Accommodating Interruptions from Coronavirus Disease 2019 (COVID-19)

To: Regional Foresters, Station Directors, IITF Director, Deputy Chiefs and WO Directors

Forest Service continues to monitor and examine the impacts of the COVID-19 pandemic. Enclosed is Office of Management and Budget (OMB) Memo M-20-17, Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by the Novel Coronavirus (COVID-19) due to Loss of Operations (Enclosure 1). We are writing this letter to provide updated guidance on related impacts to the Grants and Agreements (G&A) community.

Given the rapidly changing situation, proactive and precautionary steps are essential to ensure long-term viability of the workforce and mission delivery, based on comprehensive and continual assessments of workplace, site, and community risks. The agency is following USDA and Centers for Disease Control and Prevention (CDC) guidance and using a common risk management framework to identify risk factors and mitigation measures as well as to make risk-informed decisions. Social distancing measures are necessary to preserve the health and welfare of our employees, partners, cooperators, families, and local communities. Individuals should observe CDC’s How to Protect Yourself guidance.

Each Region and Station G&A Office should continue to assess its current workload and adjust any required due dates and internal processing deadlines, as needed. Additionally, the WO G&A Policy Office extends the below flexibilities to the field.

Cooperators preparing an application, letter of intent, or partnership proposal:
If the organization is or becomes subject to a shelter-in-place order, deadlines for submitting applications, letters of intent, or other partnership proposals should be extended by 30 days.

Cooperator progress reports:
If the organization is or becomes subject to a shelter-in-place order, progress reports for grants, cooperative agreements, interagency agreements, or partnership agreements may be submitted to the Regions or Stations as soon as possible. The Organization should submit reports no later than 3 months from their due date.

Agreement or award budget revision:
Partners and awardees should work through the project managers and local G&A Offices for all major budget impacts caused by COVID-19 disruptions and where the need for a revised budget occurs. Each G&A Office should take into consideration the situation in
their area for shelter-in-place orders, quarantines, closures, and the project plan when negotiating revised budgets with a cooperator.

Extensions to Periods of Performance, where delays occur due to closure of facilities:

When delays in project performance are created due to closures of facilities or areas where work was to be performed, units may extend impacted projects for up to 1 year from the expiration date of the record in order to complete work that was missed once facilities reopen. The G&A Office does not need to send a policy request for the extension to the inbox for individual record approval but should document the reason for the extension in the notes section of NRM and by uploading a relevant attachment to document this decision in the official file. The modification should still be processed using Form FS-1500-19, Modification of Grant or Agreement, and bi-laterally signed indicating both parties’ agreement to the new period of performance.

Changes to cooperator travel plans:

G&A Offices should not consider changes to planned travel caused by the cancellation of meetings, quarantines, closures, or other public health measures to be a change in the scope of an award or agreement requiring agency approval.

If a meeting has been cancelled, cooperators must follow their Organization’s travel policies to determine whether costs may be charged to an award. If their policy permits travelers to purchase non-refundable items, including airfare and lodging for example, and does not require travelers to reimburse the Organization for change or cancellation fees, such fees may be charged to an award or agreement. If their policy prohibits the purchase of non-refundable travel or travelers are required to reimburse the Organization for change or cancellation fees, such fees may not be charged to an award or agreement.

Please review the enclosed questions and answers document (Enclosure 2). Partners and awardees should be encouraged to contact the local G&A Office or Program Manager with any concerns or questions regarding COVID-19.

If you have any questions, please contact the Washington Office Grants & Agreement Policy Office at SM.FS.wo_ga_policy@usda.gov.

