

March 13, 2020

TO: Commonwealth Lessor:

As you are aware, On March 6, 2020, Governor Tom Wolf signed a Proclamation of Disaster Emergency related to the emergence and spread of the novel coronavirus known as COVID-19. As a result of this Proclamation, the Commonwealth of Pennsylvania has been taking numerous steps to mitigate and prevent the spread of the virus while maintaining the programs and services provided by the Commonwealth to its citizens.

As a Lessor of space to the Commonwealth, it is critical that we work together to achieve the goal of preventing the spread of the virus in facilities occupied by the Commonwealth. Many basic precautions have been set forth by the CDC and the Pennsylvania Department of Health and should be followed by everyone:

- Cough or sneeze into your elbow.
- Wash hands often with soap and water for at least 20 seconds. Use an alcohol-based hand sanitizer if soap and water are not available.
- Avoid touching your face when possible and wash your hands if you do touch your face.
- Clean surfaces frequently, including countertops, light switches, cell phones, remote controls, and other frequently touched items.

For additional information about COVID-19, please refer to the Department of Health's website, health.pa.gov, [Facebook](#) page and [Twitter](#) account.

While no facility can be guaranteed to be free of any virus, the role of hygiene is key to reducing the spread of COVID-19. Good hygiene combined with good housekeeping practices may assist in lowering any potential risk of infection and preventing its spread. With that said, please implement CDC recommendations for environmental cleaning with proper disinfectants on high-touch surfaces such as the following: doorknobs, light switches, restroom fixtures, paper towel dispensers, elevator buttons and rails and stairwell rails. If you have already done so, we thank you and ask that you notify the DGS Bureau of Real Estate (Beth Christian, elchristia@pa.gov or 717-787-4394) of your efforts prior to sending out information to Commonwealth tenants.

In addition to these common-sense precautions, Lessors are also reminded that any staff or contracted resources should not report to Commonwealth leased facilities if they are sick. The symptoms of COVID-19 can include fever, cough and shortness of breath. If individuals are showing symptoms of COVID-19, the Lessor should ensure, through proactive communications with its staff or subcontractors, that those individuals remain at home. If individuals exhibit symptoms in Commonwealth work locations, Commonwealth agencies will be instructed to

contact the Lessor's onsite building manager (if so located) or the Bureau of Real Estate which will communicate with the Lessor directly to determine an appropriate and safe course of action for the individuals.

Lessors and their subcontractors must comply with all directives and requirements related to COVID-19 that come from the Centers for Disease Control, the Pennsylvania Department of Health, or any other state or federal authority, including any required reporting of suspected COVID-19 cases. Additionally, in the event that you determine or are informed that a facility the Commonwealth leases from you is linked, directly or indirectly, to a presumptive positive or confirmed case of COVID-19, please make your first contact on the matter to the Bureau of Real Estate (BRE) and not to individual Commonwealth tenant agencies. BRE will ask you for the following information that will be needed in order to help the Commonwealth make an informed decision on how to proceed:

- Shareable information about the COVID 19 case, including whether the case is confirmed or presumed positive.
- The affected individual's work location in the building.
- The level of high touch cleaning that is planned or has been completed.
- If the building occupied by non-Commonwealth tenants

Please wait for further instructions from BRE before communicating with Commonwealth building tenants. Lessors do not have the authority to dismiss Commonwealth employees from work and should not announce the closing of a Commonwealth-occupied building prior to consultation with the Commonwealth through the Bureau of Real Estate.

Communication and cooperation between the Commonwealth and its Lessors are critical to ensure that the Commonwealth is able to maintain its operations while taking all possible actions to keep all its citizens safe and healthy as we fight COVID-19 on a state and national level. Thank you for your cooperation and coordination as this situation develops. If you have any questions, please contact BRE as identified above.

Thank you for your cooperation,

A handwritten signature in black ink, appearing to read 'Curt Topper', with a stylized flourish at the end.

