



# **CONTRACT APPEALS BOARD**

## **FY 2024 PERFORMANCE PLAN**

**DECEMBER 4, 2023**

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# **1 CONTRACT APPEALS BOARD**

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*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.

*Services:* The Contract Appeals Board reviews and determines protests of District contract solicitations and/or awards, appeals by contractors of District contracting officer final decisions on contractor claims, claims by the District against a contractor, appeals by contractors of suspensions and/or debarments, and contractor claims under the Quick Payment Act.

## 2 2024 OBJECTIVES

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### Strategic Objective

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Increase public confidence in the DC procurement process through the efficient, effective and fair disposition of public contracting disputes.

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.

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.

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### 3 2024 OPERATIONS

Operation Title	Operation Description	Type of Operation
<p><b>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.</b></p>		
<p>Increase use of ADR in resolving disputes before CAB through researching, developing and applying best practices in mediation and other alternative dispute resolution models</p>	<p>Under Board Rule 217, CAB offers alternative dispute resolution in all cases, including the use of Board Judges as Neutrals in Mediation. Even in cases where ADR is not requested, the Board encourages settlement through initial scheduling orders, on-going status conferences, and pretrial conferences. The Board will continue to provide meaningful settlement/mediation opportunities in all proceedings.</p>	<p>Daily Service</p>
<p><b>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.</b></p>		
<p>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</p>	<p>The Board's current database of appeal, protest and debarment/suspension cases permitting web-based retrieval and full text searching includes nearly all records from 1958 to the present. Case records in all newly filed cases are uploaded to the public website within 3 business days of filing.</p>	<p>Key Project</p>

## 4 2024 STRATEGIC INITIATIVES

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Title	Description	Proposed Completion Date
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## 5 2024 KEY PERFORMANCE INDICATORS AND WORKLOAD MEASURES

### Key Performance Indicators

Measure	Directionality	FY 2021	FY 2022	FY 2023	FY 2024 Target
<b>Increase public confidence in the DC procurement process through the efficient, effective and fair disposition of public contracting disputes.</b>					
Percent of Protests resolved within 60 business days	Up is Better	100%	88.5%	100%	95%
Percent of decisions sustained on appeal	Up is Better	Not Available	100%	No Applicable Incidents	100%
Percent of Appeals resolved within 4 months of the cases being ready for decision	Up is Better	100%	100%	100%	90%
Percent of pending Appeals that are three years old or less	Up is Better	100%	100%	100%	100%
<b>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.</b>					
Percent of cases resolved through settlement	Up is Better	40.9%	41%	52.6%	50%
<b>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.</b>					
Percent of new cases using electronic filing system	Up is Better	91.2%	92.3%	76%	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%

Workload Measures

Measure	FY 2021	FY 2022	FY 2023
<b>Increase use of ADR in resolving disputes before CAB through researching, developing and applying best practices in mediation and other alternative dispute resolution models</b>			
Number of Scheduling Orders issued encouraging settlement	34	26	25
Number of cases resolved through settlement/voluntary withdrawal	9	16	10
<b>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</b>			
Number of archived protest and appeals cases digitized and uploaded to the public website	1	1	2,348
Number of new cases filed and processed electronically	31	24	19
Number of documents filed in new cases	1,574	1,538	1,441