/s/ Claudette Fernandez
CLAUDETTE FERNANDEZ
Deputy Chief, Business Operations

Enclosures (2)
The Eastern Region State and Private Forestry Grants Management (R9 SPF GM) offers the below in relation to the bullet points from the OMB M-20-17 direction:

1. **SAM Registration:** GSA will be extending all SAM registrations that expire between March 19 – May 17, 2020. This will be a 60 day extension and the entity will receive notification from GSA. While the OMB Memo M-20-17 suggests that an agency can waive the requirement to have an active SAM registration, this most likely holds true of an entity who has an existing registration that was not renewed in a timely manner. Payments from the Federal government are based on an entity’s SAM registration as this registration process includes that entity’s banking information. Without an active and verified SAM registration, we would be unable to make payments to a recipient. SAM registration is still strongly encouraged prior to an award from R9 SPF GM.

2. **Flexibility with Application Deadlines:** The Forest Service will provide flexibility to our partners regarding submission of applications for 2020 funding. The Eastern Region has set a deadline of June 1, 2020 and we encourage cooperators submit applications by that date. USDA has not, at this time, relaxed their expected obligation date of funds which is July 1, 2020. If the cooperator is or becomes subject to a shelter-in-place order, deadlines for submitting applications will be extended by 30 days. We encourage the cooperator to communicate delays of this nature as soon as possible.

3. **Waiver for NOFO Publication:** This is not applicable for our general SPF programs.

4. **No-Cost Extensions on Expiring Awards:** For awards that were un-expired as of March 31, 2020 and will expire prior to December 31, 2020 we can allow a no-cost extension for up to 12 months. We do not need to obtain an approved deviation request from Washington Office G&A policy for these extensions or from the Eastern Region Deputy Regional Forester for SPF if this extension will extend the award beyond 5 years. A modification to extend will need to be fully executed in our financial system and include a request from the cooperator in order to grant an extension.

R9 SPF GM is simplifying this process by requesting that you develop a ‘mass’ modification letter that includes a list of all your affected awards. A sample ‘mass’ modification letter is attached. Send your no-cost extension letter with the list of affected awards to SM.FS.R9SPFgrants@usda.gov, please cc your Field Representative on your letter and email. R9 SPF GM will create a formal Modification for all awards that will be one form and contain the submitted letter and the attached list of affected awards. This will be a ‘mass’ modification that will require only one signature by the Cooperator and the R9 SPF Forest Service to affect the entire list of awards attached.

To review a list of open awards, please see the attached spreadsheet for a list of awards set to expire in 2020. A pivot table of the data exist with a slicer (Tutorial on Slicers) on the first worksheet tab. Please select the cooperator’s name in that slicer to see a list of awards that could be included in the letter.

Awards that expired prior to March 31, 2020 will require a normal package...
R9 SPF guidance related to OMB M-20-17
April 14, 2020

consisting of a letter detailing the need of an extension with a signed and completed SF424 unless that award is moving through the closure process.

There are a handful of awards that are expiring in 2020 that shall move through closure processes. These are awards that have already been granted that sixth year to complete the project objectives. These awards are included in the attached spreadsheet, all are from fiscal year 2014.

5. **Abbreviated Non-Competitive Continuation Requests**: This is not applicable for our general SPF programs.

6. **Allowability Of Salaries And Other Project Activities**: The Forest Service may allow cooperators to continue salaries and benefits as long as they are consistent with their policy for paying salaries under extraordinary or unexpected circumstances. Cooperators must continue to maintain appropriate records and cost documentation to substantiate the charging of salaries to an open award. Other costs may be charged to the award that are necessary to resume activities under the open award. We do strongly urge the cooperator to keep records of these costs so that adjustments to budgets are documented by the time the project resumes. These costs will need approval from the Forest Service. Please see 2 CFR § 200.407 for a full list of potential costs that might change. These costs deviations should be in relation to costs associated with CO-Vid 19 issues effecting the project or the award. Email requests for budget revisions for review and approval to the R9 SPF GM inbox at SM.FS.R9SPFgrants@usda.gov with a copy to the program monitor for that award.

