



File Code: 2400**Date:** April 3, 2020**Route To:****Subject:** Continuity of Forest Products Operations**To:** Regional Foresters

In light of the COVID-19 outbreak, the Agency and the Department of Agriculture have issued guidance to utilize options for maintaining our critical mission operations and service to the public while ensuring our priority of protecting our employees and reducing risk and exposure to the virus continues. Support of the manufacture and distribution of forest products has been identified as an essential government service by the Department of Agriculture (USDA 03/27/2020) and as a part of critical infrastructure (DHS 03/19/2020). In delivering this essential service, our focus is on the safety of our employees, the communities we serve, and slowing the spread of this virus while continuing operations within that context. Local line officers are to use a risk vs. risk approach to inform decisions for carrying out this guidance.

At the request of the field and building off of previous guidance, the following recommendations are adjustments in our direction and processes to provide for delivering forest products. It recognizes that no one solution works in every unit and that local risk management decisions are dynamic. All decisions regarding employee field activities will remain at the discretion of the Regional Offices working in conjunction with Forest Supervisors. Any continuity in timber sale operations described below can always be superseded by Agency or Departmental direction. Recognizing there are significant differences between regions and impacts from the COVID-19, the intent of this letter is to provide you sufficient information to consider continuation of operations without being prescriptive.

States with “shelter in place” or non-essential travel bans may require cooperation and coordination between federal and state authorities. For example there may be a need to use readily identifiable vehicles (vehicles with Forest Service shield or law enforcement vehicles) for routine contract administration work. Also employees who may be working outside of the home should have copies of the updated shelter in place exception document (USDA 03/27/2020). We will need look for innovative and cooperative approaches for local solutions and local capacity with our communities, our forest products customers, and our agency partners to minimize exposing employee to travel outside of their commuting area.

Permits:

Most fee permits services may continue to be delivered through office visits with risk mitigation measures in place, through the mail, or through phone and drop box approaches. In areas where offices are closed as a result of local direction or high risk of exposure, units may be temporarily unable to deliver fee permits due to inability to protect personally identifiable information (PII) or process payments from home. Solution minded approaches should be used with all customers. Earlier guidance allows for free permits that facilitate social distancing that is still appropriate and may be helpful in some cases.



Timber Sales:

Timber sale preparation, bid opening and sale administration, timber sale accounting activities will also continue with safety of our employees, customers and contractors first and foremost. Delays are likely to occur as the agency implements safety protocols. In addition, services will be interrupted as employee capacity is limited by quarantines, other COVID-19 related and health and safety mitigations, and limits on travel. Any delay or interruptions should be communicated clearly and early with our customers and potential solutions or accommodations should be discussed.

Appraisals/Utilization:

Markets are in high flux and appraisal systems and utilization standards may not be responsive to current conditions or economic realities for customers. Use of minimum rates and modifications to utilization standards should be used to adapt to the current situation. Washington Office staff can help and provide some alternative tools for adjusting appraisals and utilization standards to be more responsive to markets that are in flux, and markets that may be non-traditional due to changes in the manufacturing base

Sale Preparation:

Utilize telework when appropriate and consider the use of other sale prep processes to reduce exposure such as designation by prescription (DxP), digital cruising using discernible boundaries and virtual boundaries in low risk areas, leveraging Good Neighbor Agreements as appropriate. The Forest Management Service Center staff is available to support and provide additional authorities to use these tools if needed. Services are being interrupted as employee capacity is limited by quarantines, other COVID-19 related and health and safety restrictions, and limits on travel.

Bid Openings:

- 1) Regions may choose to extend the advertisement period for currently advertised sales to allow industry additional time for consideration based on recent changes to markets.
- 2) Regions should continue to conduct scheduled bid openings. Regions may use their discretion to cancel scheduled oral auctions and hand delivered bids and re-advertise as sealed bidding. This will reduce exposure and risk. Regions may choose to close bid openings to the public. Regions that choose to do so should still make the information available through any number of tools such as posting bid results on a public facing website, emailing bid results to the bidders who submitted bids and posting the results outside the front office. PII must be protected.
- 3) If bid openings and oral auctions are conducted, limit attendance to only the principal bidders and essential FS employees in the auction room, those with a direct interest in the bidding. At minimum, require at least one witness (FSH 2409.18 Ch. 62.21 and 48 CFR 14.402-1). Maintain enhanced hygiene and appropriate distancing between individuals. Attendees should be scheduled as much as possible, screened upon entry and escorted. Keep the number of people in the room to fewer than 10. Hold the auction outside if feasible. Conduct bid openings and oral auctions in larger areas versus smaller contained spaces.
- 4) Notify bidders ahead of time or at bid openings that they may notify the Contracting Officer (CO) if they wish to withdraw their bid at any point prior to bid opening.
- 5) Encourage prospective bidders to mail their bids in place of hand delivery to reduce person-to-person contact.
- 6) In the event of office closures, COs shall make a determination of whether sealed bids will be opened or to cancel the bid opening and reschedule a different time and method of bidding.

Award and Execution of Contracts:

- 1) COs may use their discretion to consider risk informed written extensions of time to execute contracts, make down payments and provide performance bonds when requested due to impacts from COVID-19.

Administration of Contracts:

- 1) Day-to-day sale administration will continue as determined possible by the risk informed decisions of the local line officer in consultation with contracting officer. Employees need to minimize exposure as much as possible while conducting their duties. COs should help leadership by monitoring sale administration personnel availability to perform the needed work, and alerting local leadership if issues are developing. Practice good hygiene and social distancing.
- 2) Line Officers with sale administrators can consider site inspection visits if warranted on active timber sales. Utilize telework when appropriate and consider the use of other means of sale administration processes. The Forest Management Service Center staff is available to provide support and additional authorities to use these tools if needed.
- 3) Consider alternatives to face-to-face meetings for conducting pre-work. If face-to-face meetings are necessary, limit attendance to necessary personnel with appropriate space to ensure safety.

Future Sale Offerings:

- 1) Regions should coordinate sale offerings with local industry as purchasers adjust their operations in response to the COVID-19 and uncertainty in the market. Regions may need to delay future offerings based on market uncertainty, changes in markets that appraisals may not reflect, etc.
- 2) Regions are encouraged to make bid packages available online to limit the need for prospective bidders to obtain bid packages from Forest Service offices.
- 3) Regions should strongly consider only using sealed bidding methods over oral auctions to limit the need for bidders to be present at bid openings.
- 4) Modify advertisements and letters to prospective bidders to indicate that bids will only be accepted through U.S. Postal Service mail.

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Signed by: CHRISTOPHER FRENCH
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