



**CONTRACT APPEALS BOARD  
FY 2025 PERFORMANCE PLAN**

**NOVEMBER 26, 2024**

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# 1 INTRODUCTION

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This document presents the Fiscal Year 2025 Performance Plan for the Contract Appeals Board.

This Performance Plan is the first of two agency performance documents published each year. The Performance Plan is published twice annually – preliminarily in March when the Mayor’s budget proposal is delivered, and again at the start of the fiscal year when budget decisions have been finalized. A companion document, the Performance Accountability Report (PAR), is published annually in January following the end of the fiscal year. Each PAR assesses agency performance relative to its annual Performance Plan.

**Performance Plan Structure:** Performance plans are comprised of agency Objectives, Administrative Structures (such as Divisions, Administrations, and Offices), Activities, Projects and related performance measures. The following describes these plan components, and the types of performance measures agencies use to assess their performance.

**Objectives:** Objectives are statements of the desired benefits that are expected from the performance of an agency’s mission. They describe the goals of the agency.

**Administrative Structures:** Administrative Structures represent the organizational units of an agency, such as Departments, Divisions, or Offices.

**Activities:** Activities represent the programs and services an agency provides. They reflect what an agency does on a regular basis (e.g., processing permits).

**Measures:** Performance Measures may be associated with any plan component, or with the agency overall. Performance Measures can answer broad questions about an agency’s overall performance or the performance of an organizational unit, a program or service, or the implementation of a major project. Measures can answer questions like “How much did we do?”, “How well did we do it?”, “How quickly did we do it?”, and “Is anyone better off?” as described in the table below. Measures are printed throughout the Performance Plan, as they may be measuring an objective, an administrative structure, an activity, or be related to the agency performance as a whole.

Measure Type	Measure Description	Example
Quantity	Quantity measures assess the volume of work an agency performs. These measures can describe the inputs (e.g., requests or cases) that an agency receives or the work that an agency completes (e.g., licenses issued or cases closed). Quantity measures often start with the phrase “Number of...”.	“Number of public art projects completed”
Quality	Quality measures assess how well an agency’s work meets standards, specifications, resident needs, or resident expectations. These measures can directly describe the quality of decisions or products or they can assess resident feelings, like satisfaction.	“Percent of citations issued that were appealed”
Efficiency	Efficiency measures assess the resources an agency used to perform its work and the speed with which that work was performed. Efficiency measures can assess the unit cost to deliver a product or service, but typically these measures assess describe completion rates, processing times, and backlog.	“Percent of claims processed within 10 business days”

(continued)

Measure Type	Measure Description	Example
Outcome	Outcome measures assess the results or impact of an agency's work. These measures describe the intended ultimate benefits associated with a program or service.	"Percent of families returning to homelessness within 6-12 months"
Context	Context measures describe the circumstances or environment that the agency operates in. These measures are typically outside of the agency's direct control.	"Recidivism rate for 18-24 year-olds"
District-wide Indicators	District-wide indicators describe demographic, economic, and environmental trends in the District of Columbia that are relevant to the agency's work, but are not in the control of a single agency.	"Area median income"

*Agencies set targets for most performance measures before the start of the fiscal year.* Targets may represent goals, requirements, or national standards for a performance measure. Agencies strive to achieve targets each year, and agencies provide explanations for targets that are not met at the end of the fiscal year in the subsequent Performance Accountability Report. Not all measures are associated with a target. For example, newly added measures do not require targets for the first year, as agencies determine a data-informed benchmark. Additionally, change in some quantity or context measures and District-wide indicators may not indicate better or worse performance, but are "neutral" measures of demand or input, or are outside of the agency's direct control. In some cases the relative improvement of a measure over a prior period is a more meaningful indicator than meeting or exceeding a particular numerical goal, so a target is not set.

## 2 CONTRACT APPEALS BOARD OVERVIEW

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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.

*Summary of 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.

*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:*

1. 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. 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 OBJECTIVES

#### 3.1 INCREASE PUBLIC CONFIDENCE IN THE DC PROCUREMENT PROCESS THROUGH THE EFFICIENT, EFFECTIVE AND FAIR DISPOSITION OF PUBLIC CONTRACTING DISPUTES.

Related Measures	Measure Type	Directionality	FY2023	FY2024	FY2025 Target
Percent of Appeals resolved within 4 months of the cases being ready for decision	Efficiency	Up is Better	100%	100%	<b>90%</b>
Percent of decisions sustained on appeal	Quality	Up is Better	No incidents	No incidents	<b>100%</b>
Percent of pending Appeals that are three years old or less	Efficiency	Up is Better	100%	93.33%	<b>100%</b>
Percent of Protests resolved within 60 business days	Efficiency	Up is Better	100%	100%	<b>95%</b>

#### 3.2 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.

Related Measures	Measure Type	Directionality	FY2023	FY2024	FY2025 Target
Percent of cases resolved through settlement	Outcome	Up is Better	52.63%	56.67%	<b>50%</b>

#### 3.3 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.

Related Measures	Measure Type	Directionality	FY2023	FY2024	FY2025 Target
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	Outcome	Up is Better	100%	100%	<b>100%</b>

*(continued)*

Related Measures	Measure Type	Directionality	FY2023	FY2024	FY2025 Target
Percent of new cases using electronic filing system	Outcome	Up is Better	76%	100%	<b>100%</b>

## 4 ACTIVITIES

### 4.1 INCREASE USE OF ADR IN RESOLVING DISPUTES BEFORE CAB THROUGH RE-SEARCHING, DEVELOPING AND APPLYING BEST PRACTICES IN MEDIATION AND OTHER ALTERNATIVE DISPUTE RESOLUTION MODELS

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.

Related Measures	Measure Type	Directionality	FY2023	FY2024	FY2025 Target
Number of cases resolved through settlement/voluntary withdrawal	Outcome	Up is Better	10	17	*
Percent of Scheduling Orders issued in appeals cases encouraging settlement	Outcome	Up is Better	New in 2025	New in 2025	<b>New in 2025</b>

\*Specific targets are not set for this measure

### 4.2 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

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.

Related Measures	Measure Type	Directionality	FY2023	FY2024	FY2025 Target
Number of documents filed in new cases	Quantity	Neutral	1,441	1,643	*
Number of new cases filed and processed electronically	Quantity	Neutral	19	32	*

\*Specific targets are not set for this measure