7. **Allowability of Costs not Normally Chargeable to Awards**: Forest Service may allow cooperators to charge costs incurred related to the cancellation of events, travel, or other activities for performance or the pausing and restarting of grant funded activities to the open award. If a meeting has been cancelled, cooperators must follow their Organization’s travel policies to determine whether costs may be charged to an award. If their policy permits travelers to purchase non-refundable items, including airfare and lodging for example, and does not require travelers to reimburse the Organization for change or cancellation fees, such fees may be charged to an award or agreement. If their policy prohibits the purchase of non-refundable travel or travelers are required to reimburse the Organization for change or cancellation fees, such fees may not be charged to an award or agreement. These costs need to be documented. They should be thoroughly explained in normally required performance and financial reports that support invoices. Cooperators must not assume that additional funding will be available to cover the costs related to the cancellation or pause/restart.

8. **Prior Approval Requirement Waivers**: The Forest Service direction is that prior approval is still required for budget revisions. Please see 2 CFR § 200.407 for a full list of potential costs that might change. These costs deviations should be in relation to costs associated with CO-Vid 19 issues effecting the project or the award. Email requests for budget revisions for review and approval to the R9 SPF GM inbox at SM.FS.R9SPFgrants@usda.gov with a copy to the program monitor for that award.
9. **Exemption of Certain Procurement Requirements**: Forest Service is silent on this bullet point.

10. **Extension of Financial, Performance, and Other Reporting**: The Forest Service may allow a cooperator to delay submission of financial and performance reports by 3 months. Reports that were due March 31, 2020 (i.e., this is 3-months after the December 31, 2019 performance end date) have been extended to June 30, 2020. Reports due June 30, 2020, if the cooperator is or becomes subject to a shelter-in-place order that impacts those progress reports due June 30, may be submitted no later than September 30, 2020. Keep in mind that this is a delay, not a waiver of performance or financial reports. If the cooperator has submitted their reports that were due March 31, 2020 to the SM.FS.R9SPFgrants@usda.gov already, we appreciate those efforts and will be reviewing those reports and loading them to our system as quickly as possible.

11. **Extension of Currently Approved Indirect Cost Rates**: Cooperators may continue to use their currently approved indirect cost rates (NICRA). Additionally, a cooperator may request a one year extension on the use of their current rate. ASC Resource Audit Branch (RAB) has been made aware of this option if the Forest Service is the Cognizant agency for the cooperator’s indirect cost rate.

12. **Extension of Closeout**: Cooperators may be allowed additional time to submit final reports for closeout. This delay may not exceed one year from the expiration date of the award. Cooperators shall communicate with the program monitor for each award regarding this delay in final report submissions. If a cooperator has not communicated with a program monitor on this need, R9 SPF GM staff will continue to work with Forest Service Program and the Cooperator to close awards by 90 days after award expiration.

13. **Extension of Single Audit Submission**: No action is necessary on the part of the Forest Service.
R9 SPF guidance related to OMB M-20-17
April 14, 2020

Extension Example Letter

R9 SPF Grants Management
626 East Wisconsin Ave.
Milwaukee, WI 53202

Date

Dear Grants Management Staff;

We, “Cooperator Name”, ask that the list included below be extended for one year each per the guidance of the Office of Management and Budget Memo M-20-17 dated March 19, 2020.

We look forward to receiving the formal modification form for these awards and recognize that this extension is for one year only for each award.

Example list from Data sheet:

<table>
<thead>
<tr>
<th>Expiration Date with Project Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/28/2020</td>
</tr>
<tr>
<td>18DG11420004098 VOLUNTEER FIRE ASSISTANCE</td>
</tr>
<tr>
<td>5/19/2020</td>
</tr>
<tr>
<td>15DG11420004187 WHIP-POOR-WILL WOODS PROJECT</td>
</tr>
<tr>
<td>6/30/2020</td>
</tr>
<tr>
<td>15DG11420004234 CONSOLIDATED PAYMENT GRANT</td>
</tr>
<tr>
<td>16DG11420004201 FOREST LEGACY ADMINISTRATION GRANT</td>
</tr>
<tr>
<td>17DG11420004105 FOREST LEGACY ADMINISTRATION</td>
</tr>
<tr>
<td>11/30/2020</td>
</tr>
<tr>
<td>19DG11420000184 CT-CORE FUNDING-VOLUNTEER FIRE ASSISTANCE</td>
</tr>
</tbody>
</table>

Sincerely,

“This should be the signatory authority for awards.”

