

**COOPERATIVE AGREEMENT MODIFICATION**

Agreement/Appendix Title and Number: **W912PQ-13-2-1002**

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

Modification Number: **P0007 CLOSING MODIFICATION**

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:

Allotment	100%	\$1,134,832.00	(\$24,104.00)	\$1,110,728.00
	75%	\$ 90,168.00	\$313.84	\$ 90,481.84
<b>Total Federal Allotment</b>		<b>\$ 1,225,000.00</b>	<b>(\$23,790.16)</b>	<b>\$ 1,201,209.84</b>
AFP	100%	\$ 1,134,832.00	(\$24,104.00)	\$ 1,110,728.00
	75%	\$ 90,168.00	\$313.84	\$ 90,481.84
<b>Total Federal AFP</b>		<b>\$ 1,225,000.00</b>	<b>(\$23,790.16)</b>	<b>\$ 1,201,209.84</b>
<b>In-Kind Assistance (IKA)</b>		<b>\$ 110,000.00</b>	<b>\$30,830.20</b>	<b>\$ 140,830.20</b>
Allotment - State	25%	\$ 30,004.00	\$156.77	\$ 30,160.77
AFP - State	25%	\$ 30,004.00	\$156.77	\$ 30,160.77


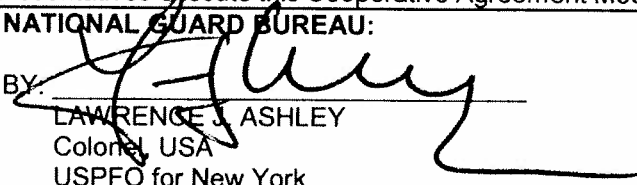
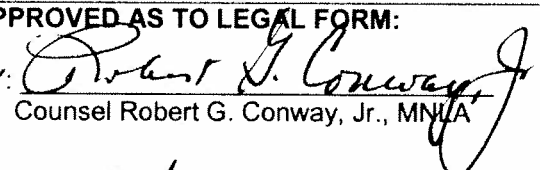
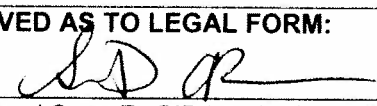
**DESCRIPTION OF MODIFICATION:**

1. JUSTIFICATION: CLOSE FY 13 APPENDIX 1002 ENVIRONMENTAL.
2. SUMMARY: Total AFP was \$1,225,000.00 in which a total of \$1,201,209.84 was executed and \$140,830.20 was IKA. \$23,790.16 is de-obligated thereby CLOSING Appendix 1002 FY 13.
3. ACTION: TAG signature and review, MOD 7. Return signed modification to MNPF-EA, Room 207, Cooperative Agreements, x4775/4709.
4. Replace pages 7-8 of Appendix 1002, FY 16 with updated attachment.

**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><b>THE STATE OF NEW YORK:</b></p> <p>BY:                   ANTHONY P. GERMAN                  Major General, NYANG                  The Adjutant General</p> <p>Date: <u>22 Aug 16</u></p>	<p><b>NATIONAL GUARD BUREAU:</b></p> <p>BY:                   LAWRENCE J. ASHLEY                  Colonel, USA                  USPFO for New York</p> <p>Date: <u>26 AUG 16</u></p>
<p><b>APPROVED AS TO LEGAL FORM:</b></p> <p>BY:                   Counsel Robert G. Conway, Jr., MN/A</p> <p>Date: <u>12 August 2016</u></p>	<p><b>APPROVED AS TO LEGAL FORM:</b></p> <p>BY:                   Counsel Sean D. O'Brien, LTC, JA, NYARNG</p> <p>Date: <u>11 Aug 2016</u></p>

(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:

	Approved Budget/(AFP)	Total 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	\$ 1,098,500.00
Accomplished as In-Kind Assistance	\$291,657.00	
Grantee Share (50%)	\$ 0.00	\$ 0.00
Grantee Share (25%)	\$ 26,521.05	\$ 26,521.05

Grantee Total	\$ 26,521.05	\$ 26,521.05
---------------	--------------	--------------