Curt Topper, Secretary
Department of General Services

March 13, 2020

TO: All Agency Personnel Managing Commonwealth Contractors

As part of the Department of General Services commitment to providing its customers with ongoing communications related to the emergence and spread of the novel coronavirus known as COVID-19 and its impact on procurement activities, DGS wanted to respond to questions received from agencies regarding COVID-19 and Contractors, including contracted staff resources. Contractors and contracted staff resources provide important services to agencies and it is critical that Contractors and Commonwealth Agencies work together to mitigate and prevent the spread of COVID-19 in Commonwealth facilities. To this end, please find attached a communication that was sent to our Contractor community.

For agencies that utilize contractors and contracted resources in Commonwealth facilities, it is important to be aware of the health of not just our own Commonwealth employees, individuals in our care or custody, but also contractors and contracted resources working onsite. As contractors and contracted resources are not Commonwealth employees, we are providing the following guidance in the form of Q&As to assist you in ensuring the safety of all individuals within Commonwealth facilities.

I have noticed that a contracted resource is coughing constantly and appears to be sick. What should I do?

If contracted resources exhibit symptoms of COVID-19 (such as fever, cough and shortness of breath) in Commonwealth work locations, the agency project manager/agency program area supervisor shall contact the onsite contractor supervisor (if so located), Commonwealth Contracting Officer, and/or the Prime Contractor directly to determine an appropriate and safe course of action for that individual. Commonwealth personnel do not have the authority to direct a contractor or contracted resource to go home, grant leave or otherwise affect the terms of a contractor's or contracted resources contract or terms of employment/engagement.

My contract does not specifically allow for telework by contracted resources. Additionally, my contract requires in-person weekly meetings with the Contractor. What should I do?

Consistent with Governor Tom Wolf's direction of March 11, 2020, the Department of General Services is encouraging agencies to utilize telework and/or virtual conferencing (SKYPE) for contracted resources where possible and practical when such contracted resources are on COVID-19 quarantine as directed by the Centers for Disease Control or the Pennsylvania Department of Health but are otherwise healthy and able to work. For contracted resources not under quarantine, agencies can explore potential alternate work sites. **Accordingly, pursuant to the Proclamation of Disaster Emergency signed by Governor Tom Wolf on March 6, 2020, and through this communication, the Department of General Services is granting a blanket waiver to agencies for the duration of the declared emergency to authorize telework for contracted**

resources and waive contract requirements for in-person meetings when possible in favor of virtual conferencing for contracted resources under COVID-19 quarantine who are otherwise healthy and able to work, or authorizing alternate work sites for contracted resources not under quarantine. In order to effectuate this, the Commonwealth Contracting Officer must notify the Prime Contractor in writing (email is permissible) and copy the Department of General Services' Chief Procurement Officer and Office of the Budget (Comptroller Operations). Once the COVID-19 emergency is over, all contract requirements will return to stated terms.

My contracted resource(s) are all off sick due to COVID-19? Is that considered a default of the contract?

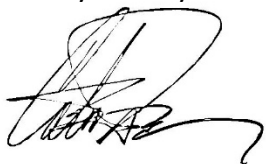
Consistent with direction from the Centers for Disease Control and the Pennsylvania Department of Health, the Department of General Services has encouraged contractors to be as flexible as possible with respect to their leave policies for contracted resources impacted by COVID-19. Agencies should not pursue contract performance enforcement or default remedies without consulting with agency counsel and the Department of General Services' Chief Procurement Officer.

My contracted resource has told me that he is travelling internationally for an industry conference for another client. Can I prohibit him from going?

No. While agencies can prohibit or restrict international or out-of-state travel that is directly related to the contracted services, it cannot prohibit a contracted resource from such travel if it is personal or unrelated to the contracted services. Agencies should discuss the assignment of alternate resources for the leave period and any potential quarantine period thereafter with the onsite contractor supervisor (if so located), Commonwealth Contracting Officer, and/or the Prime Contractor. If travel is to an affected area, it is recommended that Contractors require a 14-day waiting period after return from the affected area prior to returning to the Commonwealth location in accordance with direction from the Centers for Disease Control and the Pennsylvania Department of Health.

