

# Contract Appeals Board FY2018

**Agency** Contract Appeals Board

**Agency Code** AF0

**Fiscal Year** 2018

**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.

## 2018 Strategic Objectives

Objective Number	Strategic Objective	# of Measures	# of Operations
1	Increase public confidence in the DC procurement process through the efficient, effective and fair disposition of public contracting disputes.	4	1
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	1
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.**	11	1
<b>TOT</b>		<b>16</b>	<b>3</b>

## 2018 Key Performance Indicators

Measure	New Measure/ Benchmark Year	FY 2014 Actual	FY 2015 Target	FY 2015 Actual	FY 2016 Target	FY 2016 Actual	FY 2017 Target	FY 2017 Actual	FY 2018 Target
<b>1 - Increase public confidence in the DC procurement process through the efficient, effective and fair disposition of public contracting disputes. (4 Measures)</b>									
Percentage of pending cases that are three years old or less	<input type="checkbox"/>	80%	100%	71%	85%	75%	90%	92.9%	90%
Percentage of appeals resolved within 4 months of the cases being ready for decision	<input type="checkbox"/>	84%	90%	80%	90%	91.7%	90%	80%	90%
Percentage of Protests resolved within 60 business days	<input type="checkbox"/>	82%	95%	91%	95%	83.3%	95%	87%	95%
Percentage of decisions sustained on appeal	<input type="checkbox"/>	100%	100%	100%	100%	Not Available	100%	100%	100%
<b>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)</b>									

Percentage of cases resolved through settlement	<input type="checkbox"/>	Not available	Not available	Not Available	30%	72.9%	30%	48.4%	50%
<b>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)</b>									
Percentage of new cases using electronic filing system	<input type="checkbox"/>	100%	100%	100%	100%	100%	100%	100%	100%
Percentage 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	<input type="checkbox"/>	100%	100%	100%	100%	100%	100%	100%	100%

\*\*We've revisited a project to standardize District wide measures for the Objective "Create and maintain a highly efficient, transparent and responsive District government." New measures will be tracked in FY18 and FY19 and published starting in the FY19 Performance Plan.

## 2018 Operations

Operations Header	Operations Title	Operations Description	Type of Operations	# of Measures	# of Strategic Initiatives
<b>1 - Increase public confidence in the DC procurement process through the efficient, effective and fair disposition of public contracting disputes. (1 Activity)</b>					
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%.	Daily Service	2	2
TOT				2	2
<b>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)</b>					
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	2	1
TOT				2	1
<b>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)</b>					
ADJUDICATION	Increase digital archiving and	Completion of digital archiving and loading into the database	Key Project	3	1

	electronic filing of new cases to provide full-text searching and, therefore, greater transparency for litigants, the contracting community and the public.	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.			
TOT				3	1
TOT				7	4

## 2018 Workload Measures

Measure	New Measure/ Benchmark Year	FY 2014 Actual	FY 2015 Actual	FY2016 Actual	FY 2017 Actual
<b>1 - Reduce the number of open appeal cases that are three years or older through docket review and strategic resource allocation. (2 Measures)</b>					
Number of new cases filed	<input type="checkbox"/>	36	26	33	48
Number of cases resolved	<input type="checkbox"/>	79	26	48	64
<b>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)</b>					
Number of Scheduling Orders issued encouraging settlement	<input type="checkbox"/>	36	26	33	48
Number of cases resolved through settlement/voluntary withdrawal	<input type="checkbox"/>	43	8	35	31
<b>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)</b>					
Number of archived protest and appeals cases digitized and uploaded to the public website	<input type="checkbox"/>	79	26	48	64
Number of new cases filed and processed electronically	<input type="checkbox"/>	36	26	33	48
Number of documents filed in new cases	<input type="checkbox"/>	1361	1346	1783	1933

## Initiatives

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date

<p>Developing digital archiving and uploading production goals</p>	<p>In FY18 the Contract Appeals Board will continue, with the assistance of a new IT manager, the development of its digital archiving and uploading production goals and accompanying staff resource allocation plan in order to further the Board's commitment to the prompt dissemination and display of all materials in pending and closed cases (not subject to a protective order) to the public, resulting in greater transparency and confidence in government operations.</p>	<p>09-30-2018</p>
<p>Enhancing use of ADR and Settlement Capabilities</p>	<p>The Board will continue its commitment to the use of alternative dispute resolution (ADR) by researching and developing a template for a "best in class" ADR program. In this regard, the Board intends to continue to confer with key District stakeholders, and to review best practices across a wide spectrum of ADR knowledge experts, including our federal contract appeals board counterparts, the District of Columbia Court system, and public interest/private sector resources such as the National Center for State Courts, the Council for Court Excellence, the National Judicial College, and the Judicial Arbitration and Mediation Services of "JAMS".</p>	<p>09-30-2018</p>
<p>Review And Update CAB's Technology Needs And Best Practices For Courtroom Database Management Software</p>	<p>The Board uses Worksite Server to store all litigation case records, and populates case data from WorkSite Server to the public website through FileSite. In addition, the Board accesses its e-file and serve program (File &amp; ServeXpress) to obtain several basic types of reports (total motions, orders, dismissals etc.) filed within a defined period, total number of filings made in a particular case (e.g., Motions To Extend), and other metrics. However, the Board currently lacks the capacity to create recurrent Order templates, or to conduct management level queries of integrated data-sets. In FY18 the Board will continue to work with OCTO and its internal IT Staff to engage in on-going assessment of the Board's technology needs that will assist in the tracking and the efficient, effective and fair disposition of its docket.</p>	<p>09-30-2018</p>