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## Contracting

# D.C. Contract Appeals Board tackles backlog

Washington Business Journal by Michael Neibauer, Staff Reporter

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The District's Contract Appeals Board, the panel that hears contractual disputes and bid protests filed against the D.C. government, is down to three judges while facing a docket of more than 100 cases — some many years old.

Which explains, in part, why the case we profiled in Friday's **Washington Business Journal** — [the appeal of Devroux & Purnell Architects and Planners PC](#) for \$475,000 in back invoices related to its work on the new Department of Employment Services headquarters — isn't scheduled for a hearing on the merits until December 2012.

Chief Judge [Marc Loud](#) is joined on the CAB by Judges [Maxine McBean](#) and [Monica Parchment](#). The panel's budget has been slashed, from \$1.03 million in fiscal 2010 to \$796,107 in fiscal 2012.

But Loud said the three, plus a minimal staff and a cadre of volunteer law students from **George Washington University**, are working to reduce the case load.

"I'm very excited about the team we have here," Loud said. "It's a very energized group. We take seriously our mission to expedite these cases and to do it prudently."

The CAB docket, as of Nov. 7, was 107 cases long, of which 17 were bid protests and the remaining contractual disputes.

As of about a year ago, Loud said, the docket included 54 "aged cases," those filed in 2009 or earlier. That list is now down to 33.

Of course, the group can only move so fast. The CAB is basically a civil court, and that means cases can be, and are often, slowed by discovery and motions and appeals of motions and more motions. The Williamsburg, Va.-based National Center for State Courts, Loud said, puts the average duration of civil case disposition at about 2.5 years.

The Devroux and Purnell appeal was filed in December 2009.

"As chief judge, I think the message is move the docket, move the docket," Loud said. "I think we're doing things to get that done."

As a personal aside, a tip of the cap to the CAB for having perhaps the most transparent database of filings of any government I've ever covered. Over five years, there have been 9,500 distinct filings. Every one can be read. That's rare.

Michael Neibauer covers economic development, chambers of commerce, transportation and politics.