

MODIFICATION

United States Navy
Naval Facilities Engineering Command, HQ
1322 Patterson Avenue, SE, Ste 1000
Washington Navy Yard, D.C. 20374

Cooperative Agreement No. N62473-11-2-2307
Effective Date: 1 July 2012
Modification No. 2

AWARDEE: STATE OF CALIFORNIA
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814-3805
CAGE Code: 1PZ02

AUTHORITY: 10 U.S.C. Section 2701 (d)

COOPERATIVE AGREEMENT MODIFICATION

Specific portions of the Agreement are hereby modified as follows; all other portions remain in full force:

1. In accordance with Paragraph 4, Scope of Program, the Agreement's period of performance is extended to add Year 2 from 01 July 2012 through 30 June 2013.
2. Paragraph 10.a. Funding Estimates for ER,N, MMRP, and BRAC Accounts. The total funding estimates for each funding account, ER,N, MMRP, and BRAC, for SFQ 1,2,3,4/FFQ 4,1,2,3 for the extended Year 2 period of performance 01 July 2012 through 30 June 2013 is established at:

	SFQ 1/FFQ 4 - 01 July 2012 – 30 Sept 2012	SFQ 2,3,4/ FFQ 1,2,3 - 01 October 2012 – 30 June 2013	SFQ 1,2,3,4/ FFQ 1,2,3 4 - 01 July 2012 – 30 June 2013
ER, N	\$469,275.00	\$1,261,317.00	\$1,730,592.00
MMRP	\$ 2,500.00	\$ 133,308.00	\$ 135,808.00
BRAC	\$300,855.00	\$ 902,565.00	\$1,203,420.00
Total Funding Estimates	\$772,630.00	\$2,297,190.00	\$3,069,820.00

The maximum funding estimate for ER,N, is increased by \$1,730,592.00 from \$1,774,687.00 to \$3,505,279.00. The maximum funding estimate for MMRP is increased by \$135,808.00 from \$138,816.00 to \$274,624.00. The maximum funding estimate for BRAC is increased by \$1,203,420.00 from \$1,203,420.00 to \$2,406,840.00. The total maximum funding estimate for the period 01 July 2011 through 30 June 2013 for the Agreement is increased by \$3,069,820.00 from \$3,116,923.00 to \$6,186,743.00.

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3. Paragraph 10.b. Total Obligated on Award: The total obligated amount for ER, N is increased by \$469,275.00 from \$1,774,687.00 to \$2,243,962.00. The total obligated amount for MMRP is increased by \$2,500.00 from \$138,816.00 to \$141,316.00. The total obligated amount for BRAC is increased by \$1,203,420.00 from \$1,203,420.00 to \$2,406,840.00. The total obligated amount for the Cooperative Agreement is increased \$1,675,195.00 from \$3,116,923.00 to \$4,792,118.00.

4. The following administrative updates to the Cooperative Agreement are made.

a. Paragraphs 1 and 2 are updated as follows: The first sentence in Paragraph 1, Introduction is updated to begin: “This Cooperative Agreement, with its Enclosures and Attachments,”. Paragraph 2, Purpose is updated to add “, which are attached and incorporated by reference into this Cooperative Agreement.” to the end of the paragraph.

b. Paragraph 9, Workload Expectations, is modified to add paragraphs addressing SWRCB Year 2 information. See attached pages.

c. Paragraph 10, Funding Estimates for ER,N, MMRP, and BRAC Accounts is modified to add Paragraph 10.c. to incorporate funding estimate information pertaining to Year 2 of the Cooperative Agreement. See attached pages.

d. Attachment B, DON Installations, and Attachment D, Points of Contact, are updated. See attached pages.

5. Accounting and Appropriation Data – For billing purposes refer to:

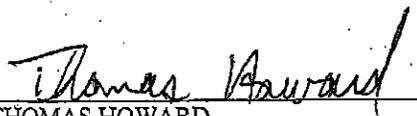
ACRN	APPROP	SUB-HEAD	OBJ CLS	BUREAU CONTROL	S A	AAA	TT	PAA	COST CODE	AMOUNT
AF	1712121804	KU2E	0252	62470	R	068732	2D	R000P5	AF1122307ERN	\$ 420,439.00
AG	1712121804	KU2E	0252	62470	Z	068732	2D	R000P5	AG1122307ERN	\$ 2,500.00
AH	1712121804	KU2E	0252	62470	R	068732	2D	R000P5	AH1122307ERN	\$ 48,836.00
AJ	97XXXX0510	K2PR	0252	BBCIR	V	068892	2D	CV2548	BBCIR2V1298Q	\$1,203,420.00

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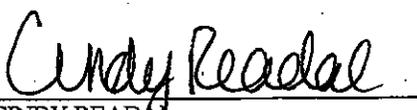
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All other terms and conditions remain unchanged.

