



## D.C. Contract Appeals Board (CAB) – AFO

Marc D. Loud, Sr., Chief Judge  
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Washington, D.C. 20001  
(202) 727-6597  
<http://cab.dc.gov/>

### Central Purpose

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, debarments, suspensions and Quick Payment Act litigation between the District and its contracting communities.

### Key Facts

The CAB is an independent executive branch agency created by the Procurement Practices Reform Act, D.C. Code §2-360.01, and comprised of a Chief Judge and two Administrative Judges. CAB has exclusive *de novo* jurisdiction over contract claims, protests, debarments, suspensions and Quick Claims Act litigation between 55 District government agencies and private contractors.

Key statutory provisions include D.C. Code §§2-360.01 (creation), 2-360.03 (dispute and protest jurisdiction), 2-359.07 (debarment/suspension jurisdiction), 2-221.04 (Quick Payment Act jurisdiction), 2-359.09 (authority to award prejudgment interest), 28-3302(b)(establishment of 4%/annum interest rate), and 2-351.05 (agencies exempt from CAB jurisdiction).

### Goals/Performance Measures

CAB’s primary goals are to resolve protests within 60 days of filing, and other types of litigated cases (e.g., disputes) within four months of the case being “ready for decision” (i.e., after the close of trial and submission of all post-hearing briefs/filings).

For FY14, CAB closed a record 79 cases, including 54% by settlement and 46% by written decision. As a result of its FY14 performance, there are a record low 59 pending cases on the CAB docket as of October 24, 2014. For the five-year period FY10-FY14, the CAB

has achieved a *net* case reduction of 106 cases, reducing the total docket from 165 open cases in FY10, to the present 59 open cases. For the five-year period FY10-FY14, the Board closed a total of 315 cases. During this same period, only nine Board cases were appealed to courts of higher jurisdiction. To date, the Board has been affirmed on six of the nine appealed cases. The other three appealed cases are still under review. For FY14, CAB closed 90% of disputes cases within four months of the “ready for decision” date, and 80% of protests within the targeted milestone.

### Programs/Services

In addition to its adjudicatory function, CAB manages a comprehensive transparency initiative that makes all case filings available on the Board’s website within 2 days. In FY14, the Board uploaded over 1400 files to its public website, including over 28,000 pages of litigation materials. The only materials not uploaded are filings made under seal pursuant to protective order.

In addition, the Board maintains an online trial and pretrial calendar, which lists the dates of all upcoming trials/pretrials, the name of the presiding judge, and links to the Board’s most recently issued scheduling order for the calendared case.

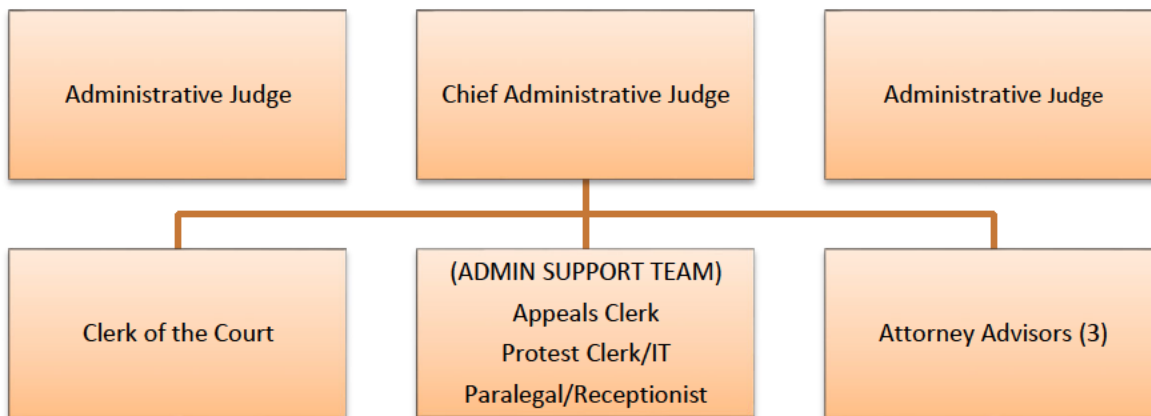
### First Quarter CY2015 Hot Button Issue(s)

CAB’s top priority is to continue to resolve protests and disputes timely.



**Organization Chart**  
(Effective October 1, 2014)

Prepared By: Marc D. Loud, Sr./Chairman and Chief Administrative Judge



**Boards and Commissions relevant to the agency (if any)**

Board Name	Name of Chairperson	No. of Members
N/A		

**Budget FY2015**

Total Budget	\$1,426,098
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**No. of Employees**

Current No. of FTEs	10
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**Union Representation**

Union(s)	Union Representative	No. of Members
N/A		

**Facility Location(s)**

Facility Name / ID	Address	Zip Code	Ward	Main Phone No.
One Judiciary Square	441 4 <sup>th</sup> Street, NW., Suite 350N	20001	2	(202) 727-6597

**Key Projects/Initiatives**

Project/Initiative Name	Brief Description	Delivery Date
N/A		

**Capital Program(s)**

Project Name	Budget ID	Funding Source	Project Budget	Current Balance	Delivery Date
N/A					

**Important/Significant Dates**

Event	Brief Description	Delivery Date
N/A		

**Key Contracts**

Project Name	Vendor Name	Total Contract Value	Contract Term
N/A			

**Key Agreement(s) / Memorandum(s) of Understanding**

Project Name	Brief Description	Agreement Term
MOU for Adjudication Services	The CAB is renegotiating an MOU with DDOE/Sustainable Energy Fund to provide services resolving their contractual disputes, protests, debarments, and suspensions.	Currently under negotiation.

**Grant(s) Awarded (or Pending Award) to Agency**

Grant Name	Name of Grantor	Total Grant Amount	Current Grant Balance	Grant Expiration
N/A				

**Active Litigation(s)**

Project Name	Brief Description
N/A	

**Consent Decree(s)**

Project Name	Brief Description	Agreement Term
N/A		