF: The parties, by their signatures, execute this Appendix and agree to its terms and conditions.*

<p><b>STATE OF NEW YORK:</b></p> <p>BY:  PATRICK A. MURPHY Major General, NYARNG The Adjutant General</p> <p><u>9 Nov 15</u> (Date)</p>	<p><b>NATIONAL GUARD BUREAU:</b></p> <p>BY:  LAWRENCE D. ASHLEY Colonel, USA USP&amp;FO for New York</p> <p><u>10 NOV 15</u> (Date)</p>
<p><b>Approved as Legal Form:</b></p> <p> Counsel Robert G. Conway, Jr., MNLA</p> <p><u>21 OCT 2015</u> (Date)</p>	<p><b>Approved as to Legal Form:</b></p> <p> Counsel Sean D. O'Brien, MAJ, JA, NYARNG LTC</p> <p><u>21 October 2015</u> (Date)</p>