



FY2012 PERFORMANCE PLAN
District of Columbia Contract Appeals Board

MISSION

The mission of the Contract Appeals Board is to provide an impartial, expeditious, inexpensive, and knowledgeable forum for hearing and resolving contractual disputes and protests involving the District and its contracting communities.

SUMMARY OF SERVICES

The Contract Appeals Board adjudicates protests of District contract solicitations and awards, appeals by contractors of District contracting officer final decisions, claims by the District against contractors, appeals by contractors of suspensions and debarments, and contractor appeals of interest payment claims under the Quick Payment Act.

OBJECTIVE 1: Promote confidence in the integrity of the procurement process through equitable, timely, efficient, and legally correct adjudication of disputes and protests.

INITIATIVE 1.1: Continue significant reductions to the number of open appeal cases that are 4 years or older by September 2012.

The CAB will continue to expedite disposition of older cases. Consistent with FY'11 performance wherein 29% of the four or more year old appeal cases were closed, CAB projects further significant reductions in its older appeal cases during FY'12. We project that 70% of the remaining aged cases will be resolved by trial or settlement In FY'12.

INITIATIVE 1.2: Complete digital archiving and loading into a database of all cases decided since 1994 and permit web-based retrieval and full-text searching capability by parties with pending cases and the public.

Digital archiving provides for better preservation and retrieval than paper records. Once digitized, the Board's case files can be imported into its document management system and database. The database is linked to the Board's public website which contains a series of searching options for users, such as searching documents by case number and full-text searching. This functionality is very useful for litigants who have cases pending before the Board and for the contracting community and the public who wish to find case-specific information or general information about contract administration, contract formation, and protest and dispute resolution. The Board completed archiving and loading into the database of all cases filed between 2000 and 2002 during FY2011, and expects to complete cases filed between 1994 and 1999 within its current contracting services budget for FY2012.

INITIATIVE 1.3: Improve the features for electronic filing and service of pleadings in Board cases.

The Board will continue working with its electronic filing service provider to improve the features available to litigants, including securing and redacting protected information in filings, improving the procedures for initiating electronically new cases, and improving the user interface to reduce filing errors and to make the electronic filing process faster and more functional. The Board expects to perform this initiative without additional cost to the District government. Additionally, the Board will work with our service provider to automate the tracking of types of cases filed and case disposition reports (also at no cost).



OBJECTIVE 2: Assist parties to resolve disputes through negotiation and settlement by initiating early case intervention, focusing attention on critical facts, resolving threshold legal issues, and conducting regular status conferences.

INITIATIVE 2.1: Provide additional ADR training for CAB Judges.

During FY'11 CAB Judges participated in training sponsored by the National Judicial College including ADR. During FY'12 the Judges anticipate participating in on-going ADR training via a subscription to the Westlaw training data base of over 7,000 programs (many of which are ADR related). The CAB also established a partnership with George Washington Law School that provides one twenty hour per week law intern for each Judge.

OBJECTIVE 3: Educate government and private contracting parties on resolving disputes through traditional and alternative dispute resolution methods.

INITIATIVE 3.1: Advocate ADR to CAB litigants.

The CAB provides information respecting ADR in all scheduling conferences and scheduling orders. Also, the CAB will offer ADR services through a partnership with the federal Civilian Board of Contract Appeals.

PROPOSED KEY PERFORMANCE INDICATORS

Metric	FY2011 Target	FY2011 Actual	FY2012 Projection	FY2013 Projection	FY2014 Projection
Percent of protests resolved within 60 business days.	90	73	90	TBD	TBD
Percentage of appeals cases decided within 4 months of the cases being ready for decision.	90	85	90	TBD	TBD
Percentage of new cases using electronic filing system.	100	100	100	TBD	TBD
Percentage of decisions sustained on appeal.	100	N/A	100	TBD	TBD
Percentage of cases closed by the Board which are electronically archived to permit web-based retrieval and full-text searching capability.	95	100	95	TBD	TBD