Communication and cooperation between the Commonwealth and its Contractors are critical to ensure that the Commonwealth is able to maintain its operations while taking all possible actions to keep its citizens safe and healthy as we fight COVID-19 on a state and national level. If questions arise regarding Contractor/Agency interactions and contracted services, please contact the Department of General Services, Bureau of Procurement for assistance.

Thank you for your continued efforts.

A handwritten signature in black ink, appearing to read 'Curt Topper', written over a horizontal line.

Curt Topper, Secretary

Department of General Services

March 13, 2020

TO: Commonwealth Contractors

As you are aware, On March 6, 2020, Governor Tom Wolf signed a Proclamation of Disaster Emergency related to the emergence and spread of the novel coronavirus known as COVID-19. As a result of this Proclamation, the Commonwealth of Pennsylvania has been taking numerous steps to mitigate and prevent the spread of the virus while maintaining the programs and services provided by the Commonwealth to its citizens.

As a contractor to the Commonwealth, it is critical that we work together to achieve the goal of preventing the spread of the virus. Many basic precautions have been set forth by the CDC and the Pennsylvania Department of Health and should be followed by all your staff, not just those working with the Commonwealth.

- Cough or sneeze into your elbow.
- Wash hands often with soap and water for at least 20 seconds. Use an alcohol-based hand sanitizer if soap and water are not available.
- Avoid touching your face when possible and wash your hands if you do touch your face.
- Clean surfaces frequently, including countertops, light switches, cell phones, remote controls, and other frequently touched items.

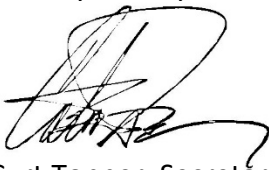
For additional information about COVID-19, please refer to the Department of Health's website, health.pa.gov, [Facebook](#) page and [Twitter](#) account.

In addition to these common-sense precautions, Contractors are also reminded that any staff resources should not report to their Commonwealth work locations if they are sick. The symptoms of COVID-19 can include fever, cough and shortness of breath. If staff resources are showing symptoms of COVID-19, the Prime Contractor should ensure, through proactive communications with its staff or subcontractors, that those individuals remain at home. If contracted resources exhibit symptoms in Commonwealth work locations, the agency will contact the onsite contractor supervisor, Commonwealth Contracting Officer, and/or the Prime Contractor directly to determine an appropriate and safe course of action for the individuals. Prime Contractors and their subcontractors must comply with all directives and requirements related to COVID-19 that come from the Centers for Disease Control, the Pennsylvania Department of Health, or any other state or federal authority, including any required reporting of suspected COVID-19 cases. Finally, the Commonwealth also encourages contractors to be as flexible as possible with respect to their leave policies for Commonwealth contracted resources directly impacted by COVID-19.

The Commonwealth agencies, in accordance with Governor Wolf's direction, may temporarily suspend all out-of-state and international travel work for its Contractors. Additionally, Commonwealth agencies may expand telework opportunities and virtual (SKYPE) meetings in place of in-person meetings when possible and practical. In situations where the Contract does not allow for telework or requires in-person meetings, the Contracting Agency will have the authority to temporarily authorize an appropriate adjustment of these prohibitions or requirements to allow for telework and/or virtual meeting participation by the Contractor and its staff. There may be other adjustments that may need to be made to maintain contract operations. Such authorization shall be in writing from the Contractor Officer. Once the Governor's Proclamation of Disaster Emergency has been rescinded, operations will return to the requirements of the contracts.

Communication and cooperation between the Commonwealth and its Contractors are critical to ensure that the Commonwealth is able to maintain its operations while taking all possible actions to keep its citizens safe and healthy as we fight COVID-19 on a state and national level.

Thank you for your cooperation,

A handwritten signature in black ink, appearing to read 'Curt Topper', with a stylized flourish at the end.

Curt Topper, Secretary
Department of General Services