

COOPERATIVE AGREEMENT MODIFICATION

Agreement/Appendix Title and Number: **W912PQ-15-2-1021**

Project Name/Description and Location: **ANG Facilities Operations and Maintenance Activities**

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:

FED	Allotment 100%	\$ 94,700.00	640,955.00	\$ 735,655.00
	Allotment 75%	\$ 384,700.00	3,663,322.00	\$ 4,048,022.00
	SRM 75%	\$ 932,800.00	941,599.00	\$ 1,874,399.00
	Total Federal MFL (Allotment)	\$ 1,412,200.00	5,245,876.00	\$ 6,658,076.00
IKA	Federal IKA Ft Drum (Allotment) 100%	\$ 16,500.00	69,063.00	\$ 85,563.00
IKA	Federal IKA Niagara (Allotment) 75%	\$ 91,033.00	52.00	\$ 91,085.00
FED	AFP	\$ 7,163,006.00	1,993.00	\$ 7,164,999.00
IKA	Federal IKA AFP (FT Drum 100%)	\$ 83,570.00	1,993.00	\$ 85,563.00
IKA	Federal IKA AFP (Niagara 75%)	\$ 91,033.00	52.00	\$ 91,085.00
STATE	Allotment 25%	\$ 128,233.33	1,221,107.34	\$ 1,349,340.67
	SRM 25%	\$ 310,933.33	313,866.34	\$ 624,799.67
	Total State MFL (Allotment)	\$ 439,166.66	1,534,973.68	\$ 1,974,140.34
IKA	State IKA Niagara (Allotment) 25%	\$ 30,344.33	17.34	\$ 30,361.67
STATE	AFP	\$ 2,119,772.67	0.00	\$ 2,119,772.67
IKA	State IKA AFP (Niagara 25%)	30,344.33	17.34	30,361.67

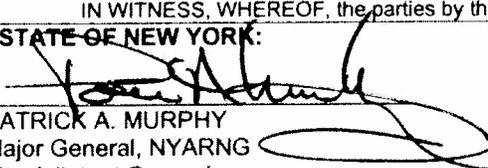
DESCRIPTION OF MODIFICATION:

1. JUSTIFICATION: Upward obligation of FY 15 funding.
2. A total of \$207,009.67 has been reserved as In Kind Assistance for Niagara and Ft. Drum of which the State is responsible for 25% of the Niagara IKA.
3. ACTION: Approve and sign modification of ANG Facilities Operations and Maintenance Activities to increase AFP and Allotment for Appendix 1021 for Fiscal Year 2015.
4. See Modification Requirements for Air Guard FY 15 Air Base O&M Agreement.
5. Replace page 7 of Appendix 1021 FY 15 with updated attachment.
6. This Appendix is subject to the availability of funds.
7. As FY2015 budgets are approved by NGB, program managers will add funding to the Appendix by separate modification.es by their authorized representatives execute this Cooperative Agreement Modification.

EXECUTION

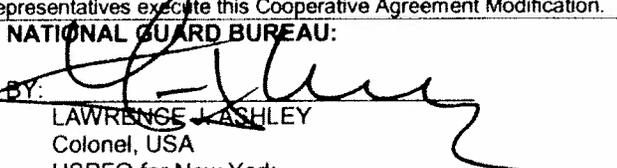
Except as provided herein, all items and conditions of the Cooperative Agreement and/or Appendix remain unchanged in full force and effect. IN WITNESS, WHEREOF, the parties by their authorized representatives execute this Cooperative Agreement Modification.

THE STATE OF NEW YORK:

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

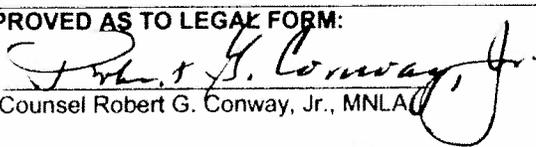
Date: 24 April 15

NATIONAL GUARD BUREAU:

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

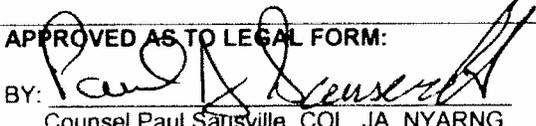
Date: 5 MAY 15

APPROVED AS TO LEGAL FORM:

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

Date: 16 April 2015

APPROVED AS TO LEGAL FORM:

BY: 
 Counsel Paul Sausville, COL, JA, NYARNG

Date: 16 April 2015

b. Equipment/Supplies.

