

[UPDATED Q&A's IN BLUE FONT]

**OFFICE OF NAVAL RESARCH (ONR) FREQUENTLY ASKED QUESTIONS (FAQs)
FOR CONTRACTS & OTHER TRANSACTIONS**

For Current and Prospective Performers Impacted by Novel COVID-19

As our nation continues to face an unprecedented public health challenge owing to COVID-19, Contracting Officers are implementing new flexibilities to ensure ONR continues to meet its mission. The efficient execution of ONR's existing R&D and S&T contracts, other transactions, and the awarding of pending and future contracts is imperative. Accordingly:

1. Q: Can Contractors continue to work on contracts?

A: Contractors, including those working on/supporting classified programs to maximum extent practicable, are encouraged to telework when contract services can be delivered without mission degradation. In-person activities that cannot be done via telework, such as a machinist in a machine shop, can continue unless delayed due to COVID-19 issues like a mandatory quarantine requirement. Please coordinate with your CORs.

2. Q: What if a Contractor cannot telework?

A: When continuous telework work is not possible, contractors should enlist strategies to reduce the likelihood of spreading COVID-19 and guarantee conduct of social distancing. This includes, but is not necessarily limited to, considerations of options available, and that you deem acceptable to your companies, such as separating staff by offsetting shift hours or days, changes to workforce/workplace flexibilities, leave policies, or employment flexibilities per law to allow your contractor employees to take advantage of National unemployment compensation enhancements. Please follow CDC and other appropriate guidance.

3. Q: Will the period of performance be extended under contracts?

A: ONR will extend periods of performance due to COVID-19 impacts when applicable and as permitted by statute and regulation.

4. Q: How fast will I receive my new award?

A: ONR will do its utmost to accelerate negotiations and awards using authorized flexibilities.

5. Q: Are ONR contracts part of the essential critical Infrastructure?

A: The Department of Homeland Security has identified the Defense Industrial Base as a Critical Infrastructure Sector. In a memorandum dated March 20, 2020, concerning the "Defense Industrial Base Essential Critical Infrastructure Workforce," the Undersecretary of Defense for Acquisition & Sustainment included the research and development industrial base as part of the essential critical infrastructure for DoD, stating that contractors and subcontractors supporting the "development,

production, testing, fielding, or sustainment of our weapon systems/software systems, or the infrastructure to support those activities, are considered Essential Critical Infrastructure.” Therefore, those performing or supporting ONR R&D and S&T efforts are expected to continue to meet their contractual obligations as best as they can. Should local restrictions such as stay-at-home orders frustrate your efforts to continue your work, please inform your Contracting Officer Representative (COR) or the Contracting Officer immediately.

6. Q: Would I be eligible for the Small Business Loan Program if I have a government contract?

A: You may be eligible. Please refer to the Small Business Administration’s (SBA) website located at www.sba.gov for more information. The CARES Act Small Business Loan Program is for businesses with less than 500 employees. Loans can be, in the maximum amount of 2.5 times the company’s annual payroll; are available for 10 years at 4%; the first 6 months of payments of which can be deferred; and in certain instances the loans can be forgiven for amounts used for payroll, mortgage interest, rent and utilities. Again please contact SBA at www.sba.gov for further information. Please note that the CARES Act specifically prohibits participants from receiving dual compensation. If a contractor receives loan forgiveness and payment under their government contract, they will be required to reimburse one or the other. Guidance will be provided as soon as practicable. (H.R. 748, Division A)

7. Q: Can I telework while the ONR building at One Liberty Center (OLC) is closed for all but essential personnel?

A: If your contract specifically allows for telework, then yes, you can telework with the prior approval of the Contracting Officer’s Representative (COR). Please consult your company for guidance and coordinate with your contract manager. For contracts that require access to classified materials, you will have to come to the building. If there are portions of your Statement of Work (SOW) that can be done with telework but your contract does not allow for telework, please contact your ONR Program Manager/Officer and the contracting officer to determine if a modification of your contract would be appropriate.

8. Q: Can I telework while having children or others who need care during this time?

A: As noted above, if your contract authorizes telework and its approved then you may telework. Your company should have its own telework policy which should be followed. As an FYI, the government is offering its employees maximum flexibilities in telework including the ability to work non-core hours to allow government employees to care for children.

9. Q: If I am unable to work or telework in order to care for a child because his school or child care is unavailable because of COVID-19, am I eligible for Emergency Family or Medical Leave?

A: If your company is subject to the Emergency Family and Leave Act Expansion, Congress has expanded the definition of a qualified individual to include those unable to work or telework due to a need to care for a child when school or child care is unavailable due to a Public Health

Emergency. The Act provides for 80 hours of full paid leave where the employee has the emergency or requires medical leave and 80 hours at 2/3rds pay for those employees who are caring for children or others. Please check with your company to determine your benefits. (Public Law 116-127 – Mar. 18, 2020, Division C)

10. Q: If my company lays me off or furloughs me am I eligible for unemployment compensation?

A: Unemployment regulations vary by state. Contractor employees should contact their local unemployment office. As part of the CARES Act, Congress has expanded the state unemployment compensation to include an additional 39 weeks and Federal Employment Pandemic Compensation of an extra \$600 per week. Please contact your local unemployment office. (Public Law 116-127 – Mar. 18, 2020, Division D) (H.R. 748, Division A)