IN WITNESS WHEREOF, and intending to be legally bound hereby the parties to the Cooperative Agreement, by their authorized representatives, hereby cause this Agreement to be executed.


THOMAS HOWARD
Executive Director
State Water Resources Control Board
Sacramento, California

Date: 6/29/2012


CINDY READAL
Deputy Assistant Commander for Acquisition
Naval Facilities Engineering Command
Washington Navy Yard, D.C.

Date: 6/29/12

Paragraph 9. Workload Expectation is modified to add the following paragraphs:

By letter dated April 18, 2012, the State Water Board provided the DON with a total annual cost estimate for FY12-13 based on Execution Plans completed by the DON and the Regional Water Boards in early 2012. The letter provided the estimated hours and costs associated with Water Board regulatory oversight of the Navy facilities in California for the next fiscal year. The hours are based on the estimated work contained in the FY12-13 Joint Execution Plans (JEPs) that were prepared and mutually agreed to by the Navy and Regional Water Board project managers.

The estimated total annual billing charges, as presented in the April 2012 letter, for project oversight, program management, contracts and travel during FY 2012-2013, is approximately \$4,008,158. This includes estimated charges of \$1,963,205 for BRAC, \$1,681,756 for DERA/ER,N and \$135,808 for MMRP. The Parties acknowledge and agree these estimates create no obligation on the part of DoN or SWRCB.

The following information is added as Paragraph 10.c.

10. Funding Estimates for ER,N, MMRP, and BRAC Accounts and Total Obligated On Award:

c. The Agreement Period for Year 2 is 01 July 2012 to 30 June 2013. (SFQ 1,2,3,4/FFQ 4,1,2,3.)

The DON's obligation to pay or reimburse any costs hereunder is subject to the availability of appropriated funds and limited by funds obligated and nothing in this Agreement will be interpreted to require obligations or payments by the Federal Government in violation of the Anti-Deficiency Act, 31 U.S.C. § 1341. In addition, The State Water Board is not obligated to expend nor is the DON required to pay an amount in excess of the obligated funding for ER,N, MMRP and BRAC as identified in Paragraph 10(b) below unless changed by mutual agreement by bilateral modification.

The following are funding estimates for each funding account, ER,N, MMRP and BRAC, for Year 2, SFQ 1,2,3,4/FFQ 4,1,2,3. The total obligated amount for each funding account shall not be exceeded.

Funding Account	Agreement Period	Funding Estimates	Total NTE Obligated Amount
ER, N	SFQ 1/FFQ 4 - 01 July 2012 – 30 Sept 2012	\$ 420,439.00 + 48,836.00	\$ 469,275.00
MMRP	SFQ 1/FFQ 4 - 01 July 2012 – 30 Sept 2012	\$ 2,500.00	\$ 2,500.00
BRAC	SFQ 1,2,3,4/ FFQ 1,2,3 4 - 01 July 2012 – 30 June 2013	\$1,203,420.00	\$1,203,420.00
Subtotal		\$1,675,195.00	\$1,675,195.00
ER,N	SFQ 2,3,4/FFQ 1,2,3 - 1 October 2012 – 30 June 2013	\$1,261,317.00	Subject to Availability of Funds and incorporation by written mutual agreement by bilateral modification
MMRP	SFQ 2,3,4/FFQ 1,2,3 - 1 October 2012 – 30 June 2013	\$ 133,308.00	Subject to Availability of Funds and incorporation by written mutual agreement by bilateral modification
SubTotal		\$1,394,625.00	
Total		\$3,069,820.00	\$1,675,195.00

In Agreement Period SFQ 1/FFQ 4, the State Water Board shall provide an estimate to the DON no later than 15 September, of costs estimated to be incurred for the period 01 July to 30 September (SFQ 1/FFQ 4) of that Agreement Period, for the ER,N, MMRP, and BRAC accounts.

To ensure that the State Water Board funding estimate remains as accurate as possible with actual invoice amounts throughout the Agreement Period, the parties will closely track the rate of costs incurred and disbursement of each fund type against the obligated total for each Agreement Period and shall, by written mutual agreement by bilateral modification, make adjustments to the obligated total, as appropriate. These adjustments, as necessary, will be made during the July-September timeframe based on the rate of costs incurred for the previous 3 quarters. The Parties will negotiate any required adjustments to the funding accounts as appropriate. An additional review of expenditures will occur on or about September 15 so that a final adjustment can be made before September 30.

The State Water Board shall send actual quarterly invoices to the DON, no later than 60 days after the completion of each quarterly period.

