



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES

OFFICE OF THE SECRETARY

717.787.5996

May 11, 2020

Dear Commonwealth Lessors,

Thank you for your continued support of your Commonwealth's agency tenants as we navigate these unprecedented times. The department has appreciated your collaborative approach in working with both our Bureau of Real Estate (BRE) and your agency tenant contacts onsite to ensure the continued safety of all employees within and visitors to your building. We also value and recognize your significant effort in maintaining all of the CDC-required enhanced cleaning, including frequent disinfection of high-touch surfaces.

As you likely are aware, on May 1, Governor Tom Wolf [announced a category yellow phase reopening of twenty-four \(24\) counties](#), beginning May 8. On May 8, he [added an additional thirteen \(13\) counties to the yellow phase](#) to reopen May 15. The purpose of this letter is to provide you with preliminary information on what this reopening strategy may mean to you as you continue to support operations in our leased facilities.

Of primary importance to us is the health and safety of our employees, your employees, and the public at large. Accordingly, the Commonwealth intends to take a measured approach to reopening as counties move from red to yellow. Generally, here is what you can expect regarding Commonwealth operations located in leased facilities when a county moves from red to yellow:

- Leased locations that do not deliver services to the public and whose employees have been able to effectively telework will continue to do so.
- Leased locations that do not deliver services to the public and that have continued onsite operations in a limited capacity during the red phase of the Stay at Home order will likely continue to do so.
- Leased locations that deliver services to the public and that have continued onsite operations during the red phase of the Stay at Home order will likely continue to do so.
- Leased locations that deliver services to the public and that have previously been closed during the red phase are working collaboratively with the Governor's Office and the Department of General Services in establishing a reopening strategy and schedule.

Of particular note in this process is the need for continued patience, collaboration, and communication. As agencies determine what a public-facing service delivery model and reopening strategy looks like location by location in a COVID-19 environment, DGS will communicate that strategy and its potential impacts or operational changes with lessors directly.

In the interim, we are aware many lessors have questions about current operations as well as reopening broadly.

We have captured some of those Frequently Asked Questions here:

1. How will I be notified if my leased location will be reopened?

The DGS-BRE in coordination with our agency tenant will advise lessors of any changes to the operational status currently in place as soon as practicable.

2. If my leased location is reopened, will there be changes in the hours of operation for either Commonwealth staff or the public?

The DGS-BRE in coordination with our agency tenant will advise lessors of any changes to hours of operation, shift work for employees, or any other changes from what was in place prior to the office closure.

3. What physical changes may need to be implemented in my leased location?

Identifying potential changes to the physical workplace is a component of the agency reopening strategy that will be communicated to lessors by DGS-BRE and the agency tenant. Physical changes could range from the need for signage and floor markings, to the movement of furniture to accommodate social distancing, to the installation of plexiglass “sneeze guards.” Physical changes to any property owned by the lessor will be coordinated by DGS-BRE with the lessor and customer agency in the same manner as any other leasehold improvement.

4. Should amenity and communal spaces, such as fitness areas and shared conference rooms remain closed?

In accordance with the Governor’s Reopening Strategy, fitness centers should remain closed until green status is achieved. Unless they are required for life-sustaining work, shared conference spaces should also remain closed. To the extent they are required for the delivery of life-sustaining work, DGS-BRE and the agency tenant will identify appropriate COVID-19 mitigation strategies for limited use, such as limiting to single tenant access.

5. As lessor, am I responsible for providing personal protective equipment (PPE), such as masks to tenants? Visitors? My employees or contractors?

Lessors are not responsible for providing PPE to Commonwealth tenants, as the Commonwealth has made arrangements for all employees to have access to PPE appropriate for the performance of their essential functions. Lessors are also not responsible for providing masks to visitors to their locations. Lessors do have a responsibility to provide all employees with a mask, and to make wearing a mask a requirement as outlined in the Secretary of the PA DOH’s [Order Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operations \(DOH, April 19, 2020\)](#). Lessors also are responsible for ensuring any contracted staff is compliant with the mask requirement as outlined in the order.

