

Frequently Asked Questions for Procurement Memorandum 2021-05

Senior Procurement Executive Message on New Procedures for Contractors Working On-site at DOC Facilities in Response to the Ongoing COVID-19 Pandemic

Additional guidance regarding implementation of Executive Order 14042, *Ensuring Adequate COVID Safety Protocols for Federal Contractors*, is forthcoming and will include instructions and associated contract language.

- 1. Does a delivery driver have to fill out the COVID-19 form and show they are vaccinated or provide a negative test result, before entering the building?**

PM 2021-05 pertains to on-site contractor employees. Contractors who are not badged, or for whom the facility is not the regular place of work, and/or must be escorted within a facility are considered visitors.

- 2. Will vaccinated individuals travelling (or who may have travelled) through high incidence areas be required to quarantine for 2 weeks and/or submit to a COVID test prior to entering a NOAA facility? If so, how would a high incidence area be defined?**

Individual facility requirements shall be followed in addition to the requirements in PM 2021-05.

- 3. Current vaccinations protect against COVID for a limited time. Does proof of a booster vaccination need to be presented upon expiration of the initial full vaccination?**

At this time fully vaccinated is defined by the CDC as:

- 2 weeks after their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines, or*
- 2 weeks after a single-dose vaccine, such as Johnson & Johnson's Janssen vaccine*

If this definition changes the requirements of the Procurement Memorandum would be adjusted accordingly.

- 4. Supplies and equipment entering NOAA facilities could be contaminated. What will the practice/procedure be to protect building occupants from contaminated artifacts entering the building?**

PM 2021-05 covers on-site contractor employees, not supplies.

- 5. Prior to issuance of PM 2021-015, was the vendor community given a heads up about this new policy?**

PM 2021-05 was issued as a result of Executive Order 13991 that established the Safer Federal Workforce Task Force (Task Force). The Task Force has continually published updated guidance at [saferfederalworkforce.gov](https://www.saferfederalworkforce.gov).

- 6. If a contractor employee is getting a test every 3 days are the results only going to the contracting officer's representative (COR)/point of contact (POC) or does the contract specialist (CS)/contracting officer (CO) need a copy (does it need to be in the file)?**
No, the COR does not collect a copy of any test results. However, an onsite contractor does need to maintain a copy of negative test results within prior 3 days when onsite, as per PM 2021-05.
- 7. Can financial assistance recipients charge the grant/cooperative agreement for costs of COVID testing for those who are unvaccinated or decline attestation to vaccination status?**
PM 2021-05 covers contractor employees. Financial Assistance recipients should contact their cognizant agreement officer with questions.
- 8. When entering a Government Facility can you show a Certification of Vaccination and Vaccination Card from a photo on your phone or does it have to be a physical form or card?**
No vaccination card is required. The Certification of Vaccination Form shall be carried with the contractor at all times and additional copies are available at the facility. An electronic copy of the form may be carried on the phone.
- 9. What action, if any, do we take for contractors/non-feds working in our spaces that are not under our contracts/oversight (GSA contractors in leased space)?**
Questions on non-Department of Commerce contractors should be directed to the cognizant agency/contracting officer.
- 10. Where should contractor complaints be directed? (global complaints about rights to privacy, etc. vs contract specific questions)**
Individual contractor employees may contact their employer with questions or complaints.
- 11. Are contractors responsible for providing their own PPE like masks, etc.?**
Questions concerning specific requirements are determined by the facility and the specific contract.
- 12. Will COs need to issue a stop work order to any contractor who fails to comply with these requirements?**
Actions resulting from PM 2021-05 will be handled on a contract-by-contract basis.

- 13. Does this create justification to terminate a contract? For example, in the event a contractor is unable to provide staff who are willing/able to meet the requirements for an unacceptable period of time? Is there any relief from deliverable dates if an employee has to be replaced because they will not comply?**

Actions resulting from PM 2021-05 will be handled on a contract-by-contract basis.

- 14. For future contracts is there specific language we should add into the statement of work (SOW)? Or will this be covered by the solicitation?**

This is a pending action and information about contract language will be provided as soon as it is available.

- 15. How is GSA site policy is different from NOAA guidance?**

Contractors shall follow the guidance for their specific facility in addition to following the guidance in this PM 2021-05.

- 16. What should the COR do if there is suspicion that someone has lied on their form?**

The COR should consult with their contracting officer on the appropriate actions to take.

- 17. Does communication to the vendor or its employees have to be through the COR or can it be delegated?**

Communications should follow the normal procedures for the specific contract action.