

**File Code:** 2400; 6300**Date:** April 23, 2020**Route To:****Subject:** Accommodating Procurement Interruptions from Coronavirus Disease 2019 (COVID-19)**To:** Regional Foresters, Station Directors, IITF Director, Deputy Chiefs and WO Directors

USDA Forest Service continues to monitor and examine the impacts of the COVID-19 pandemic on our mission delivery. Enclosed is the Office of Management and Budget (OMB) Memo M-20-18, Managing Federal Contract Performance Issues Associated with the Novel Coronavirus (COVID-19), (Enclosure 1). We are writing this letter to provide updated guidance on related impacts to the acquisition community and to provide leader's intent on the maximum use of flexibilities within each contract to address potential impacts as a result of COVID-19. Of particular concern are Integrated Resource Stewardship Contracts which are uniquely tied to the forest products market. For other timber sale contracts, the conditions of this market prompted the USDA Under Secretary for Natural Resources and Environment to determine in accordance with paragraph 14(c) of the National Forest Management Act of 1976 (NFMA) and agency regulations that it is in the substantial overriding public interest to extend certain National Forest System timber sales, sale of property stewardship contracts, and forest product permits.

We are in a rapidly changing environment; therefore, proactive and precautionary steps are essential to ensure long-term viability of our workforce and our partners. Performing routine, comprehensive, and continual assessments of workplace, work site conditions, and community risks are critical. The agency is following USDA and Centers for Disease Control and Prevention (CDC) guidance and using a common risk management framework to identify risk factors and mitigation measures as well as to make risk-informed decisions. Social distancing measures are necessary to preserve the health and welfare of our employees, partners, cooperators, families, and local communities. Individuals should observe CDC's [How to Protect Yourself](#) guidance.

Each project/program official is strongly encouraged to work very closely with their respective contracting officer to identify any and all contracts that may need to be modified because of impacts to the contractor's ability to perform or meet contractual requirements as a result of the pandemic. Acquisition professionals in each Region and Station should continue to assess their current active contracts and make any necessary adjustments to contractual requirements based on the aforementioned risks and conditions. This includes adjusting any required due dates for contract deliverables, period of performance, and internal processing deadlines, as needed. Listed below are examples of some of the flexibilities the WO Procurement Policy Office has provided in the spirit of providing quality service to our contractors and vendors while still delivering the results the agency needs.

Contracts funded with time sensitive monies:

Budget officers should work through their Contracting Officers (CO)/ Contracting Officers Representatives (COR) and local program offices for all major budget impacts caused by COVID-19 disruptions and where there may be a need for a revised budget allocation. Each AQM Office should take into consideration the situation in their area for shelter-in-place orders, quarantines, and closures. This may result in the need to reallocate funds or to cancel items that will not meet the full expenditure timelines.



Extensions to periods of performance, where delays occur due to shelter-in-place orders or closure of facilities:

When delays in contract performance are created due to closures of facilities or areas where work was to be performed, units may extend impacted contracts, in writing, for commensurate lost time, with the expectation that additional time could or would be granted in order to complete work that was missed once facilities reopen. This same direction shall be used if vendors or their sub-contractors are unable to mobilize due to shelter-in-place orders or if they do not have an adequate COVID-19 safety plan to meet the conditions of a safe working environment as defined by the CDC. The modification should be processed using Standard Form 30, Contract Modification, and bi-laterally signed indicating both parties' agreement to the new period of performance. This information of the impacts must be documented and presented by the vendor and submitted to the cognizant contracting officer who will seek concurrence and input from program managers before any consideration is granted.

Please review the enclosed questions and answers document (Enclosure 2). Program Managers and AQM Contracting Offices shall be proactive in jointly coordinating and providing assistance to contractors to identify concerns in advance and finding reasonably flexible options to mitigate risks within established policies and procedures during COVID-19.

If you have any questions, please contact the Washington Office Procurement Policy Office at SM.FS.WOProcPolicy@usda.gov.

X



Signed by: MARIA CLAUDETTE FERNANDEZ

CLAUDETTE FERNANDEZ
Deputy Chief for Business Operations

X



Signed by: CHRISTOPHER FRENCH

CHRISTOPHER B. FRENCH
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Enclosures (2)