

Contract Appeals Board FY2022

Agency Contract Appeals Board

Agency Code AFO

Fiscal Year 2022

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 (KPIs)

Measure	Directionality	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 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 Protests resolved within 60 business days	Up is Better	100%	94.1%	100%	95%
Percent of decisions sustained on appeal	Up is Better	100%	No Applicable Incidents	No Applicable Incidents	100%
Percent of Appeals resolved within 4 months of the cases being ready for decision	Up is Better	81.3%	92.9%	100%	90%
Percent of pending Appeals that are three years old or less	Up is Better	100%	100%	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	55.6%	50%	40.9%	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%	83.3%	91.2%	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 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)		
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)		
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)		
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 (WMs)

Measure	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual
1 - Reduce the number of open appeal cases that are three years or older through docket review and strategic resource allocation (2 Measures)			
Number of new cases filed	35	24	34
Number of cases resolved	36	36	22
2 - Increase use of ADR in resolving disputes before CAB through researching, developing and applying best practices in mediation and other alternative dispute resolution models (2 Measures)			
Number of cases resolved through settlement/voluntary withdrawal	20	18	9
Number of Scheduling Orders issued encouraging settlement	35	24	34
3 - 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 (3 Measures)			
Number of new cases filed and processed electronically	35	21	31
Number of documents filed in new cases	1376	2043	1574

Measure	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual
Number of archived protest and appeals cases digitized and uploaded to the public website	0	0	1

▼ 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 (1 Strategic Initiative)		
FY22 Strategic Initiative: CAB Scanning and Archiving Initiative (Phase 2)	During Phase 1 of the Board's Scanning and Archiving Initiative (FY20-21), the Board scanned 850,000 pages of case records through its contract vendor. The scanned records are contained on password secured flash drives in the Board's possession and have also been uploaded to the Board's internal network. The Board is in the process of reviewing and preparing the scanned materials for upload to its public case search website and archiving in FY21-FY22. The Board estimates that there are approximately 577,500 additional unprocessed pages in its possession that will require scanning and archiving as part of Phase 2 of this project. The Board has received funding to complete Phase 2 in the District's final FY22 budget.	09-30-2022