

From: Martin, Vonetta (DSLBD)
Sent: Wednesday, November 18, 2015 12:28 PM
To: HouseThomas, Mia (CAB); Poindexter, Mark (CAB)
Cc: Leo, Kendrietta (DSLBD); Edwards, Ronnie (DSLBD)
Subject: DSLBD Compliance Notification --FY 2015 Verifying SBE Expenditures (CAB -Performance)

Hello Mia and Mark,

DSLBD is closing out Fiscal Year (FY) 2015, please see details below and attached regarding the Contract Appeals Board (CAB), final expenditures reported for FY2015, compared to DSLBD actual expenditures reported in SOAR, and the Office of the DC Auditor's (ODCA) FY 2015 SBE Goal. CAB has achieved its FY 2015 Target SBE Goal.

Agency	Reported Expendable Budget	*DSLBD Reported Target SBE Goal FY 2015	Quickbase Total Self-Reporting FY 2015 SBE Expenditures	(Actual) Total FY 2015 SBE Expenditures Reported (SOAR) and P-Card	SBE Goal Met for FY 2015 (Yes/No)
Contract Appeals Board (CAB)	\$21,000	\$10,500	\$25,447.05	\$25,447.05	YES

Attached is DSLBD's chart for verifying CAB expenditures for FY 2015. If you have any concerns or questions, regarding the discrepancies between ODCA's Reported Expenditures for FY 2015, and DSLBD Actual Expenditures Reported for FY2015, please feel free to contact us.

Thanks,

Vonetta B. Martin , MPA, Senior Compliance Specialist
DC Department of Small and Local Business Development
 441 4th Street, NW | Suite 850N | Washington, DC 20001
 Phone: 202-701-8598 | vonetta.martin@dc.gov
<http://www.dslbd.dc.gov>
 Telework Schedule: Every Wednesday 8:00 am – 4:30pm

Department of Small and Local Business Development (DSLBD)
 Contract Appeals Board (CAB) - FY 2015 SBE Analysis
 #####

Appendix I - Contract Appeals Board (CAB) FY 2015 Reported Appropriated Budgets, Reported Expendable Budgets, Reported SBE Goals, and SBE Expenditures.

Agency	Reported Appropriated Budget	Reported Expendable Budget	CAB FY 2015 Target SBE Goal	Quickbase CAB Self-Reporting FY 2015 % of SBE Goal Achieved	ODCA Total FY 2015 SBE Expenditures Reported
Contract Appeals Board	\$1,426,000	\$21,000	\$10,500	242.35%	\$18,639

**DC Board of Ethics and Government Accountability
 Local, Small, and Disadvantages Certified Business Enterprise**

Vendor Name	CBE Number	Expenditures
FREEWAY CONSTRUCTION LLC	LSZR68745072017	\$ 14,800.00

Total CBEs Paid in SOAR (OCFO) \$ 14,800.00

D.C. P-CARD

MVS, Inc.	LSZR21722092013	\$868.42	Correct Cert. No. LSDZR97381072015
MVS, Inc.	LSZR21722092013	\$703.68	Correct Cert. No. LSDZR97381072015
MVS, Inc.	LSZR21722092013	\$109.98	Correct Cert. No. LSDZR97381072015
MVS, Inc.	LSZR21722092013	\$1,572.35	Correct Cert. No. LSDZR97381072015
North Capitol Partners	LSDZR65906012017	\$228	
Walton & Green	LSDZXR56251102015	\$181.20	
MVS, Inc.	LSDZR97381072015	\$245.66	
Freeway Construction	LSDZR59111052015	\$500	
Alphagraphics	LSZR30495072015	\$84.60	
MVS, Inc.	LSZR21722092013	\$253.92	Correct Cert. No. LSDZR97381072015
Walton & Green	LSDZXR56251102015	\$390.71	
Capital Services & Supplies	LSZX83935122012	\$4,829.03	Correct Cert. No. LSZX21748122016
Walton & Green	LSDZXR56251102015	\$362.40	
Walton & Green	LSDZXR56251102015	\$90.60	
Walton & Green	LSDZXR56251102015	\$226.50	
Total		\$10,647.05	

Reconciliation

D.C. P CARD	\$ 10,647.05
Total Amount of Discrepancies	\$ 10,647.05

\$ 25,447.05 SOAR & P-CARD

According to DSLBD analysis, CAB exceeded the targeted goal for FY 2015. DSLBD confirmed that CAB had a total of \$25,447.05 for FY 2015, by comparing our active Certified Business Enterprises to OCFO Vendor Expenditures Report for CAB in FY 2015.