(1) The use of new, existing, and/or surplus government property is authorized upon proper certification by the SMD that such material will be used for FOMA purposes. The value of this property will not be charged to the SMD or used by the SMD to meet the matching funds requirement.

(2) Certain items of government equipment may be provided for SMD use as Government Furnished Equipment (GFE) and/or Vehicles. The absence of GFE and/or Vehicles does not relieve the SMD from its primary responsibility for performance of the terms and conditions outlined in this Appendix. Accountability of GFE and/or Vehicles will be in accordance with Chapter 8. Considerations for damage to Air Force Property used in support of Appendix 21 will be determined using AFMAN 23-220, Chapter 22.10. The SMD/state may insure against the cost of repair on federal vehicles and/or GFE used by SMD employees when such insurance is required by state law or is part of consistent agency practice. The failure to secure insurance against damage renders costs associated with any damage, as a direct or indirect result of the use of a federal vehicle and/or GFE by an SMD employee, as a cost to the state. The Grantee's liability for lost or damaged GFE will be in accordance with applicable State laws.

(3) Supplies and services will be obtained by the Grantee using state/SMD procurement procedures as the primary means of securing services.

(4) The use of federal contracting or procurement (In-Kind Assistance) to obtain supplies or services requires written USPFO approval per NGR 5-1, Chapter 9. IKA is the exception to state contracting or procurement.

a) The use of IKA does not alleviate the Grantee's burden to match the federal funding.

(5) Changes to the instructions, terms and/or conditions to this Appendix shall be executed IAW NGR 5-1, Chapter 3. The change shall not be binding unless it is so approved and a CA modification to this appendix has been executed.

Section 2109. Funding Limitations.

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 to this appendix are available for reimbursement to the Grantee. Funding must be obligated within 45 days upon receipt by the Base Comptroller Office.~~

c. Accomplished as IKA. The total dollars expended through federal acquisition.

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

1. Fiscal Year 2015:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 805,681.00	\$ 735,655.00
Federal Share (75%)	\$4,408,831.00	\$4,048,022.00
Federal Share (75% SRM)	<u>\$1,950,487.00</u>	<u>\$1,874,399.00</u>
Federal Total	\$7,163,006.00	\$6,658,076.00
	Accomplished as In-Kind Assistance (107 th AW)	\$ 91,085.00
Grantee Share (25%)	\$1,469,610.33	\$ 1,349,340.67
Grantee Share (25% SRM)	<u>\$ 650,162.34</u>	<u>\$ 624,799.67</u>
Grantee Total	\$2,119,772.67	\$ 1,974,140.34
	Grantee Share In-Kind Assistance (107 th AW)	\$ 30,361.67

