
Contract Appeals Board

<http://cab.dc.gov>

Telephone: 202-727-6597

Table AF0-1

Description	FY 2016	FY 2017	FY 2018	% Change
	Actual	Approved	Proposed	from FY 2017
OPERATING BUDGET	\$1,377,677	\$1,492,391	\$1,490,422	-0.1
FTEs	9.9	10.0	10.0	0.0

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

Summary of Services

The Contract Appeals Board reviews and determines protests of District contract solicitations and/or awards; appeals by contractors of the District Contracting Officer's final decisions; claims by the District against a contractor; appeals by contractors of suspensions and/or debarments; and contractor appeals of interest payment claims under the Quick Payment Act.

The agency's FY 2018 proposed budget is presented in the following tables:

FY 2018 Proposed Gross Funds Operating Budget and FTEs, by Revenue Type

Table AF0-2 contains the proposed FY 2018 budget by revenue type compared to the FY 2017 approved budget. It also provides FY 2016 actual data.

Table AF0-2

(dollars in thousands)

Appropriated Fund	Dollars in Thousands					Full-Time Equivalents				
	Actual FY 2016	Approved FY 2017	Proposed FY 2018	Change from FY 2017	Percentage Change*	Actual FY 2016	Approved FY 2017	Proposed FY 2018	Change from FY 2017	Percentage Change
GENERAL FUND										
LOCAL FUNDS	1,378	1,492	1,490	-2	-0.1	9.9	10.0	10.0	0.0	0.0
TOTAL FOR GENERAL FUND	1,378	1,492	1,490	-2	-0.1	9.9	10.0	10.0	0.0	0.0
GROSS FUNDS	1,378	1,492	1,490	-2	-0.1	9.9	10.0	10.0	0.0	0.0

*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 2018 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2018 Proposed Operating Budget, by Comptroller Source Group

Table AF0-3 contains the proposed FY 2018 budget at the Comptroller Source Group (object class) level compared to the FY 2017 approved budget. It also provides FY 2015 and FY 2016 actual expenditures.

Table AF0-3

(dollars in thousands)

Comptroller Source Group	Actual FY 2015	Actual FY 2016	Approved FY 2017	Proposed FY 2018	Change from FY 2017	Percentage Change*
11 - REGULAR PAY - CONTINUING FULL TIME	430	600	668	676	7	1.1
12 - REGULAR PAY - OTHER	564	549	529	529	0	0.0
13 - ADDITIONAL GROSS PAY	8	1	0	0	0	N/A
14 - FRINGE BENEFITS - CURRENT PERSONNEL	157	172	220	204	-17	-7.6
SUBTOTAL PERSONAL SERVICES (PS)	1,158	1,323	1,418	1,409	-10	-0.7
20 - SUPPLIES AND MATERIALS	12	4	10	12	2	19.8
31 - TELEPHONE, TELEGRAPH, TELEGRAM, ETC.	2	0	9	9	0	0.0
40 - OTHER SERVICES AND CHARGES	15	29	25	28	3	10.4
41 - CONTRACTUAL SERVICES - OTHER	6	14	25	26	1	4.0
70 - EQUIPMENT AND EQUIPMENT RENTAL	7	8	5	7	2	40.0
SUBTOTAL NONPERSONAL SERVICES (NPS)	43	55	74	82	8	10.3
GROSS FUNDS	1,201	1,378	1,492	1,490	-2	-0.1

*Percent change is based on whole dollars.

FY 2018 Proposed Operating Budget and FTEs, by Division/Program and Activity

Table AF0-4 contains the proposed FY 2018 budget by division/program and activity compared to the FY 2017 approved budget. It also provides FY 2016 actual data. For a more comprehensive explanation of divisions/programs and activities, please see the Division/Program Description section, which follows the table.

Table AF0-4

(dollars in thousands)

Division/Program and Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2016	Approved FY 2017	Proposed FY 2018	Change from FY 2017	Actual FY 2016	Approved FY 2017	Proposed FY 2018	Change from FY 2017
(1000) CONTRACT APPEALS BOARD								
(1010) PERSONNEL	0	9	9	0	0.0	0.0	0.0	0.0
(1090) PERFORMANCE MANAGEMENT	322	211	208	-3	2.0	1.0	1.0	0.0
SUBTOTAL (1000) CONTRACT APPEALS BOARD	322	220	217	-2	2.0	1.0	1.0	0.0
(2000) ADJUDICATION								
(2001) ADJUDICATION	1,055	1,272	1,273	0	7.9	9.0	9.0	0.0
SUBTOTAL (2000) ADJUDICATION	1,055	1,272	1,273	0	7.9	9.0	9.0	0.0
TOTAL PROPOSED OPERATING BUDGET	1,377	1,492	1,490	-2	9.9	10.0	10.0	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 2018 Operating Appendices** located on the Office of the Chief Financial Officer's website. "No Activity Assigned" indicates budget or actuals that are recorded at the division/program level.