**DC CONTRACT APPEALS BOARD
FY2016-2017 PERFORMANCE OVERSIGHT RESPONSES**

**ATTACHMENT 5
CAB FY2015 SUPPLEMENTAL SBE REPORT**

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
CONTRACT APPEALS BOARD



MARC D. LOUD, SR.
CHIEF ADMINISTRATIVE JUDGE

Testimony of Marc D. Loud, Chief Administrative Judge, DC Contract Appeals Board

**Committee on Business, Consumer, and Regulatory Affairs
Review of FY 2015-16 District Agencies' Compliance with
Certified Business Enterprise Expenditure Goals**

**Panel 2 – 10:00am
January 25, 2016
Room 412
The John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004**

Good Morning Chairman Orange and Committee Members. I am Marc D. Loud, Chief Administrative Judge of the Contract Appeals Board. On behalf of the Board, we appreciate your support and the opportunity to appear today. Consistent with the Committee's request, my remarks will be brief.

In response to the Committee's inquiries:

1. The Board's expendable budget for FY 2015 was \$21,000.
2. Yes, we are aware that at least 50% of our expendable budget must be spent with CBEs. The Board is pleased to report that its FY 2015 CBE expenditures totaled \$25,447.05, exceeding our goal of \$10,500 by 142%. CAB exceeded its budget in FY 2015 due to a one-time expenditure related to its office build-out at One Judiciary Square.
3. The Board's Spending Plan for its FY 2016 expendable budget has been submitted to the Department of Small and Local Business Development and emphasizes CBE expenditures relating to Office Supplies, Contractual Services and Equipment and Machinery. I am happy to provide a copy of the Board's Spending Plan to the Committee upon request.
4. The Board is required to spend \$27,230 with CBEs in FY 2016.
5. The Board's CBE expenditures for the first quarter of FY 2016 totaled \$1,935.60. This figure represents end-of-calendar year expenditures which are pending payment.

I assure the Committee of the Board's continuing commitment to CBE utilization, and thank you for the opportunity to present testimony today.



**DC CONTRACT APPEALS BOARD
FY2016-2017 PERFORMANCE OVERSIGHT RESPONSES**

**ATTACHMENT 6
CAB FY2017 PERFORMANCE PLAN**

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Contract Appeals Board FY2017

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 POCs Mark (CAB) Poindexter

Agency Budget POCs Mark (CAB) Poindexter

Fiscal Year 2017

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.

2017 Strategic Objectives

Objective Number	Strategic Objective
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.**

2017 Key Performance Indicators

Measure	New Measure/ Benchmark Year	Frequency of Reporting	Add Data Fields (if applicable)	FY 2014 Actual	FY 2015 Target	FY 2015 Actual	FY 2016 Target	FY 2016 Actual	FY 2017 Target	FY 2017 Quarter 1
1 - Increase public confidence in the DC procurement process through the efficient, effective and fair disposition of public contracting disputes. (4 Measures)										
Percentage of Protests resolved within 60 business days	<input type="checkbox"/>	Annually		82%	95%	91%	95%	83.33%	95%	Annual Measure
Percentage of appeals resolved within 4 months of the cases being ready for decision	<input type="checkbox"/>	Annually		84%	90%	80%	90%	91.67%	90%	Annual Measure
Percentage of pending cases that are three years old or less	<input type="checkbox"/>	Annually		80%	100%	71%	85%	75%	90%	Annual Measure
Percentage of decisions sustained on appeal	<input type="checkbox"/>	Annually		100%	100%	100%	100%	Needs Data Update	100%	Annual Measure
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)										
Percentage of cases resolved through settlement	<input checked="" type="checkbox"/>	Annually		54.43%	Not available	22.2%	30%	New Measure	30%	Annual Measure
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)										
Percentage of new cases using electronic filing system	<input type="checkbox"/>	Annually		100%	100%	100%	100%	100%	100%	Annual Measure
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"/>	Annually		100%	100%	100%	100%	100%	100%	Annual Measure
Contracts/Procurement-Expendable Budget spent on Certified Business Enterprises	<input checked="" type="checkbox"/>			Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Contracts/Procurement-Contracts lapsed into retroactive status	<input checked="" type="checkbox"/>			Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Budget- Local funds unspent	<input checked="" type="checkbox"/>			Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Budget- Federal Funds returned	<input checked="" type="checkbox"/>			Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Customer Service-Meeting Service Level Agreements	<input checked="" type="checkbox"/>			Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Human Resources-Vacancy Rate	<input checked="" type="checkbox"/>			Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Human Resources-Employee District residency	<input checked="" type="checkbox"/>			Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
Human Resources-Employee Onboard Time	<input checked="" type="checkbox"/>			Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017