MODIFICATION REQUIREMENTS FOR
AIR GUARD FY-15
AIR BASE FOMA AGREEMENT
CONTRACT NUMBER W912PQ-15-2-1021

AS OF: 4/14/2015

MOD # 3

LOCATION	FUNDING CATEGORIES	VALIDATED FUNDING (AFP)	CURRENT ALLOCATION (ALLOTMENT)	CHANGE +/-	REVISED ALLOCATION (ALLOTMENT)
GABRESKI FEDERAL	<i>CAPPED SALARY 100%</i>				
	VALIDATED - SALARY 100%	\$ 109,446.00	\$ 35,238.00	74,178.00	\$ 109,416.00
	FRINGE BENEFIT 100%	\$ 66,020.00		66,020.00	\$ 66,020.00
	CPP 100%	\$ 3,602.00		3,602.00	\$ 3,602.00
	<i>CAPPED SALARY 75% FO</i>				
	VALIDATED - SALARY 75% FO	\$ 138,400.00		138,200.00	\$ 138,200.00
	FRINGE BENEFIT 75% FO	\$ 74,026.00		74,226.00	\$ 74,226.00
	OTHER THAN PS 75% FO	\$ 756,965.00	\$ 191,262.00	565,974.00	\$ 757,236.00
	<i>CAPPED SALARY 75% SRM</i>				
	VALIDATED - SALARY 75% SRM	\$ 112,300.00	\$ 89,600.00	15,400.00	\$ 105,000.00
FRINGE BENEFIT 75% SRM	\$ 60,077.00		56,160.00	\$ 56,160.00	
OTHER THAN PS 75% SRM	\$ 244,250.00		263,840.00	\$ 263,840.00	
TOTAL FEDERAL	\$ 1,565,086.00	\$ 316,100.00	1,257,600.00	\$ 1,573,700.00	
	IKA				
STATE	<i>CAPPED SALARY 75% FO</i>	\$ -			
	VALIDATED - SALARY 25% FO	\$ 46,133.33	\$ -	46,066.67	\$ 46,066.67
	FRINGE BENEFIT 25% FO	\$ 24,675.33	\$ -	24,742.00	\$ 24,742.00
	OTHER THAN PS 25% FO	\$ 252,321.67	\$ 63,754.00	188,658.00	\$ 252,412.00
	<i>CAPPED SALARY 75% SRM</i>	\$ -			
	VALIDATED - SALARY 25% SRM	\$ 37,433.33	\$ 29,866.67	5,133.33	\$ 35,000.00
	FRINGE BENEFIT 25% SRM	\$ 20,025.67	\$ -	18,720.00	\$ 18,720.00
	OTHER THAN PS 25% SRM	\$ 81,416.67	\$ -	87,946.67	\$ 87,946.67
TOTAL STATE	\$ 462,006.00	\$ 93,620.67	371,266.67	\$ 464,887.33	
	IKA		\$ -		
106TH AFP	\$ 1,602,886.00				
NIAGARA FEDERAL	<i>CAPPED SALARY 100%</i>				
	VALIDATED - SALARY 100%		\$ 31,670.00	66,093.00	\$ 97,763.00
	FRINGE BENEFIT 100%			61,454.00	\$ 61,454.00
	CPP 100%	\$ 1,715.00		1,715.00	\$ 1,715.00
	<i>CAPPED SALARY 75% FO</i>				
	VALIDATED - SALARY 75% FO	\$ 234,884.00		155,722.00	\$ 155,722.00
	FRINGE BENEFIT 75% FO			79,162.00	\$ 79,162.00
	OTHER THAN PS 75% FO	\$ 151,388.00	\$ 75,930.00	74,054.00	\$ 149,984.00
	<i>CAPPED SALARY 75% SRM</i>				
	VALIDATED - SALARY 75% SRM	\$ 117,412.00	\$ 37,700.00	36,801.00	\$ 74,501.00
FRINGE BENEFIT 75% SRM			35,271.00	\$ 35,271.00	
OTHER THAN PS 75% SRM	\$ 73,361.00		68,728.00	\$ 68,728.00	
TOTAL FEDERAL	\$ 578,760.00	\$ 145,300.00	579,000.00	\$ 724,300.00	
	IKA	\$ 122,528.00	\$ 91,033.00	52.00	\$ 91,085.00
STATE	<i>CAPPED SALARY 75% FO</i>	\$ -			
	VALIDATED - SALARY 25% FO	\$ 78,294.67	\$ -	51,907.33	\$ 51,907.33
	FRINGE BENEFIT 25% FO	\$ -	\$ -	26,387.33	\$ 26,387.33
	OTHER THAN PS 25% FO	\$ 50,462.67	\$ 25,310.00	24,684.67	\$ 49,994.67
	<i>CAPPED SALARY 75% SRM</i>	\$ -			
	VALIDATED - SALARY 25% SRM	\$ 39,137.33	\$ 12,566.67	12,267.00	\$ 24,833.67
	FRINGE BENEFIT 25% SRM	\$ -	\$ -	11,757.00	\$ 11,757.00
OTHER THAN PS 25% SRM	\$ 24,453.67	\$ -	22,909.33	\$ 22,909.33	
TOTAL STATE	\$ 192,348.33	\$ 37,876.67	149,912.67	\$ 187,789.33	
	IKA	\$ 30,344.33	\$ 30,344.33	17.34	\$ 30,361.67

