

failures in any similar attempts. *Provide links to or cite your sources.*

**If this enhancement is approved, what most significant measurable result** should we expect by the end of the enhancement Fiscal Year (Sept 30, 2019)?

**How could this project's success be tracked over time (e.g., quarterly)?** Please note whether each measure listed is a currently existing agency Performance KPIs that would be influenced, or is a new measure specific to this project, by specifying *in parenthesis: (Existing) or (New).*

- 1.
- 2.
- 3.

**Pre-Mortem 1: Imagine this enhancement is granted, and it is the end of the fiscal year in which the funds are given, yet this initiative has failed** or has yet to be fully implemented. **What would be the three largest pitfalls** that would likely explain this outcome? *These pitfalls could be internal to the way the initiative is run, could relate to stakeholder alignment, or could be external (uncontrollable) threats that cause damaging delays, cost overruns, unintended consequences, or poor results.*

- 1.
- 2.
- 3.

**Pre-Mortem 2: Imagine this enhancement is granted, and it is the end of the fiscal year in which the funds are given, and the initiative has achieved its objectives.** What do you anticipate would be three reasons this project succeeded?

- 1.
- 2.
- 3.



**DC CONTRACT APPEALS BOARD  
FY2017-2018 PERFORMANCE OVERSIGHT RESPONSES**

**ATTACHMENT 4  
CAB FY2017 FOIA REPORT**

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Agency Name

DC Contract Appeals Board

Annual Freedom of Information Act Report for Fiscal Year 2017  
October 1, 2016 through September 30, 2017

FOIA Officer Reporting Mark D. Poindexter, General Counsel

PROCESSING OF FOIA REQUESTS

1. Number of FOIA requests received during reporting period .....	5
2. Number of FOIA requests pending on October 1, 2016.....	0
3. Number of FOIA requests pending on September 30, 2017.....	0
4. The average number of days unfilled requests have been pending before each public body as of September 30, 2017 .....	0

DISPOSITION OF FOIA REQUESTS

5. Number of requests granted, in whole.....	1
6. Number of requests granted, in part, denied, in part.....	0
7. Number of requests denied, in whole.....	0
8. Number of requests withdrawn.....	0
9. Number of requests referred or forwarded to other public bodies.....	0
10. Other disposition .....	4

NUMBER OF REQUESTS THAT RELIED UPON EACH FOIA EXEMPTION

11. Exemption 1 - D.C. Official Code § 2-534(a)(1).....	0
12. Exemption 2 - D.C. Official Code § 2-534(a)(2).....	0
13. Exemption 3 - D.C. Official Code § 2-534(a)(3)	
Subcategory (A).....	0
Subcategory (B).....	0
Subcategory (C) .....	0
Subcategory (D) .....	0
Subcategory (E) .....	0
Subcategory (F) .....	0
14. Exemption 4 - D.C. Official Code § 2-534(a)(4) .....	0
15. Exemption 5 - D.C. Official Code § 2-534(a)(5).....	0

16. Exemption 6 - D.C. Official Code § 2-534(a)(6)	
Subcategory (A).....	0
Subcategory (B).....	0
17. Exemption 7 - D.C. Official Code § 2-534(a)(7).....	0
18. Exemption 8 - D.C. Official Code § 2-534(a)(8).....	0
19. Exemption 9 - D.C. Official Code § 2-534(a)(9).....	0
20. Exemption 10 - D.C. Official Code § 2-534(a)(10).....	0
21. Exemption 11 - D.C. Official Code § 2-534(a)(11).....	0
22. Exemption 12 - D.C. Official Code § 2-534(a)(12).....	0

**TIME-FRAMES FOR PROCESSING FOIA REQUESTS**

23. Number of FOIA requests processed within 15 days.....	5
24. Number of FOIA requests processed between 16 and 25 days.....	0
25. Number of FOIA requests processed in 26 days or more.....	0
26. Median number of days to process FOIA Requests.....	0.01

**RESOURCES ALLOCATED TO PROCESSING FOIA REQUESTS**

27. Number of staff hours devoted to processing FOIA requests.....	0.8
28. Total dollar amount expended by public body for processing FOIA requests.....	\$54

**FEEES FOR PROCESSING FOIA REQUESTS**

29. Total amount of fees collected by public body.....	\$0
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**PROSECUTIONS PURSUANT TO SECTION 207(d) OF THE D.C. FOIA**

30. Number of employees found guilty of a misdemeanor for arbitrarily or capriciously violating any provision of the District of Columbia Freedom of Information Act .....	0
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**QUALITATIVE DESCRIPTION OR SUMMARY STATEMENT**

Pursuant to section 208(a)(9) of the D.C. FOIA, provide in the space below or as an attachment, “[a] qualitative description or summary statement, and conclusions drawn from the data regarding compliance [with the provisions of the Act].”

The DC Contract Appeals Board received five (5) FOIA requests during FY2017, and satisfied those requests consistent with the requirements of the statute.



