
Contract Appeals Board

<http://cab.dc.gov>

Telephone: 202-727-6597

Description	FY 2010 Actual	FY 2011 Approved	FY 2012 Proposed	% Change from FY 2011
Operating Budget	\$1,031,663	\$774,185	\$796,107	2.8
FTEs	5.5	6.0	6.0	0.0

The mission of the Contract Appeals Board is to provide an impartial, expeditious, inexpensive, and knowledgeable forum for the hearing and resolving of 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.

The agency's FY 2012 proposed budget is presented in the following tables:

FY 2012 Proposed Gross Funds Operating Budget, by Revenue Type

Table AF0-1 contains the proposed FY 2012 agency budget compared to the FY 2011 approved budget. It also provides FY 2009 and FY 2010 actual expenditures.

Table AF0-1
(dollars in thousands)

Appropriated Fund	Actual FY 2009	Actual FY 2010	Approved FY 2011	Proposed FY 2012	Change from FY 2011	Percent Change*
General Fund						
Local Funds	933	1,032	774	796	22	2.8
Total for General Fund	933	1,032	774	796	22	2.8
Gross Funds	933	1,032	774	796	22	2.8

*Percent change is based on whole dollars.

Note: If applicable, for a breakdown of each Grant (Federal and Private), Special Purpose Revenue type and Intra-District agreement, please refer to **Schedule 80 Agency Summary by Revenue Source** in the **FY 2012 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2012 Proposed Full-Time Equivalents, by Revenue Type

Table AF0-2 contains the proposed FY 2012 FTE level compared to the FY 2011 approved FTE level by revenue type. It also provides FY 2009 and FY 2010 actual data.

Table AF0-2

Appropriated Fund	Actual FY 2009	Actual FY 2010	Approved FY 2011	Proposed FY 2012	Change from FY 2011	Percent Change
General Fund						
Local Funds	5.7	5.5	6.0	6.0	0.0	0.0
Total for General Fund	5.7	5.5	6.0	6.0	0.0	0.0
Total Proposed FTEs	5.7	5.5	6.0	6.0	0.0	0.0

FY 2012 Proposed Operating Budget, by Comptroller Source Group

Table AF0-3 contains the proposed FY 2012 budget at the Comptroller Source Group (object class) level compared to the FY 2011 approved budget. It also provides FY 2009 and FY 2010 actual expenditures.

Table AF0-3
(dollars in thousands)

Comptroller Source Group	Actual FY 2009	Actual FY 2010	Approved FY 2011	Proposed FY 2012	Change from FY 2011	Percent Change*
11 - Regular Pay - Cont Full Time	196	237	206	236	30	14.4
12 - Regular Pay - Other	351	389	435	420	-16	-3.6
14 - Fringe Benefits - Curr Personnel	89	112	110	120	10	8.7
Subtotal Personal Services (PS)	636	738	752	776	24	3.1
20 - Supplies and Materials	5	1	3	3	0	0.0
31 - Telephone, Telegraph, Telegram, Etc.	9	8	0	0	0	N/A
32 - Rentals - Land and Structures	244	244	0	0	0	N/A
34 - Security Services	5	0	0	0	0	N/A
35 - Occupancy Fixed Costs	0	1	0	0	0	N/A
40 - Other Services and Charges	27	7	3	2	-1	-40.8
41 - Contractual Services - Other	0	27	14	13	-1	-3.8
70 - Equipment and Equipment Rental	8	6	3	3	0	0.0
Subtotal Nonpersonal Services (NPS)	298	294	22	20	-2	-7.3
Gross Funds	933	1,032	774	796	22	2.8

*Percent change is based on whole dollars.

Program Description

The Contract Appeals Board operates through the following 2 programs:

Adjudication - 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.

Contract Appeals Board (Agency Management Program) – provides for administrative support and the required tools to achieve operational and programmatic results. This program is standard for all agencies using performance-based budgeting.

Program Structure Change

The Contract Appeals Board has no program structure changes in the FY 2012 Proposed Budget.

FY 2012 Proposed Operating Budget and FTEs, by Program and Activity

Table AF0-4 contains the proposed FY 2012 budget by program and activity compared to the FY 2011 approved budget. It also provides the FY 2010 actual data.