Measure	New Measure/Benchmark Year	Frequency of Reporting	Add Data Fields (if applicable)	FY 2014 Actual	FY 2015 Target	FY 2015 Actual	FY 2016 Target	FY 2016 Actual	FY 2017 Target	FY 2017 Quarter 1
Performance Management- Employee Performance Plan Completion	✓			Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017

2017 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	1
TOT				2	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 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
TOT				2	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.** (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
TOT				3	1
TOT				7	3

2017 Workload Measures

All Workload Measures must be linked to a specific Operation. If Workload Measures are already in the system but not yet linked, email the Office of Performance Management with a spreadsheet that identifies to which Operation each Workload Measure belongs.

Workload Measures - Operations	Measure	New Measure/Benchmark Year	Add Historical and Target Data (FY17)	Numerator Title	Units	Frequency of Reporting	FY 2014	FY 2015	FY 2016 Actual	FY 2017 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	<input type="checkbox"/>		Number of new cases (protests and appeals) filed	number of cases	Annually	36	26	33	Annual Measure
	Number of cases resolved	<input type="checkbox"/>		Number of cases resolved	number of cases	Annually	79	26	48	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	<input type="checkbox"/>		Number of Scheduling Orders issued encouraging settlement	number of orders	Annually	36	26	33	Annual Measure
	Number of cases resolved through settlement/voluntary withdrawal	<input type="checkbox"/>		Number of cases resolved through settlement/voluntary withdrawal	number of cases	Annually	43	8	35	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	<input type="checkbox"/>		Number of archive protest and appeals cases digitized and uploaded to the public website	number of cases	Annually	79	26	48	Annual Measure
	Number of new cases filed and processed electronically	<input type="checkbox"/>		Number of new cases filed and processed electronically	number of cases	Annually	36	26	33	Annual Measure
	Number of documents filed in new cases	<input type="checkbox"/>		Number of documents filed in new cases	number of documents	Annually	1361	1346	1783	Annual Measure

2017 Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date	Add Initiative Update	# of Initiative Updates	Needs Initiative Update Notification
ADJUDICATION (3 Strategic initiative-operation links)					
Enriching settlement and	The Board seeks to build upon its existing commitment to the use of alternative dispute resolution by researching and developing a template for a "best in class" ADR program. In	09-30-2017		0	Needs Update

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date	Add Initiative Update	# of Initiative Updates	Needs Initiative Update Notification
ADR capabilities	this regard, the Board intends 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 or "JAMS".		Add Initiative Update		
Improving case cycle-times	The Board's case management requirements are that (1) Scheduling Orders be issued within 45 days of case filing; (2) that the Scheduling Orders include discovery and motions cut-off deadlines; and (3) that each Scheduling Order include a trial date within a specified period from the date of initial filing. In addition, Board judges manage their dockets each year to prioritize the closure of all cases that are three years (or more) old as a first priority, absent exigent circumstances. Docket meetings will be held to review progress.	09-30-2017	Add Initiative Update	0	Needs Update
Digital archiving and uploading production goals	Development of digital archiving and uploading production goals and accompanying staff resource allocation plan in order to further the Board's commitment to the prompt 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.	09-30-2017	Add Initiative Update	0	Needs Update
TOT				0	

2017 Initiative Updates

Initiative Updates	Strategic Initiative-Operation Link - 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	FY2017 Quarters
No initiative updates found								

2017 Special Mayoral Plans

Strategic Initiative Header	Strategic Initiative Title	Special Mayoral Plan	Mayoral Plan Domain	Mayoral Plan Goal	Mayoral Plan Action
No links to special mayoral plans found					

Administrative Information

FY Performance Plan Contract Appeals Board FY2017 **Record ID#** 320

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