**DC CONTRACT APPEALS BOARD  
FY2017-2018 PERFORMANCE OVERSIGHT RESPONSES**

**ATTACHMENT 5  
CAB FY2018 PERFORMANCE PLAN**

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**Contract Appeals Board FY2018**

Agency Contract Appeals Board Agency Acronym CAB Agency Code AFO  
 To edit agency and POC information press your agency name (underlined and in blue above).  
 Agency Performance Mark (CAB) Poindexter Agency Budget POCs Mark (CAB) Poindexter Fiscal Year 2018  
 POCs

When you believe you are finished with this phase of your Performance Plan, press edit in the upper right, check this box, and then press save.

- 2018 Objectives

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>

Add Strategic Objective

- 2018 Key Performance Indicators

Key Performance Indicators

Measure	New Measure/ Benchmark Year	Directionality	FY 2014 Actual	FY 2015 Target	FY 2015 Actual	FY 2016 Target	FY 2016 Actual	FY 2017 Target	FY 2017 Actual	FY 2018 Target	FY 2018 Quarter 1
<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		Up is Better	80%	100%	71%	85%	75%	90%	92.9%	90%	Annual Measure
Percentage of appeals resolved within 4 months of the cases being ready for decision		Up is Better	84%	90%	80%	90%	91.7%	90%	80%	90%	Annual Measure
Percentage of Protests resolved within 60 business days		Up is Better	82%	95%	91%	95%	83.3%	95%	87%	95%	Annual Measure
Percentage of decisions sustained on appeal		Up is Better	100%	100%	100%	100%	Not Available	100%	100%	100%	Annual Measure
<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		Up is Better	Not available	Not available	Not available	30%	72.9%	30%	48.4%	50%	Annual Measure
<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		Up is Better	100%	100%	100%	100%	100%	100%	100%	100%	Annual Measure

Measure	New Measure/ Benchmark Year	Directionality	FY 2014 Actual	FY 2015 Target	FY 2015 Actual	FY 2016 Target	FY 2016 Actual	FY 2017 Target	FY 2017 Actual	FY 2018 Target	FY 2018 Quarter 1
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		Up is Better	100%	100%	100%	100%	100%	100%	100%	100%	Annual Measure

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
1 - Increase public confidence in the DC procurement process through the efficient, effective and fair disposition of public contracting disputes. (1 Activity)					
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
<b>TOT</b>				<b>2</b>	<b>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)					
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
<b>TOT</b>				<b>2</b>	<b>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)					
ADJUDICATION	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	3	1
<b>TOT</b>				<b>3</b>	<b>1</b>
<b>TOT</b>				<b>7</b>	<b>4</b>

2018 Workload Measures

Workload Measures - Operations	Measure	New Measure/ Benchmark Year	Numerator Title	Units	FY 2014	FY 2015	FY 2016	FY 2017 Actual	FY 2018 Quarter 1
1 - Reduce the number of open appeal cases that are three years or older through docket review and strategic resource allocation. (2 Measures)									
	Number of new cases filed		Number of new cases (protests and appeals) filed	number of cases	36	26	33	48	Annual Measure
					79	26	48	64	

Measure	New Measure/ Benchmark Year	Numerator Title	Units	FY 2014	FY 2015	FY 2016	FY 2017 Actual	FY 2018 Quarter 1
Number of cases resolved		Number of cases resolved	number of cases					Annual Measure
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)								
Number of Scheduling Orders issued encouraging settlement		Number of Scheduling Orders issued encouraging settlement	number of orders	36	26	33	48	Annual Measure
Number of cases resolved through settlement/voluntary withdrawal		Number of cases resolved through settlement/voluntary withdrawal	number of cases	43	8	35	31	Annual Measure
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)								
Number of archived protest and appeals cases digitized and uploaded to the public website		Number of archive protest and appeals cases digitized and uploaded to the public website	number of cases	79	26	48	64	Annual Measure
Number of new cases filed and processed electronically		Number of new cases filed and processed electronically	number of cases	36	26	33	48	Annual Measure
Number of documents filed in new cases		Number of documents filed in new cases	number of documents	1,361	1,346	1783	1933	Annual Measure

2018 Initiatives

Strategic Initiatives	Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date	Add Initiative Update	# of Initiative Updates	Needs Initiative Update Notification
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. (1 Strategic Initiative)						
	Developing digital archiving and uploading production goals	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.	09-30-2018	Add Initiative Update	0	Needs Update
<b>TOT</b>					<b>0</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. (1 Strategic Initiative)						
	Enhancing use of ADR and Settlement Capabilities	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".	09-30-2018	Add Initiative Update	0	Needs Update
<b>TOT</b>					<b>0</b>	
Reduce the number of open appeal cases that are three years or older through docket review and strategic resource allocation. (1 Strategic Initiative)						
	Review And Update CAB's Technology Needs And Best Practices For Courtroom Database Management Software	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 & 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	09-30-2018	Add Initiative Update	0	Needs Update



Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date	Add Initiative Update	# of Initiative Updates	Needs Initiative Update Notification
	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.				
<b>TOT</b>				<b>0</b>	
<b>TOT</b>				<b>0</b>	

- 2018 Initiative Updates

Initiative Updates	Strategic Initiative Title	Initiative Status Update	% Complete to date	Confidence in completion by end of fiscal year (9/30)?	Status of Impact	Explanation of Impact	Supporting Data	Quarters
No initiative updates found								

- Administrative Information

FY Performance Plan Contract Appeals Board FY2018 Record ID# 489  
 Performance Plan ID 363

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