Program Description

The Contract Appeals Board operates through the following 2 programs:

Contract Appeals Board (Agency Management) – 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.

Adjudication – adjudicates protests of District contract solicitations and awards, appeals by contractors of District contracting officer's 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.

Program Structure Change

The Contract Appeals Board has no program structure changes in the FY 2018 proposed budget.

FY 2017 Approved Budget to FY 2018 Proposed Budget, by Revenue Type

Table AF0-5 itemizes the changes by revenue type between the FY 2017 approved budget and the FY 2018 proposed budget. For a more comprehensive explanation of changes, please see the FY 2018 Proposed Budget Changes section, which follows the table.

Table AF0-5

(dollars in thousands)

DESCRIPTION	DIVISION/PROGRAM	BUDGET	FTE
LOCAL FUNDS: FY 2017 Approved Budget and FTE		1,492	10.0
Other CSFL Adjustments	Multiple Programs	-2	0.0
LOCAL FUNDS: FY 2018 Current Services Funding Level (CSFL) Budget		1,490	10.0
Increase: To align resources with operational spending goals	Multiple Programs	4	0.0
Increase: To support the costs of pre-existing programmatic initiatives	Adjudication	2	0.0
Decrease: To align personal services and Fringe Benefits with projected costs	Multiple Programs	-6	0.0
LOCAL FUNDS: FY 2018 Agency Budget Submission		1,490	10.0
No Change		0	0.0
LOCAL FUNDS: FY 2018 Mayor's Proposed Budget		1,490	10.0
No Change		0	0.0
LOCAL FUNDS: FY 2018 District's Proposed Budget		1,490	10.0
GROSS FOR AF0 - CONTRACT APPEALS BOARD		1,490	10.0

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

FY 2018 Proposed Budget Changes

The Contract Appeals Board's (CAB) proposed FY 2018 gross budget is \$1,490,422, which represents a less than 1.0 percent decrease from its FY 2017 approved gross budget of \$1,492,391. The budget is comprised entirely of Local funds.

Current Services Funding Level

The Current Services Funding Level (CSFL) is a Local funds ONLY representation of the true cost of operating District agencies, before consideration of policy decisions. The CSFL reflects changes from the FY 2017 approved budget across multiple programs, and it estimates how much it would cost an agency to continue its current programs/divisions and operations into the following fiscal year. The FY 2018 CSFL adjustments to the FY 2017 Local funds budget are described in table 5 of this agency's budget chapter. Please see the CSFL Development section within Volume 1: Executive Summary for more information regarding the methodology used and components that comprise the CSFL.

CAB's FY 2018 CSFL budget is \$1,490,422, which represents a \$1,969 or less than 1.0 percent, decrease from the FY 2017 approved Local funds budget of \$1,492,391.

CSFL Assumptions

The FY 2018 CSFL calculated for CAB included adjustment entries that are not described in detail on table 5. These adjustments include a decrease of \$3,306 in personal services to account for Fringe Benefit costs based on trend and comparative analyses, and an increase of \$1,250 in nonpersonal services based on the Consumer Price Index factor of 2.5 percent. Additionally, an increase of \$87 for the Fixed Costs Inflation Factor accounts for fleet services estimates.

Agency Budget Submission

Increase: The proposal in CAB's FY 2018 budget includes an increase of \$4,272 in nonpersonal services for office supplies, professional services fees, OCTO IT assessments, and contractual services. The proposed budget also increased by \$2,000 to support the procurement and update of office equipment in the Adjudication program.

Decrease: The proposed budget reflects a net decrease of \$6,272 to align funding with projected personal services expenditures. This adjustment offsets the proposed increase in nonpersonal services costs.

Mayor's Proposed Budget

No Change: The Contract Appeals Board's budget proposal reflects no change from the agency budget submission to the Mayor's proposed budget.

District's Proposed Budget

No Change: The Contract Appeal Board's budget proposal reflects no change from the Mayor's proposed budget to the District's proposed budget.

Agency Performance Plan*

Contract Appeals Board (CAB) has the following strategic objectives for FY 2018:

Strategic Objectives

Strategic Objectives describe what the agency will do, at a high level, to achieve its mission. These are action-based sentences that define what an agency does for its customers, whether the customers are residents or other District agencies, and how that improves the District.

