

Contract Appeals Board FY2020

Agency Contract Appeals Board

Agency Code AFO

Fiscal Year 2020

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

Strategic Objectives

Objective Number	Strategic Objective
1	Increase public confidence in the DC procurement process through the efficient, effective and fair disposition of public contracting disputes.
2	Increase use of Alternative Dispute Resolution (ADR) in resolving cases without the need for traditional litigation models, resulting in faster, more efficient dispositions of cases and greater party satisfaction.
3	Create and maintain a highly efficient, transparent and responsive District government through the digital archiving and electronic filing of all Board cases permitting web-based retrieval and full-text searching by the parties with pending cases and the public.

Key Performance Indicators

Measure	Directionality	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target
1 - Increase public confidence in the DC procurement process through the efficient, effective and fair disposition of public contracting disputes. (4 Measures)					
Percent of Appeals resolved within 4 months of the cases being ready for decision	Up is Better	80%	84.2%	81.3%	90%
Percent of Protests resolved within 60 business days	Up is Better	87%	90.9%	100%	95%
Percent of decisions sustained on appeal	Up is Better	100%	No Applicable Incidents	100%	100%
Percent of pending Appeals that are three years old or less	Up is Better	92.9%	86.7%	100%	90%
2 - Increase use of Alternative Dispute Resolution (ADR) in resolving cases without the need for traditional litigation models, resulting in faster, more efficient dispositions of cases and greater party satisfaction. (1 Measure)					
Percent of cases resolved through settlement	Up is Better	48.4%	55.4%	55.6%	50%
3 - Create and maintain a highly efficient, transparent and responsive District government through the digital archiving and electronic filing of all Board cases permitting web-based retrieval and full-text searching by the parties with pending cases and the public. (2 Measures)					
Percent of new cases using electronic filing system	Up is Better	100%	100%	100%	100%
Percent of cases closed by the Board in the current fiscal year that are electronically archived to permit web-based retrieval and full-text searching capability	Up is Better	100%	100%	100%	100%

Operations

Operations Header	Operations Title	Operations Description	Type of Operations
1 - Increase public confidence in the DC procurement process through the efficient, effective and fair disposition of public contracting disputes. (1 Activity)			

Operations Header	Operations Title	Operations Description	Type of Operations
ADJUDICATION	Reduce the number of open appeal cases that are three years or older through docket review and strategic resource allocation	Working goal to reduce the number of cases that are three years or older to less than 5 percent.	Daily Service
2 - Increase use of Alternative Dispute Resolution (ADR) in resolving cases without the need for traditional litigation models, resulting in faster, more efficient dispositions of cases and greater party satisfaction. (1 Activity)			
ADJUDICATION	Increase use of ADR in resolving disputes before CAB through researching, developing and applying best practices in mediation and other alternative dispute resolution models	At the inception of each case, CAB encourages mediation/settlement through Scheduling Orders. Further, the Presiding Judge in each case encourages mediation/settlement during the pretrial conference. CAB will continue to build upon its capacity to offer meaningful settlement/mediation opportunities to litigants.	Daily Service
3 - Create and maintain a highly efficient, transparent and responsive District government through the digital archiving and electronic filing of all Board cases permitting web-based retrieval and full-text searching by the parties with pending cases and the public. (1 Activity)			
ADJUDICATION	Increase digital archiving and electronic filing of new cases to provide full-text searching and, therefore, greater transparency for litigants, the contracting community and the public	Completion of digital archiving and loading into the database of historical appeal and protest cases permitting web-based retrieval and full-text searching capability by the parties with pending cases and the public, while promoting electronic filing and uploading of documents in all newly filed cases.	Key Project

Workload Measures

Measure	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual
1 - ADJUDICATION (2 Measures)			
Number of new cases filed	48	46	35
Number of cases resolved	64	56	36
2 - ADJUDICATION (2 Measures)			
Number of Scheduling Orders issued encouraging settlement	48	46	35
Number of cases resolved through settlement/voluntary withdrawal	31	31	20
3 - ADJUDICATION (3 Measures)			
Number of archived protest and appeals cases digitized and uploaded to the public website	64	20	0
Number of new cases filed and processed electronically	48	46	35
Number of documents filed in new cases	1933	1461	1376

Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date
Increase digital archiving and electronic filing of new cases to provide full-text searching and, therefore, greater transparency for litigants, the contracting community and the public (2 Strategic initiatives)		

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date
Completion of Scanning and Archiving of Pre E-Filed Board Cases	The Mayor and DC Council (as recommended by the Committee on Facilities and Procurement) allotted funding in FY20 for the Board to solicit contracting assistance to finalize scanning and archiving of remaining pre-e-filed cases at the Board.	09-30-2020
CAB IT Director	The Mayor and DC Council (as recommended by the Committee on Facilities and Procurement) allotted funding in FY20 for the Board to hire a senior IT Director to assist in bringing to the Board state-of-the-art courtroom technology related to e-filing, public accessibility, transparency and other mission-critical IT initiatives.	09-30-2020