107TH AFP		\$ 736,262.00			
HANCOCK FEDERAL	CAPPED SALARY 100%				
	VALIDATED - SALARY 100%	\$ 57,379.00	\$ 11,292.00	16,737.00	\$ 28,029.00
	FRINGE BENEFIT 100%			29,350.00	\$ 29,350.00
	CPP 100%	\$ 2,911.00		2,911.00	\$ 2,911.00
	CAPPED SALARY 75% FO				
	VALIDATED - SALARY 75% FO	\$ 272,373.00		177,465.00	\$ 177,465.00
	FRINGE BENEFIT 75% FO			94,908.00	\$ 94,908.00
	OTHER THAN PS 75% FO	\$ 606,756.00	\$ 173,208.00	433,840.00	\$ 607,048.00
	CAPPED SALARY 75% SRM				
	VALIDATED - SALARY 75% SRM	\$ 238,674.00	\$ 58,300.00	87,232.00	\$ 145,532.00
FRINGE BENEFIT 75% SRM			77,831.00	\$ 77,831.00	
OTHER THAN PS 75% SRM	\$ 56,828.00		52,937.00	\$ 52,937.00	
TOTAL FEDERAL	\$ 1,234,721.00	\$ 242,800.00	973,211.00	\$ 1,216,011.00	
	IKA				
STATE	CAPPED SALARY 75% FO	\$ -			
	VALIDATED - SALARY 25% FO	\$ 90,791.00	\$ -	59,155.00	\$ 59,155.00
	FRINGE BENEFIT 25% FO	\$ -	\$ -	31,636.00	\$ 31,636.00
	OTHER THAN PS 25% FO	\$ 202,252.00	\$ 57,736.00	144,613.33	\$ 202,349.33
	CAPPED SALARY 75% SRM	\$ -			
	VALIDATED - SALARY 25% SRM	\$ 79,558.00	\$ 19,433.33	29,077.33	\$ 48,510.67
	FRINGE BENEFIT 25% SRM	\$ -	\$ -	25,943.67	\$ 25,943.67
	OTHER THAN PS 25% SRM	\$ 18,876.00	\$ -	17,645.67	\$ 17,645.67
TOTAL STATE	\$ 391,477.00	\$ 77,169.33	308,071.00	\$ 385,240.33	
	IKA		\$ -		
174TH AFP		\$ 1,231,810.00			
FT DRUM	100% IKA	\$ 85,563.00	\$ 16,500.00	69,063.00	\$ 85,563.00
FT DRUM AFP		\$ 85,563.00			
STRATTON FEDERAL	CAPPED SALARY 100%	\$ 48,315.00	\$ 15,394.00	32,921.00	\$ 48,315.00
	VALIDATED - SALARY 100%	\$ 160,346.00		101,820.00	\$ 101,820.00
	FRINGE BENEFIT 100%			58,526.00	\$ 58,526.00
	CPP 100%	\$ 3,173.00		3,173.00	\$ 3,173.00
	CAPPED SALARY 75% FO				
	VALIDATED - SALARY 75% FO	\$ 245,757.00		213,088.00	\$ 213,088.00
	FRINGE BENEFIT 75% FO			114,586.00	\$ 114,586.00
	OTHER THAN PS 75% FO	\$ 440,045.00	\$ 166,900.00	188,407.00	\$ 355,307.00
	CAPPED SALARY 75% SRM				
	VALIDATED - SALARY 75% SRM	\$ 361,675.00	\$ 85,100.00	133,385.00	\$ 218,485.00
FRINGE BENEFIT 75% SRM			196,599.00	\$ 196,599.00	
OTHER THAN PS 75% SRM	\$ 70,077.00		38,616.00	\$ 38,616.00	
TOTAL FEDERAL	\$ 1,281,073.00	\$ 252,000.00	1,048,200.00	\$ 1,300,200.00	
	IKA			0.00	
STATE	CAPPED SALARY 75% FO	\$ -			
	VALIDATED - SALARY 25% FO	\$ 81,919.00	\$ -	71,029.33	\$ 71,029.33
	FRINGE BENEFIT 25% FO	\$ -	\$ -	38,195.33	\$ 38,195.33
	OTHER THAN PS 25% FO	\$ 146,681.67	\$ 55,633.33	62,802.33	\$ 118,435.67
	CAPPED SALARY 75% SRM	\$ -			
	VALIDATED - SALARY 25% SRM	\$ 120,558.33	\$ 28,366.67	44,461.67	\$ 72,828.33
	FRINGE BENEFIT 25% SRM	\$ -	\$ -	65,533.00	\$ 65,533.00
	OTHER THAN PS 25% SRM	\$ 23,359.00	\$ -	12,872.00	\$ 12,872.00
TOTAL STATE	\$ 372,518.00	\$ 84,000.00	294,893.67	\$ 378,893.67	
	IKA		\$ -		
109TH AFP		\$ 1,277,900.00			
STEWART FEDERAL	CAPPED SALARY 100%				
	VALIDATED - SALARY 100%	\$ 167,710.00		108,307.00	\$ 108,307.00
	FRINGE BENEFIT 100%			59,403.00	\$ 59,403.00
	CPP 100%	\$ 4,166.00		4,166.00	\$ 4,166.00
CAPPED SALARY 75% FO					
VALIDATED - SALARY 75% FO	\$ 294,882.00		190,537.00	\$ 190,537.00	

