
Contract Appeals Board

<http://cab.dc.gov>

Telephone: 202-727-6597

| Description | FY 2011 Actual | FY 2012 Approved | FY 2013 Proposed | % Change from FY 2012 |
|------------------|-------------------|---------------------|---------------------|-----------------------------|
| Operating Budget | \$764,749 | \$796,107 | \$1,051,447 | 32.1 |
| FTEs | 5.6 | 6.0 | 8.0 | 33.3 |

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 2013 proposed budget is presented in the following tables:

FY 2013 Proposed Gross Funds Operating Budget, by Revenue Type

Table AF0-1 contains the proposed FY 2013 agency budget compared to the FY 2012 approved budget. It also provides FY 2010 and FY 2011 actual expenditures.

Table AF0-1
(dollars in thousands)

| Appropriated Fund | Actual FY 2010 | Actual FY 2011 | Approved FY 2012 | Proposed FY 2013 | Change from FY 2012 | Percent Change* |
|-------------------------------|-------------------|-------------------|---------------------|---------------------|---------------------------|--------------------|
| General Fund | | | | | | |
| Local Funds | 1,032 | 765 | 796 | 1,051 | 255 | 32.1 |
| Total for General Fund | 1,032 | 765 | 796 | 1,051 | 255 | 32.1 |
| Gross Funds | 1,032 | 765 | 796 | 1,051 | 255 | 32.1 |

*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 2013 Operating Appendices located on the Office of the Chief Financial Officer's website.

FY 2013 Proposed Full-Time Equivalents, by Revenue Type

Table AF0-2 contains the proposed FY 2013 FTE level compared to the FY 2012 approved FTE level by revenue type. It also provides FY 2010 and FY 2011 actual data.

Table AF0-2

| Appropriated Fund | Actual FY 2010 | Actual FY 2011 | Approved FY 2012 | Proposed FY 2013 | Change from FY 2012 | Percent Change |
|-------------------------------|-------------------|-------------------|---------------------|---------------------|---------------------------|-------------------|
| General Fund | | | | | | |
| Local Funds | 5.5 | 5.6 | 6.0 | 8.0 | 2.0 | 33.3 |
| Total for General Fund | 5.5 | 5.6 | 6.0 | 8.0 | 2.0 | 33.3 |
| Total Proposed FTEs | 5.5 | 5.6 | 6.0 | 8.0 | 2.0 | 33.3 |

FY 2013 Proposed Operating Budget, by Comptroller Source Group

Table AF0-3 contains the proposed FY 2013 budget at the Comptroller Source Group (object class) level compared to the FY 2012 approved budget. It also provides FY 2010 and FY 2011 actual expenditures.

Table AF0-3
(dollars in thousands)

| Comptroller Source Group | Actual FY 2010 | Actual FY 2011 | Approved FY 2012 | Proposed FY 2013 | Change from FY 2012 | Percent Change* |
|--|-------------------|-------------------|---------------------|---------------------|---------------------------|--------------------|
| 11 - Regular Pay - Continuing Full Time | 237 | 211 | 236 | 404 | 167 | 70.9 |
| 12 - Regular Pay - Other | 389 | 375 | 420 | 439 | 19 | 4.6 |
| 13 - Additional Gross Pay | 0 | 44 | 0 | 0 | 0 | N/A |
| 14 - Fringe Benefits - Current Personnel | 112 | 100 | 120 | 168 | 48 | 39.9 |
| Subtotal Personal Services (PS) | 738 | 731 | 776 | 1,010 | 235 | 30.2 |
| 20 - Supplies and Materials | 1 | 3 | 3 | 3 | 0 | 2.0 |
| 31 - Telephone, Telegraph, Telegram, Etc. | 8 | 1 | 0 | 0 | 0 | N/A |
| 32 - Rentals - Land and Structures | 244 | 0 | 0 | 0 | 0 | N/A |
| 35 - Occupancy Fixed Costs | 1 | 0 | 0 | 0 | 0 | N/A |
| 40 - Other Services and Charges | 7 | 6 | 2 | 2 | 1 | 34.9 |
| 41 - Contractual Services - Other | 27 | 16 | 13 | 20 | 7 | 50.0 |
| 70 - Equipment and Equipment Rental | 6 | 8 | 3 | 17 | 14 | 456.9 |
| Subtotal Nonpersonal Services (NPS) | 294 | 34 | 20 | 41 | 21 | 103.1 |
| Gross Funds | 1,032 | 765 | 796 | 1,051 | 255 | 32.1 |

*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 2013 proposed budget.

FY 2013 Proposed Operating Budget and FTEs, by Program and Activity

Table AF0-4 contains the proposed FY 2013 budget by program and activity compared to the FY 2012 approved budget. It also provides the FY 2011 actual data.

