OMB Reminds Agencies to be Flexible in the COVID-19 Crisis

Written by Nick Sanders Tuesday, 24 March 2020 00:00 -

On March, 20, 2020, the Office of Management and Budget (OMB) reminding Executive Agencies to be flexible with respect to contractor performance challenges during the COVID-19 crisis. Here's <u>a link</u> to the official Memo, entitled "Managing Federal Contract Performance Issues Associated with the Novel Coronavirus (COVID-19)."

Having given you the link, we are now going to quote extensively from the Memo, because so many of you will not click the link.

Federal contractors play a vital role in helping agencies meet the needs of our citizens, including the critical response efforts to COVID-19. ... This memorandum identifies steps to help ensure this safety while maintaining continued contract performance in support of agency missions, wherever possible and consistent with the precautions issued by the Centers for Disease Control and Prevention (CDC). Achieving these important goals - and maintaining the resilience of our Federal contracting base

- requires continued communication by agencies with their contractors, both small and large, and effective leveraging of flexibilities and authorities to help minimize work disruption.

(Emphasis added.)

But there's more!

Agencies are urged to work with their contractors ... to evaluate and maximize telework for contractor employees, wherever possible. ... Equally important, agencies should be flexible in providing extensions to performance dates

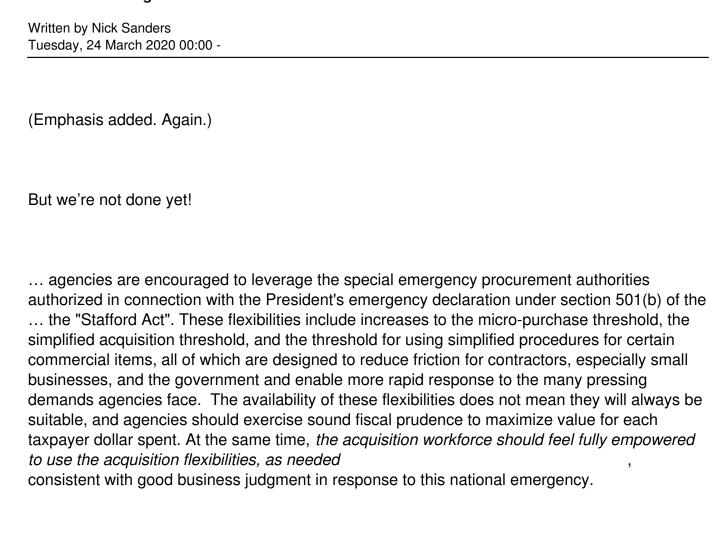
if telework or other flexible work solutions, such as virtual work environments, are not possible, or if a contractor is unable to perform in a timely manner due to quarantining, social distancing, or other COVID-19 related interruptions.

Agencies should take into consideration whether it is beneficial to keep skilled professionals or key personnel in a mobile ready state for activities the agency deems critical to national security or other high priorities.

Additionally, agencies should also consider whether contracts that possess capabilities for addressing impending requirements such as security, logistics, or other function, may be retooled for pandemic response consistent with the scope of the contract

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(Emphasis added. Yet again.)

The OMB Memo ends with a set of "Frequently Asked Questions." The FAQ addresses schedule delays and requests for equitable adjustments. We won't quote the answers here; we've already quoted enough from the Memo. However, we strongly recommend you read them yourself. We provided a link to the Memo in the first paragraph. If you didn't click the link then, we suggest you do so now.