



**DEFENSE LOGISTICS AGENCY
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Small Business Guidance and Resources in response to Coronavirus (COVID-19)

Thank you for your continued support of the DLA mission during this novel Coronavirus, also known as COVID-19. The following provides guidance related to the Defense Logistics Agency (DLA) and the Department of Defense (DoD) contract performance, and links to resources from the Small Business Administration (SBA).

What if I am unable to perform a DLA contract because of the Coronavirus?

For any potential performance interruptions, contractors should review their contracts to see what, if any, latitude or remedy for performance delays is available and contact their contracting officer.

Many contracts contain Federal Acquisition Regulation (FAR) Clause 52.212-4, Contract Terms and Conditions-Commercial Items. 52.212-4(f), "Excusable delays," provides that the contractor is liable for default unless nonperformance is caused by an occurrence beyond the reasonable control of the contractor and without its fault or negligence such as acts of God or the public enemy, acts of the government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, unusually severe weather and delays of common carriers. Contractors should take note that this clause requires contractors to notify the contracting officer in writing "as soon as it is reasonably possible" and mitigate any potential impact.

With or without this clause, contractors would be wise to be in frequent communication with their government counterparts to set expectations and develop a plan.

Please read the important memo posted at the below link titled, "Defense Industrial Base Essential Critical Infrastructure Workforce," signed by Ms. Ellen M. Lord, Under Secretary of Defense for Acquisition and Sustainment:

https://www.acq.osd.mil/dpap/policy/policyvault/Defense_Industrial_Base_Contract_Considerations_DPC.pdf

The following links lead to resources outside of DLA's Office of Small Business Programs.

- SBA's Disaster Assistance in Response to the Coronavirus webpage describes their small business Economic Injury Disaster Loan (EIDL) process for economic support and includes contact information for the SBA disaster assistance customer service center:
https://www.sba.gov/sites/default/files/articles/HANDOUT_SBA_Disaster_Assistance_Resources_for_Businesses.pdf
- SBA's Small Business Guidance and Loan Resources related to COVID-19 webpage provides information on topics such as the EIDL Program, Guidance for Businesses and Employers, SBA Products and Resources, Government Contracting, and Local Assistance:
<https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources>

- SBA's Disaster Loan Assistance link takes you directly to the Disaster Loan Assistance page which describes eligible disaster areas, the apply online function, and the ability to check your application status if you applied: <https://disasterloan.sba.gov/ela/>

Thank you for your continued interest and current support in doing business with the Defense Logistics Agency.