



Department of Energy

Brookhaven Site Office

P.O. Box 5000

Upton, New York 11973

4/16/2020

Mr. Kevin Fox
Prime Contract Manager
Brookhaven Science Associates, LLC
Brookhaven National Laboratory
Upton, New York 11973
Delivered via email

Dear Mr. Fox,

SUBJECT: COVID-19 ACQUISITION GUIDANCE UNDER PRIME CONTRACT NO. DE-SC0012704 WITH BROOKHAVEN SCIENCE ASSOCIATES, LLC FOR THE MANAGEMENT AND OPERATION OF THE BROOKHAVEN NATIONAL LABORATORY

The Department continues to coordinate with the Office of Management and Budget's Office of Federal Procurement Policy and will continue to disseminate any additional guidance as quickly as possible. The following updated guidance has been provided to DOE Contracting Officers (CO's):

- CO's should continue to promote the maximization of the use of telecommuting/telework by contractors. Particularly for employees with caregiving responsibilities.
- Contracting Officers may provide pre-approval for Weather and Safety or other equivalent leave associated with the COVID-19 emergency for employees for up to eight weeks. This applies to employees who cannot perform work on a site approved by the Federal Government (including a federally-owned or leased facility or site) due to facilities closures or other restrictions; and cannot telework because their job duties cannot be performed remotely during the public health emergency declared on January 31, 2020 for COVID-19. Reimbursement is authorized for up to an average of 40 hours per week for the period beginning on January 31, 2020, through no later than September 30, 2020.
- Contracting Officers should continue to take all actions within their authority they deem prudent to minimize the potential negative effect of disruptions due to Coronavirus Disease 2019 (COVID-19).
- Contracting Officers should verify the contractor has policies and procedures in place to ensure the employees do not receive both unemployment compensation and paid time off. Contracting Officers will direct the contractor to track all leave taken related to the COVID-19 pandemic.
- CO's should ensure that contractors are tracking costs associated with the COVID-19 outbreak.

Mr. Fox

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BHSO requests that BSA provide policies and procedures to track costs associated with COVID-19 in accordance with the CARES Act legislation by April 24, 2019 or other agreed upon date.

If you have any questions regarding this letter, the point of contact is the undersigned and can be reached at extension 7812, or Fausto.Fernandez@science.doe.gov.

Sincerely,

Fausto Fernandez
Contracting Officer
Director, Business Division

cc: R. Gordon, BSHO
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