Name
Title

CC: Field Office Representative and/or Director
Questions and Answers (Q&As) you can use to share with your partners/recipient:

Q: The conference my group was scheduled to attend has been cancelled. Can our costs be reimbursed?

A: Yes, if your organization’s travel policy:

1. Permits the purchase of nonrefundable travel, and
2. Does not require reimbursing the cooperator for change or cancellation fees.

Q: My organization told all employees to work from home. May I request an extension to a deadline?

A: Working from home—while it may introduce some complications—should not make it impossible to complete work or meet deadlines. If closure or remote access orders by your organization has occurred within a week of the deadline, please contact the FS Program Manager.

Where work is dependent on access to a physical location such as a FS facility (lab, office, trail system, etc.) that has been closed, the cooperators should immediately contact their FS Program Manager to discuss revisions to project timelines and periods of performance. A modification should be processed by G&A to ensure the record is updated with all newly negotiated terms of the agreement.

Q: My project worksite has been closed. How do I request a project extension?

A: Please contact your FS Program Manager and include a copy of the closure order or other official notification.

Q: My leadership who customarily signs all agreement/award actions, has been quarantined. What should I do?

A: Please work with your administrative office to determine how your organization is handling the situation. If your organization has established delegations of authority or if your Signatory is capable of electronic signatures, there should be no impact on your ability to submit an agreement or award documentation. However, if submitting a final signed agreement/award is impossible, please contact your Program Manager.

Q: Our project manager was quarantined after visiting family overseas. Our project has fallen behind schedule. Will this delay impact our continuation funding?

A: Please explain the situation—without disclosing protected personally identifiable information—in your progress report. Local G&A specialists may need to modify an award or agreement to be a prudent steward of taxpayer funds by delaying access to further funding ahead of the completion of work, but the Forest Service’s interest is in seeing the project results—even if it takes longer than originally expected.
Q: What information should I include in a request for an extension to period of performance?

A: Please include official confirmation of the closure, quarantine, or other incident that makes a timely completion of project deliverables impossible. Requests to extend a project’s period of performance must be made before the deadline. Requests for extensions will be reviewed on a case by case basis by G&A and FS Program Staff and the cooperator will be notified with the decision.

Q: May I submit a letter of intent, preproposal, proposal, or progress report before its deadline?

A: The Forest Service always encourages prompt and timely submissions. Progress reports may not be submitted more than one month before they are due.

Q: Our project will be delayed due to government office, facility or land based closure and telework guidance for Federal employees. The cooperator is unable to begin work as planned under their executed agreement. Can the cooperator submit invoices for projected work during these FS closures and perform the work once facilities reopen?

A: There is no current authorization for payment of projected work or for work not performed. Cooperators should only bill based on actual work accomplished. However, program staff should review the agreed upon scope of work and discuss opportunities with their cooperator to perform components of the project from a virtual location. Any approved activities that are performed during these closures can be billed for by the cooperator. Documentation of any accommodations for virtual work should be documented to the agreement record. The program manager should not approve invoices for work that has not taken place as this could create a future repayment scenario for the cooperator and/or payment approver for being a false claim.

Q: Can a cooperator request an advance payment to cover their bills while waiting for government facilities to reopen?

A: The cooperator must have the ability to perform work in accordance with their scope of work if requesting an advance payment. Advanced payments cannot be made only for the sake of covering operational costs of the cooperator not associated with the agreed upon project.