Objectives

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.**

ACTIVITIES

Activities include the work that happens on a daily basis to help achieve the Strategic Objectives. Activity names come from the budget line items. This is further divided into “daily services” (ex. sanitation disposal), and long-term “key projects” that are high profile, one-time and span several years, (ex. redevelopment of Walter Reed Army Medical Center). Many agencies will mostly have daily services, whereas some agencies that have more of their budget come from capital funding will have several key projects.

1. Increase public confidence in the DC procurement process through the efficient, effective, and fair disposition of public contracting disputes. (1 Activity)

Activity Title	Activity Description	Type of Activity
Open Appeal Cases	Working goal to reduce the number of cases that are three years or older to less than 5% through docket review and strategic resource allocation.	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)

Activity Title	Activity Description	Type of Activity
Dispute Resolution	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)**

Activity Title	Activity Description	Type of Activity
Digital Archiving and Electronic Filing	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

KEY PERFORMANCE INDICATORS

Key Performance Indicators measure how well an agency is achieving its Strategic Objectives. They are outcome-oriented and should be used to answer the question, “What does the agency need to measure to determine success?”

1. Increase public confidence in the DC procurement process through the efficient, effective, and fair disposition of public contracting disputes. (4 Measures)

Measure	New Measure/ Benchmark Year	FY 2015 Actual	FY 2016 Actual	FY 2016 Target	FY 2017 Target	FY 2018 Target
Percent of appeals resolved within 4 months of the cases being ready for decision	No	80%	92%	90%	90%	90%
Percent of decisions sustained on appeal	No	100%	Not Available	100%	100%	100%
Percent of pending cases that are three years old or less	No	71%	75%	85%	90%	90%
Percent of Protests resolved within 60 business days	No	91%	83%	95%	95%	95%

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)

Measure	New Measure/ Benchmark Year	FY 2015 Actual	FY 2016 Actual	FY 2016 Target	FY 2017 Target	FY 2018 Target
Percent of cases resolved through settlement	No	Not Available	72%	30%	30%	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. (11 Measures)**

Measure	New Measure/ Benchmark Year	FY 2015 Actual	FY 2016 Actual	FY 2016 Target	FY 2017 Target	FY 2018 Target
Budget- Federal funds returned	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Budget- Local funds unspent	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017

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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 Measures)**

Measure	New Measure/ Benchmark Year	FY 2015 Actual	FY 2016 Actual	FY 2016 Target	FY 2017 Target	FY 2018 Target
Contracts/Procurement- Contracts lapsed into retroactive status	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Contracts/Procurement- Expendable Budget spent on Certified Business Enterprises	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Customer Service- Meeting Service Level Agreements	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Human Resources- Employee District residency	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Human Resources- Employee Onboard Time	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Human Resources- Vacancy Rate	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
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	No	100%	100%	100%	100%	100%
Percent of new cases using electronic filing system	No	100%	100%	100%	100%	100%
Performance Management- Employee Performance Plan Completion	No	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017

WORKLOAD MEASURES

Workload Measures, also called inputs or outputs, quantify an activity, effort or process that is necessary to make progress towards the Strategic Objectives. They help answer the question; “How much are we doing?”

1. 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.

Measure	New Measure/ Benchmark Year	FY 2014 Actual	FY 2015 Actual	FY 2016 Actual
Number of archived protest and appeals cases digitized and uploaded to the public website	No	79	26	48
Number of documents filed in new cases	No	1,361	1,346	1,783
Number of new cases filed and processed electronically	No	36	26	33

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.

Measure	New Measure/ Benchmark Year	FY 2014 Actual	FY 2015 Actual	FY 2016 Actual
Number of cases resolved through settlement/voluntary withdrawal	No	43	8	35
Number of Scheduling Orders issued encouraging settlement	No	36	26	33

3. Reduce the number of open appeal cases that are three years or older through docket review and strategic resource allocation.

Measure	New Measure/ Benchmark Year	FY 2014 Actual	FY 2015 Actual	FY 2016 Actual
Number of cases resolved	No	79	26	48
Number of new cases filed	No	36	26	33

Performance Plan Endnotes

*For more information about the structure and components of FY 2018 draft performance plans, please see the FY 2018 Proposed Budget and Financial Plan, Volume 1, Appendix E.

**"Create and maintain a highly efficient, transparent and responsive District government" is a new Strategic Objective required for all agencies.

***Key Performance Indicators that are new may not have historical data and may only have FY 2018 targets.