	FRINGE BENEFIT 75% FO OTHER THAN PS 75% FO	\$ 1,196,294.00	\$ 325,500.00	104,345.00	\$ 104,345.00	\$ 836,208.00
	<i>CAPPED SALARY 75% SRM</i>					
	VALIDATED - SALARY 75% SRM	\$ 433,407.00	\$ 114,000.00	151,472.00	\$ 265,472.00	
	FRINGE BENEFIT 75% SRM			139,732.00	\$ 139,732.00	
	OTHER THAN PS 75% SRM	\$ 144,826.00		135,695.00	\$ 135,695.00	
	TOTAL FEDERAL	\$ 2,241,285.00	\$ 439,500.00	1,404,365.00	\$ 1,843,865.00	
	IKA			0.00		
STATE	<i>CAPPED SALARY 75% FO</i>	\$ -				
	VALIDATED - SALARY 25% FO	\$ 98,294.00	\$ -	63,512.33	\$ 63,512.33	
	FRINGE BENEFIT 25% FO	\$ -	\$ -	34,781.67	\$ 34,781.67	
	OTHER THAN PS 25% FO	\$ 398,764.67	\$ 108,500.00	170,236.00	\$ 278,736.00	
	<i>CAPPED SALARY 75% SRM</i>	\$ -				
	VALIDATED - SALARY 25% SRM	\$ 144,469.00	\$ 38,000.00	50,490.67	\$ 88,490.67	
	FRINGE BENEFIT 25% SRM	\$ -	\$ -	46,577.33	\$ 46,577.33	
	OTHER THAN PS 25% SRM	\$ 48,275.33	\$ -	45,231.67	\$ 45,231.67	
	TOTAL STATE	\$ 689,803.00	\$ 146,500.00	0.00	\$ 557,329.67	
	IKA		\$ -			
105TH AFP	\$ 2,230,578.00					
GRAND TOTAL (ALL BASES) FEDERAL	<i>CAPPED SALARY 100%</i>	\$ -				
	VALIDATED - SALARY 100%	\$ 494,881.00	\$ 94,700.00	0.00	\$ 445,335.00	
	FRINGE BENEFIT 100%	\$ 66,020.00	\$ -	0.00	\$ 274,753.00	
	CPP 100%	\$ 15,567.00	\$ -	0.00	\$ 15,567.00	
	<i>CAPPED SALARY 75% FO</i>	\$ -				
	VALIDATED - SALARY 75% FO	\$ 1,186,296.00	\$ -	0.00	\$ 875,012.00	
	FRINGE BENEFIT 75% FO	\$ 74,026.00	\$ -	0.00	\$ 467,227.00	
	OTHER THAN PS 75% FO	\$ 3,151,448.00	\$ 932,800.00	0.00	\$ 2,705,783.00	
	<i>CAPPED SALARY 75% SRM</i>	\$ -				
	VALIDATED - SALARY 75% SRM	\$ 1,263,468.00	\$ 384,700.00	0.00	\$ 808,990.00	
	FRINGE BENEFIT 75% SRM	\$ 60,077.00	\$ -	0.00	\$ 505,593.00	
	OTHER THAN PS 75% SRM	\$ 589,142.00	\$ -	0.00	\$ 559,816.00	
	TOTAL FEDERAL	\$ 6,900,925.00	\$ 1,412,200.00	0.00	\$ 6,658,076.00	
	TOTAL FEDERAL PROGRAM IKA	\$ 208,091.00	\$ 91,033.00	85,615.00	\$ 176,648.00	
STATE	<i>CAPPED SALARY 75% FO</i>	\$ -				
	VALIDATED - SALARY 25% FO	\$ 349,298.67	\$ -	0.00	\$ 291,670.67	
	FRINGE BENEFIT 25% FO	\$ -	\$ -	0.00	\$ 155,742.33	
	OTHER THAN PS 25% FO	\$ 798,161.00	\$ 310,933.33	0.00	\$ 901,927.67	
	<i>CAPPED SALARY 75% SRM</i>	\$ -				
	VALIDATED - SALARY 25% SRM	\$ 383,722.67	\$ 128,233.33	0.00	\$ 269,663.33	
	FRINGE BENEFIT 25% SRM	\$ -	\$ -	0.00	\$ 168,531.00	
	OTHER THAN PS 25% SRM	\$ 114,964.00	\$ -	0.00	\$ 186,605.33	
	TOTAL STATE	\$ 1,646,146.33	\$ 343,333.33	0.00	\$ 1,974,140.33	
	TOTAL STATE PROGRAM IKA	\$ 30,344.33	\$ 30,344.33	17.34	\$ 30,361.67	
	PROGRAM TOTAL	7,330,479.33	-	8,632,216.33	8,632,216.33	
FED AFP TOTAL	\$ 7,164,999.00		\$ 7,163,006.00	1,993.00	\$ 7,164,999.00	
STATE AFP TOTAL	\$ 2,119,772.67					