



# County of San Diego

JOHN M. PELLEGRINO  
DIRECTOR

DEPARTMENT OF PURCHASING AND CONTRACTING  
5560 OVERLAND AVENUE, SUITE 270, SAN DIEGO, CALIFORNIA 92123-1204  
Phone (858) 505-6367 Fax (858) 715-6452

ALLEN R. HUNSBERGER  
ASSISTANT DIRECTOR

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## **COVID-19 INFORMATION FOR INDIVIDUALS AND ENTITIES WHO CONTRACT WITH COUNTY OF SAN DIEGO (5)**

Dear County Contractors,

We are writing to provide you another update on the effects of the current COVID-19 (coronavirus) pandemic on County contracts and contracting. The information and direction set forth below is general, and as such, is subject to any specific contractual requirements set forth in each agreement and to any funding source limitations, including State and federal limitations.

In response to the COVID-19 public health crisis, The State of California Public Health Officer has issued an Order of the Public Health Officer and the County of San Diego Public Health Officer has issued an Order of the Health Officer and Emergency Regulations. Both of these orders have been revised, and we expect that there will be upcoming changes that may allow for additional business activities. In addition, the State has issued a Resiliency Roadmap, which contains a roadmap for re-opening businesses. Also, the latest revisions to the County order contains guidance on a "Safe Reopening Plan".

All County of San Diego contractors must comply with all applicable public health orders from the State of California and the County of San Diego, including the current order and all changes to this order.

The pandemic may affect a contractor's operations and its contract performance. Unless directed otherwise by the County, County contractors must continue to perform to the greatest capability under the then current health orders in accordance with their contract's terms, in addition to any other federal or State directives. While the County recognizes that the pandemic will likely affect a contractor's operations, unless otherwise directed by the County, the contractor must continue to exhaust all possible options to carry out its contractual obligations before suspending all or any part of the required work, and must resume work to the greatest extent legally possible at the earliest opportunity if work has been suspended. Continuing work may include having employees work remotely or from an alternate location or locations. A contractor must promptly report to its Contracting Officer's Representative (COR) or Contracting Officer any change in its operation that is inconsistent with the terms of its County contract or that would materially affect the services or goods it provides to or on behalf of the County. A contractor must also promptly notify the COR or Contracting Officer if it believes that it will be unable to perform its contractual obligations or if it can resume previously halted operations.

The County will work with contractors to amend, as necessary and appropriate, contracts where the contractual requirements do not allow the contractor to comply with the Public Health Officer orders or other State or federal directives. The County, however, may only amend contracts where allowed to do so by the applicable funding source, where the amendment is consistent with the County's programmatic requirements, where funding is available, and where legally allowed. Therefore, it is incumbent upon each contractor to take all appropriate measures to comply with the Public Health Officer orders and other State or federal directives while complying with its existing contract.

Contractors should also review their employee benefit plans, policies and procedures and their contract requirements to ensure compliance with its contractual obligations. If a contractor allows its staff to work from home or an alternative location, the contractor must ensure proper physical and virtual security sufficient to protect confidential information, including client, financial and data systems information. Physical security means that any writings, pictures and the like are secure and not accessible to unauthorized individuals. Virtual security means protecting electronically stored and transmitted information by protecting computers with passwords, virus protection software, and similar protective measures.

The County recognizes that the pandemic and local, State and federal responses are rapidly evolving. The County continues to monitor federal and State contracting guidance and will provide updates as more information becomes available, but it remains each contractor's independent obligation to comply with those legal requirements, notwithstanding guidance from the County. The County requests that contractors document any operational changes and the associated costs caused by the pandemic. The County may request this information at a future date if there becomes a means in the future to reimburse contractors for these costs.

As a reminder, all procurement related meetings will be performed by teleconference or web meeting, with limited exceptions. The County will not accept bids, proposals, or other documents via personal delivery, and is temporarily allowing additional means of electronic submittal. Refer to each individual solicitation for specific instructions. Please see previous informational for contractors and check for the latest guidance at: [https://www.sandiegocounty.gov/content/sdc/purchasing/COVID-19\\_Updates.html](https://www.sandiegocounty.gov/content/sdc/purchasing/COVID-19_Updates.html).

We thank you for all that you continue to do for the San Diego County residents during this difficult and rapidly evolving time. We appreciate your cooperation and teamwork.

If you have any questions, please contact Allen Hunsberger, Assistant Director at (858) 505-6362, or by email at [allen.hunsberger@sdcounty.ca.gov](mailto:allen.hunsberger@sdcounty.ca.gov).

Sincerely,



ALLEN HUNSBERGER, Assistant Director  
Department of Purchasing and Contracting

cc: DPC Correspondence File

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