2. Fiscal Year 2011:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 938,431.10	\$ 938,431.10
Federal Share (75%)	\$ 78,084.97	\$ 78,084.97
Federal Share (50%)	\$ 0.00	\$ 0.00
Federal Total	\$ 1,016,516.07	\$ 1,016,516.07
Accomplished as In-Kind Assistance		\$445,190.10
Grantee Share (50%)	\$ 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%)	\$ 810,347.87	\$ 810,347.87
Federal Share (75%)	\$ 82,543.79	\$ 82,543.79
Federal Share (50%)	\$ 0.00	\$ 0.00
Federal Total	\$ 892,891.66	\$ 892,891.66
Accomplished as In-Kind Assistance		\$184,704.69
Grantee Share (50%)	\$ 0.00	\$ 0.00
Grantee Share (25%)	\$ 27,514.60	\$ 27,514.60
 Grantee Total	 \$ 27,514.60	 \$ 27,514.60

4. Fiscal Year 2013:

	Approved Budget/(AFP)	Total Dollars Obligated
Federal Share (100%)	\$ 1,110,728.00	\$ 1,110,728.00
Federal Share (75%)	\$ 90,481.84	\$ 90,481.84
Federal Share (50%)	\$ 0.00	\$ 0.00
Federal Total	\$ 1,201,209.84	\$ 1,201,209.84
Accomplished as In-Kind Assistance		\$140,830.20
Grantee Share (50%)	\$ 0.00	\$ 0.00
Grantee Share (25%)	\$ 30,160.77	\$ 30,160.77
 Grantee Total	 \$ 30,160.77	 \$ 30,160.77

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, CW2 Davin

SUBJECT: Request to Modify Master Cooperative Funding Agreement (CFA), W912PQ-13-2-1002, Appendix 2 (Environmental)

1. Request that a modification be completed, for Appendix 2, corrected the twenty-five percent State Share from \$30,004.00 to \$30,160.77, increase IKA from \$110,000.00 to \$140,830.20, and **close** Appendix #2 for Fiscal Year 2013.

Section 207. Funding Limitation is changed as follows:

a. Funding.

	(Allotment) Maximum Funding Limitation	(AFP) Estimated Cost
Federal Share (100%)	\$ 1,110,728.00	\$ 1,110,728.00
Federal Share (75%)	\$ 90,481.84	\$ 90,481.84
Federal Share (50%)	\$ .00	\$ .00
Federal Total	\$ 1,201,209.84	\$1,201,209.84
State Share (50%)	\$ .00	\$ .00
State Share (25%)	\$ 30,160.77	\$ 30,160.77
Program Income	\$ .00	\$ .00
State Total	\$ 30,160.77	\$ 30,160.77
Grand Total	\$ 1,231,370.61	\$ 1,231,370.61

b. In-Kind Assistance.

Within the federal share indicated above \$140,830.20 is reserved and designated specifically for in-kind assistance (IKA) through federal procurement procedures. The use of IKA shall be at the request of The Adjutant General as approved by the USP&FO. NGB-AEN approval is not necessary.

2. Total AFP was \$1,225,000.00 in which a total of \$1,201,209.84 was executed and \$140,830.20 of that total was In-Kind Assistance. \$23,790.16 was de-obligated thereby officially **closing** Appendix #2 for FY13.

MNFE (37)

SUBJECT: Request to Modify Master Cooperative Funding Agreement (CFA),  
W912PQ-13-2-1002, Appendix 2 (Environmental)

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

A handwritten signature in black ink, appearing to read "D. Scott Cleaveland".

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

CF:  
MNFE-EC  
MNBF



**SOF: Command Non-Cum**

Last Data Refreshed from ECC

05/31/2016 09:40:25

Report Run Time

05/31/2016 10:51:21

Current User

Richardson, Nicole

**Variables**

Fund 206510D13 Operation & Maintenance, Army National G  
 Funds Center ARMY/A181X NY Construction and Facility Management  
 Budget Stat Indicator #  
 MDEP Environmental Qualit  
 InfoProvider ZBF\_T01, ZFMB5A, ZFM\_B01

Fund	Funds Center	Funded Program	Current AFP	Allotment	Comm (Non Cum)	Oblig (Non Cum)	Exp (Non Cum)	Disb (Non Cum)	Available Budget AFP	Available Budget Allotment
206510D13	A181X	ARMY			0.00	0.00	0.00	1,190,325.19	-1,190,325.19	-1,190,325.19
206510D13	A181X	S 0006330.33.08			0.00	0.00	0.00	887.91	-887.91	-887.91
206510D13	A181X	S 0013884.1			0.00	0.00	0.00	1,073.55	-1,073.55	-1,073.55
206510D13	A181X	S 0013884.2			0.00	0.00	0.00	8,923.19	-8,923.19	-8,923.19
<b>Overall Result</b>					0.00	24,965.89	0.00	1,201,209.84	-1,201,209.84	-1,201,209.84