Attachment B

DON INSTALLATIONS

- 16521 Alameda Naval Air Station
- 16513 Naval and Marine Corps Reserve Center, Alameda
- 16529 Alameda Naval Supply Center (NSC) Annex
- 16562 Barstow Marine Corps Logistics Base (MCLB)
- 16563 Bridgeport Marine Corps Mountain Warfare Training Center (MCMTWTC)
- 16592 Camp Pendleton Marine Corps Base (MCB)
- 16561 China Lake Naval Weapons Center (NWC)
- 16571 Chocolate Mountain Naval Weapons Range (NWS)
- 16524 Concord Naval Weapons Station – Inland Area (NWS)
- 16556 Concord Naval Weapons Station – Inland Area (NWS) (MMRP)
- 16593 Coronado Naval Amphibious Base (NAVPHIBASE)
- 16565 Coronado Naval Amphibious Base (NAVPHIBASE) (MMRP)
- 16518 Corona Naval Weapons Station (NWS)
- 16551 Crows Landing Naval Auxiliary Landing Field (NALF)
- 16554 Dixon Naval Reserve Training Facility (NRTF)
- 16572 El Centro Naval Air Facility (NAF)
- 16559 El Centro Naval Air Facility (NAF) (MMRP)
- 16582 El Toro Marine Corps Air Station (MCAS)
- 16586 El Toro Marine Corps Air Station (MCAS) (MMRP)
- 16532 Fallbrook Naval Weapons Station (NWS)
- 16558 Fallbrook Naval Weapons Station (NWS) (MMRP)
- 16525 Hunters Point Naval Shipyard (NSY)
- 16533 Imperial Beach Naval Auxiliary Landing Field (NALF), San Diego
Naval Auxiliary Landing Field – (NALF / AUXLNDFL)
- 16552 Lemoore Naval Air Station (NAS)
- 16541 Long Beach Naval Complex
- 16523 Mare Island Naval Shipyard (NSY)
- 16534 Marine Corps Air Station, Miramar (MCAS)
- 16555 Marine Corps Air Station, Miramar (MCAS) (MMRP)
- 16544 Marine Corps Recruit Training Center, Pico Rivera
- 16527 Moffett Field Naval Air Station (NAS)
- 16570 Morris Dam Naval Ocean Systems Center (NOSC)
- 16599 Naval Base San Diego (NBSD)
- 16590 Naval Base San Diego (NBSD) (MMRP)
- 16548 Naval Facilities Engineering Services Center, Port Hueneme (NCEL)
- 16515 Naval Facilities Engineering Services Center, Port Hueneme (NCEL)
(MMRP)
- 16543 Naval Marine Corps Reserve Center, Los Angeles
- 16594 North Island Naval Air Station (NAS)
- 16564 North Island Naval Air Station (NAS) (MMRP)

16528 Novato DoD Housing
16549 Pasadena Marine Corps Reserve Center (MCRC)
16547 Point Mugu, Naval Air Weapons Station (NAWS)
16542 Point Mugu, Naval Air Weapons Station (NAWS) (MMRP)
16539 Point Loma Naval Complex (SPAWAR PLC)
16574 Salton Sea Naval Test Site
16545 San Clemente Island Naval Auxiliary Landing Field
16517 San Clemente Island Naval Auxiliary Landing Field (MMRP)
16589 San Diego Fleet and Industrial Supply Center (FISC/NSC)
16536 San Diego Fleet Combat Training Center, Pacific (FCTCPAC)
16595 San Diego Marine Corps Recruit Depot (MCRD)
16596 San Diego Naval Computer and Telecommunications Station (NCTS)
(Silver Strand Training Complex)
16519 San Diego Naval Space Command
16531 San Diego Naval Training Center (NTC - DERP)
16591 San Diego Naval Training Center (NTC - BRAC 93)
16538 San Diego NAVSUBASE
16537 San Diego NISE-West
16546 San Pedro Defense Fuel Supply Point (DFSP)
16583 Seal Beach Naval Weapons Station (NWS)
16553 Stockton Naval Communications Station (NCS)
16522 Treasure Island Naval Station (NAVSTA)
16581 Tustin Marine Corps Air Station (MCAS)
16573 Twenty Nine Palms Marine Corps Air Ground Combat Center
(MCAGCC)
16575 Twenty Nine Palms Marine Corps Air Ground Combat Center
(MCAGCC) (MMRP)
16597 Warner Springs Survival Evasion Resistance and Escape Camp
(SEREC)

Attachment D

POINTS OF CONTACT

**Account & Project Managers:
Department of Navy:**

ER,N & MMRP:

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Remittance address:

State Water Resources Control Board
Electronic Funds Transfer
CAGE Code 1PZ02
DUNS: 808321913

COOPERATIVE AGREEMENT
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