6. Have the requirements for reporting/notification of a COVID-19 positive tenant changed?

The guidance provided in our [communication of March 17, 2020](#) remains in place for notification of DGS-BRE in the event of a confirmed COVID-19 case in a Commonwealth leased facility, regardless of commonwealth tenant or non-commonwealth tenant.

7. Am I as lessor responsible for temperature checks for all tenants if a COVID-19 positive is identified in my leased facility?

In a leased facility in which there are multiple tenants, both Commonwealth and non-commonwealth, the lessor may decide to institute temperature checks for every individual that enters the building. In this situation, the lessor is within his/her rights to conduct the temperature checks. (The lessor must ensure that temperature checks are properly conducted.) The Commonwealth agency and the lessor should work collaboratively to ensure that the agency tenant knows about the temperature checks. The agency employer should advise its employees of the lessor's temperature checks and employees should submit to those temperature checks. This does not prohibit the agency from conducting its own temperature checks on its employees.

8. Will there be new requirements for enhanced cleaning in leased locations?

At this time, the Commonwealth continues to follow the [CDC Guidance for Cleaning and Disinfecting Your Facility](#). To the extent cleaning beyond these requirements is necessary, DGS-BRE and the agency tenant will request and coordinate those services with the lessor directly.

9. What obligation do I have for water flushing and/or HVAC remediation in my leased location before reopening?

To the extent the building has been dormant during the Stay at Home Order, lessors should review the [PA Department of Environmental Protection Guidance for Dormant Building Water Flushing](#) and implement it as directed. The CDC also provides [CDC Guidance for Reopening Buildings After Prolonged Shutdown or Reduced Operation](#), which may be applicable.

10. My leased location has engaged in services and accrued additional costs outside the scope of my lease agreement with the Commonwealth as a result of COVID-19. Will these costs be reimbursed?

To the extent services beyond those outlined in the lease have been requested by the Commonwealth and are required, they may be reimbursable. Lessors should discuss such services and any associated costs with DGS prior to initiating, or such costs may not be reimbursed.

DGS' additional key role in the reopening strategy is to ensure lessors have access to the most up-to-date guidance from the Pennsylvania Department of Health (DOH), Centers for Disease Control and Prevention (CDC), and other applicable resources provided by any other state or federal authority. Many of these resources have remained the same since our closure on March 16, while others have been updated to reflect the changing pandemic environment. As always, lessors are reminded to review resources regularly for updates and changes, ensure continued compliance with all applicable requirements, and elevate any questions or concerns identified to the Bureau of Real Estate.

In addition to this listing of Frequently Asked Questions, we are including the following links for your review, at minimum:

[CDC Guidance for Cleaning and Disinfecting Your Facility](#)

[CDC Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools, and Homes](#)

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[CDC Reopening America: Cleaning and Disinfecting Decision Tool](#)

[Order Directing Building Safety Measures \(DOH, April 6, 2020\)](#)

[Order Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operations \(DOH, April 19, 2020\)](#)

[CDC Guidance for Reopening Buildings After Prolonged Shutdown or Reduced Operation](#)

[Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency To ensure the Safety and Health of Employees and the Public \(May 6, 2020\)](#)

[PA Department of Health Website: Responding to COVID-19 in Pennsylvania](#)

[PA Department of Environmental Protection Guidance for Dormant Building Water Flushing](#)

[DGS COVID-19 Resources \(including previous lessor communications and printable signage\)](#)

DGS is grateful for your cooperation and coordination to ensure that the Commonwealth can maintain its operations while taking all possible actions to keep all its citizens safe and healthy as we fight COVID-19 on a state and national level. If you have any questions, please contact the DGS Bureau of Real Estate (Beth Christian, elchristia@pa.gov or 717-712-8548).

Sincerely,

A handwritten signature in black ink, appearing to read 'Curt Topper', written over a white background.

Curt Topper

Department of General Services