Table AF0-4

(dollars in thousands)

| Program/Activity | Dollars in Thousands | | | | Full-Time Equivalents | | | |
|---|----------------------|---------------------|---------------------|---------------------------|-----------------------|---------------------|---------------------|---------------------------|
| | Actual FY 2011 | Approved FY 2012 | Proposed FY 2013 | Change from FY 2012 | Actual FY 2011 | Approved FY 2012 | Proposed FY 2013 | Change from FY 2012 |
| (1000) Contract Appeals Board | | | | | | | | |
| (1030) Property Management | 1 | 0 | 1 | 1 | 0.0 | 0.0 | 0.0 | 0.0 |
| (1090) Performance Management | 169 | 185 | 389 | 204 | 0.9 | 1.0 | 3.0 | 2.0 |
| Subtotal (1000) Contract Appeals Board | 169 | 186 | 390 | 204 | 0.9 | 1.0 | 3.0 | 2.0 |
| (2000) Adjudication | | | | | | | | |
| (2001) Adjudication | 595 | 611 | 662 | 51 | 4.6 | 5.0 | 5.0 | 0.0 |
| Subtotal (2000) Adjudication | 595 | 611 | 662 | 51 | 4.6 | 5.0 | 5.0 | 0.0 |
| Total Proposed Operating Budget | 765 | 796 | 1,051 | 255 | 5.6 | 6.0 | 8.0 | 2.0 |

(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 2013 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2013 Proposed Budget Changes

The Contract Appeals Board's (CAB) proposed FY 2013 gross budget is \$1,051,447, which represents a 32.1 percent increase over its FY 2012 approved gross budget of \$796,107. The budget is comprised entirely of Local funds.

Current Service 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 2012 approved budget across multiple programs, and it estimates how much it would cost an agency to continue its current programs and operations into the following fiscal year. The initial adjustments in the budget proposal represent changes that should be compared to the FY 2013 CSFL budget and not necessarily changes made to the FY 2012 Local funds budget. The FY 2013 CSFL adjustments to the FY 2012 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 2013 CSFL budget is \$808,196, which represents a \$12,089, or 1.5 percent, increase over the FY 2012 approved Local funds budget of \$796,107.

Initial Adjusted Budget

Cost Increase: \$6,433 in Local funds to support a cost increase in Contractual Services.

Cost Decrease: \$6,433 in Local funds in personal services resulting from expected vacancy savings.

Additionally Adjusted Budget

Technical Adjustment: Adjustment of Fringe Benefits to restore the District Government contribution for employee health insurance from 72 percent, implemented in the FY 2011 budget, to 75 percent in FY 2013, resulting in an increase of \$2,807 in Local funds.

Policy Initiative

Cost Increase: \$28,196 in the Adjudication program and \$8,248 in the Contract Appeals program to cover a pay equity adjustment related to D.C. Code section 2.309.01, \$190,000 and 2.0 FTEs in the Contract Appeal program to alleviate the agency's backlog of cases, and \$14,000 in the Adjudication program for Equipment and necessary software upgrades.

FY 2012 Approved Budget to FY 2013 Proposed Budget, by Revenue Type

Table AF0-5 itemizes the changes by revenue type between the FY 2012 approved budget and the FY 2013 proposed budget.

Table AF0-5

(dollars in thousands)

| | Program | BUDGET | FTE |
|--|------------------------|--------------|------------|
| LOCAL FUNDS: FY 2012 Approved Budget and FTE | | 796 | 6.0 |
| Fringe Benefit Rate Adjustment | Multiple Programs | 8 | 0.0 |
| Consumer Price Index (less than \$500) | Multiple Programs | 0 | 0.0 |
| Personal Services Growth Factor | Multiple Programs | 3 | 0.0 |
| FY 2013 Current Services Funding Level Budget (CSFL) | | 808 | 6.0 |
| Cost Increase: In Local funds to support contractual costs related to document archiving | Multiple Programs | 6 | 0.0 |
| Cost Decrease: In Local funds from expected vacancy savings to support cost increase in Contractual Services | Multiple Programs | -6 | 0.0 |
| FY 2013 Initial Adjusted Budget | | 808 | 6.0 |
| Technical Adjustment: Health insurance contribution | Multiple Programs | 3 | 0.0 |
| FY 2013 Additionally Adjusted Budget | | 811 | 6.0 |
| FY 2013 Policy Initiatives | | | |
| Cost Increase: To cover pay equity adjustment related to D.C. Code section 2.309.01 | Adjudication | 28 | 0.0 |
| Cost Increase: To cover pay equity adjustment related to D.C. Code section 2.309.01 | Contract Appeals Board | 8 | 0.0 |
| Cost Increase: To alleviate backlog of cases | Contract Appeals Board | 190 | 2.0 |
| Cost Increase: Equipment and software upgrades | Adjudication | 14 | 0.0 |
| LOCAL FUNDS: FY 2013 Proposed Budget and FTE | | 1,051 | 8.0 |
| Gross for AF0 - Contract Appeals Board | | 1,051 | 8.0 |

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

Agency Performance Plans

The agency's performance plan has the following objectives for FY 2013:

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

| Measure | FY 2010 Actual | FY 2011 Target | FY 2011 Actual | FY 2012 Projection | FY 2013 Projection | FY 2014 Projection |
|---|---------------------------|---------------------------|---------------------------|-------------------------------|-------------------------------|-------------------------------|
| Percentage of protests resolved within 60 business days. | 86.84% | 90% | 73% | 90% | TBD | TBD |
| Percentage of appeals cases decided within 4 months of the cases being ready for decision. | 80.77% | 90% | 85% | 90% | TBD | TBD |
| Percentage of new cases using electronic filing system. | 100% | 100% | 100% | 100% | TBD | TBD |
| Percentage of decisions sustained on appeal | 100% | 100% | Not Available | 100% | TBD | TBD |
| Percentage of cases closed by the Board which are electronically archived to permit web-based retrieval and full-text searching capability. | 100% | 95% | 100% | 95% | TBD | TBD |