

# **A Message to Contractors from the Chief Acquisition Officer on Industry Collaboration and Engagement**

June 10, 2020

As I have said to many of you over that last few months, thank you for your continued service supporting the National Archives and Records Administration (NARA) in fulfilling its mission, especially during these extraordinary times.

In response to the Coronavirus (COVID-19) pandemic, the Federal Government through the Centers for Disease Control and Prevention (CDC) has issued precautions and guidelines to slow the spread of the disease, which has impacted both Federal Agencies and Contractors. State and local government directives, decisions, and recommendations are also impacting Contractors' ability to operate. At NARA, the health and safety of our NARA Community is the top priority and critical to the success of our mission. Based on the evolving Coronavirus pandemic and the impact to the world, NARA wants its contractors to be aware that the Agency is working diligently to preserve Mission Oriented Functions.

NARA's Acquisition workforce understands the importance of continuing industry engagement and procurement best practices. This is especially important as we streamline procurement processes to meet mission critical needs during the pandemic. NARA plans to utilize technology platforms to virtualize industry days, oral presentations, technical evaluations, and site visits. NARA's acquisition professionals are already using creative and innovative methods to engage and collaborate with acquisition teams and industry partners. So, transitioning pre-award activities to a virtual environment will only enhance the procurement process.

I appreciate your continued support and flexibility as we navigate through the coronavirus pandemic and adapt to new collaboration approaches and virtual engagement platforms. We look forward to working with you and are committed to a collaborative partnership and ongoing success.

Sincerely,

La Verne A. Fields  
Chief Acquisition Officer

# Frequently Asked Questions (FAQ) Regarding COVID-19 Impacts for NARA Contractors

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In response to the Coronavirus (COVID-19) pandemic, the Federal Government through the Centers for Disease Control and Prevention (CDC) has issued precautions and/or guidelines to slow the spread of the disease. State and local government directives, decisions, and recommendations also are impacting Contractors' ability to operate. At NARA, the health and safety of our NARA Community is the top priority and critical to the success of our mission. Based on the evolving Coronavirus situation and the impact to the world, NARA wants its contractors to be aware that the Agency is working very diligently to preserve Mission Operational Readiness.

## 1. What procurement authorities enable the Contractor to maintain employees in a mobile-ready state?

NARA's Office of the Chief Acquisition Officer and the Office of General Counsel have identified flexibilities that would enable preservation of mission operational readiness. The options are:

- For On-site contractors: FAR clause 52.242-72, Government Delay of Work (April 1984), when a NARA Facility is closed and there is no work that a Contractor or their employee can accomplish from a remote location.
- For Off-site Contractors: FAR 52.242-15 Stop Work Order clause, when a contractor informs us that they cannot safely perform work at their facilities, either because of state guidelines or their own internal assessment; and/or applicable clauses such as FAR 52.212(4) T&C for Commercial Items.

The CARES Act compliments other Federal Acquisition Regulations (FAR) authorities and explicitly states Contracting Officers now have the authority to reimburse contractors and their subcontractors for paid leave given under the following conditions:

- A. Contractor employees or subcontractors cannot perform work due to a facility closures or other restrictions;
- B. Employees cannot telework because their job duties cannot be performed remotely; and
- C. The employees are kept at a "ready state."

## 2. Is NARA automatically issuing a Stop Work Order? What steps should a Contractor initiate to notify NARA of COVID-19 impacts?

NARA is not automatically issuing Stop Work Order or Denied Access letters. To initiate either of these two events, a contractor must notify their contracting officer by phone or

email of any performance impacts due to COVID-19. The Contracting Officer and COR will work with contractors to identify what work will continue, what work will not continue, and the number of staff impacted, including those that cannot telework. The Contractor shall also address NARA identified alternate work that potentially could be performed remotely. The CO will, then, create a Bilateral Modification to incorporate the contract changes.

3. **For identified mission essential work at an offsite or onsite location, will NARA provide documentation to the Contractor in case the local state or municipality initiates a shelter in place? If so, what is the process for the Contractor or its suppliers to request such a letter.**

For off-site work: If NARA decides a company is performing essential work, the company must provide their employees the appropriate documentation.

For on-site work: Contractor employees who are required to travel to and from a NARA worksite to perform mission essential work should show their NARA PIV card (government badge) and state they work for the federal government and are traveling to or from work, if stopped by law enforcement.

4. **Will the COVID-19 pandemic delay or defer anticipated contract awards or the schedules for these forthcoming programs? If so, how will these adjustments be prioritized, determined, and communicated?**

NARA is working to maintain its current contract award schedule. We have virtual processes such as a virtual source selection evaluation capability and electronic proposal submittal processes in place so that we can effectively operate in a remote fashion. We will continue to monitor this situation and will adjust our approach as necessary. If the need to grant an acquisition timeline extension arises, we will communicate that to industry via the appropriate government point of entry where our solicitations are posted.