Table AF0-4

(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2010	Approved FY 2011	Proposed FY 2012	Change from FY 2011	Actual FY 2010	Approved FY 2011	Proposed FY 2012	Change from FY 2011
(1000) Contract Appeals Board								
(1020) Contracting and Procurement	1	0	0	0	0.0	0.0	0.0	0.0
(1030) Property Management	245	0	0	0	0.0	0.0	0.0	0.0
(1040) Information Technology	8	0	0	0	0.0	0.0	0.0	0.0
(1090) Performance Management	192	173	185	12	1.2	1.0	1.0	0.0
Subtotal (1000) Contract Appeals Board	447	173	186	12	1.2	1.0	1.0	0.0
(2000) Adjudication								
(2001) Adjudication	585	601	611	9	4.3	5.0	5.0	0.0
Subtotal (2000) Adjudication	585	601	611	9	4.3	5.0	5.0	0.0
Total Proposed Operating Budget	1,032	774	796	22	5.5	6.0	6.0	0.0

(Change is calculated by whole numbers and numbers may not add up due to rounding)

Note: For more detailed information regarding the proposed funding for the activities within this agency's programs, please see **Schedule 30-PBB Program Summary by Activity** in the **FY 2012 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2012 Proposed Budget Changes

Redirection: \$5,437 is being redirected to cover the increase in salaries and fringe benefits related to step increases in FY 2012.

Transfer Out: The FY 2012 budget includes a transfer of \$8,598 from the Local portion of the information technology assessment to the Office of the Chief Technology Officer (OCTO).

Transfer In: The FY 2012 proposed budget includes a transfer of \$7,000 from the Department of Human Resources in recurring spending to support document digitalization.

Cost Increase: The FY 2012 budget includes additional funding of \$23,520 for personal services in the Adjudication program to adjust the funding level of one vacant Associate Judge position.

FY 2011 Approved Budget to FY 2012 Proposed Budget, by Revenue Type

Table AF0-5 itemizes the changes by revenue type between the FY 2011 approved budget and the FY 2012 proposed budget.

Table AF0-5

(dollars in thousands)

	Program	BUDGET	FTE
LOCAL FUNDS: FY 2011 Approved Budget and FTE		774	6.0
Cost Decrease: Align salaries and benefits with personal services costs	Adjudication	-5	0.0
Cost Increase: Adjust salary and fringe schedule to include step increases	Contract Appeals Board	5	0.0
FY 2012 Initial Adjusted Budget		774	6.0
Transfer In: Transfer from the Department of Human Resources to support document digitalization	Adjudication	7	0.0
Cost Increase: To align salary and fringe benefits with budget	Adjudication	24	0.0
Transfer Out: Transfer Local portion of the IT assessment to OCTO	Adjudication	-9	0.0
LOCAL FUNDS: FY 2012 Proposed Budget and FTE		796	6.0
Gross for AF0 - Contract Appeals Board		796	6.0

Agency Performance Plans

The agency's performance plan has the following objectives for FY 2012:

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

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.

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

Agency Performance Measures

Table AF0-6

Metric	FY 2009 Actual	FY 2010 Target	FY 2010 Actual*	FY 2011 Projection	FY 2012 Projection	FY 2013 Projection
Percentage of protests resolved within 60 business days	78.4%	90%	86.84%	90%	90%	90%
Percentage of appeals cases decided within 4 months of the cases being ready for decision	100%	90%	80.77%	90%	90%	90%
Percentage of new cases using electronic filing system	100%	100%	100%	100%	100%	100%
Percentage of decisions sustained on appeal ¹	Not Available	100%	100%	100%	100%	100%
Percentage of cases closed by the Board which are electronically archived to permit web-based retrieval and full-text searching capability	95%	95%	100%	100%	100%	100%

Performance Plan Endnotes:

1. The Maryland State Board of Contract Appeals had one decision appealed in Fiscal Year 2009 and three decisions appealed in Fiscal Year 2010. They report no decisions affirmed or reversed in FY 2009, and one decision affirmed in FY 2010.