

**POST TRAINING EVALUATION REPORT OF
THE A.I.T. COURSE ON**

**CONTRACT ADMINISTRATION,
ARBITRATION & ALTERNATIVE DISPUTE
RESOLUTION - II**

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TABLE OF CONTENTS

1- EXECUTIVE SUMMARY	1
2- BACKGROUND.....	2
3- METHODOLOGY	3
4- FINDINGS.....	3
5- A COMPARISON BETWEEN ALL THE TEN COURSES CONDUCTED BY A.I.T.	18
6- A COMPARISON BETWEEN THE 2 CONTRACT ADMINISTRATION & ADR COURSES.....	20
7- RECOMMENDATIONS	22
 ANNEXES	
ANNEX A : QUESTIONNAIRE	
ANNEX B : COURSE CONTENT.....	
ANNEX C : METHODOLOGY	
ANNEX D : ALL THE STATED OBJECTIVES OF PARTICIPANTS FOR THE TRAINING	

1- EXECUTIVE SUMMARY

The Government of Punjab is working for the capacity building of its officials with a view to improving the overall performance and efficiency levels of service delivery. This has become doubly important in keeping with the many reforms being introduced by the Government, as well as the rapidly changing modern governance paradigm, which requires acquisition of new skill sets. The Punjab Resource Management Program entered into a partnership with the Asian Institute of Technology (A.I.T), for training selected officials from identified Departments in the modern techniques and required skills of certain disciplines. In this regard so far ten different training courses have been conducted. In keeping with best practices, it was decided to evaluate these trainings. Through this assessment process, A.I.T is being provided with feedback on the aspects which need improvement. As a result of this initiative, nine Evaluation reports have already been submitted for the first nine courses, namely, *Contract Administration and Alternative Dispute Resolution, Hospital Management, Irrigation System Management, Construction Management, Monitoring & Evaluation of Infrastructure Development Project, Hospital Management-2, Hospital Management-3, Advance Competencies for Trainers, Zoo Management* and the tenth report on *Contract Administration, Arbitration and Alternative Dispute Resolution* is being submitted now. This report is based on the findings elicited through a specially designed Questionnaire. The Questionnaire (attached as Annex-A) aims to assess a broad range of data including overall satisfaction with training quality, course content, quality of resource persons, logistical arrangements, etc.

The contents of the *Contract Administration, Arbitration and Alternative Dispute Resolution* course (attached as Annex-B) include topics of *Overview on FIDIC Conditions of Contract, FIDIC Dispute resolution Provision, Alternative Dispute Resolution, Arbitration as a risk management tool in construction, The role and responsibilities of arbitrators, The arbitration process Costs, Enforcement of an arbitration award* and more. In addition the study visits were also included to give participants ample exposure to actual applications, problems / challenges.

The total number of participants sent on this course was 14 and these were selected from C&W and I&P Departments. Out of these 14 participants, 7 have filled in the Questionnaire. The Report is based on the feedback of these 7 participants. It is to be mentioned here that the report is based on the feedback of fifty percent of participants and not the sixty percent agreed figure because of the reason that despite several reminders and waiting for a number of months only 7 participants returned the duly filled questionnaires.

The majority of the participants have expressed their satisfaction with the training course and the logistical arrangements. The participants looked particularly satisfied with the *Training facilities, The overall quality of training workshop, Administration and Subject matter knowledge of instructor(s)*. A few of the participants have shown concerns with the abilities and skills of some of the Resource Persons especially regarding their *Communication Style, Availability for after session consultations* and *Management of the learning process*. Majority of the participants were of the view that the study visits were

relevant and beneficial but a couple of participants have declared these as not much beneficial. All participants have recommended this course and Institute for the future training of other officers as well.

A separate section has been provided alongwith charts which shows a comparison of the overall average ratings of participants for all of the ten courses conducted by A.I.T. so far and the satisfaction level of the participants with regard to the achievement of their objectives for going to the said training. Another section has been added to compare the two Contract Administration and Alternative Dispute Resolution courses because this was the second course on the same topic conducted by A.I.T. It was thought useful to compare these two courses with each other to determine the changes that have been made from the previous courses.

2- BACKGROUND

The ability of the officials to perform well their assigned tasks is crucial to the efficient working of the various government departments. It is particularly so in the fast changing modern world, where the skill sets required for job performance are subject to continuous change and improvement. It is in keeping with this that the Government of Punjab came up with a plan through the PRMP to build the capacity of the public servants working in the provincial government. This plan has been developed after a thorough and broad based stakeholder consultation process. It envisages a multi-pronged strategy that includes granting of scholarships for Masters Programs to world reputed universities, in areas of importance for the provincial government. In addition, it also includes sending selected government employees on short courses to various leading institutions, such as the Civil Service College, Singapore, and the Asian Institute of Technology (A.I.T.) Thailand, etc. The A.I.T. program was started in May, 2009 and the current batch was the tenth in this regard.

In order to ensure that the scarce government resources are being efficiently utilized, it was decided by PRMP to conduct an evaluation of these trainings, with a view to assess the courses, their contents and quality of the resource persons as well as the overall usefulness of the said courses, for the Government of Punjab. This exercise would help the Government determine whether to continue sending officials on this course in the future as well. It is also meant to identify any short comings and come up with positive suggestions for onward communication to A.I.T., so that they may improve the course for the future batches.

The course was on “Contract Administration, Arbitration and Alternate Dispute Resolution”. Irrigation & Power and C& W are engineering department which both deal with small and large scale projects. Each project involves the Department dealing with a number of stakeholders, it is natural for any such project to have disputes arising during its life. “Conflict is in the nature of Man”. *A dispute can arise due to honest misunderstanding or interpretation of the contract, due to changes of circumstances, bad judgments about things which are essential to the contract, etc.*

This course is useful for engineers who deal with contract administration and project management. The course offered by A.I.T, was meant to give an understanding and overview of the relevant legal framework and methods and tools of dispute resolution. It also looked at the International Federation of Consulting Engineers' (FIDIC) *guidelines on dispute resolution and arbitration*.

Course Objectives:

At the end of this course the Punjab government officials and engineers will:

- ❖ Enrich their knowledge on FIDIC's condition of contract, especially on Claims and Dispute Resolution
- ❖ Have awareness on approaches used in analyzing claims and actions to be taken in response to such claims
- ❖ Have an increased knowledge of Arbitration and ADR
- ❖ Learn how to draft arbitration agreements, submissions and awards
- ❖ Identify the different ADRs and how they work
- ❖ Improve their skills in using Arbitration and ADR processes

3- METHODOLOGY

The same methodology was employed for the evaluation of this training program as the one used for the previous A.I.T. training courses and has been mentioned in earlier Reports already submitted for Contract Administration and Alternative Dispute Resolution, Hospital Management (courses I, II and III), Irrigation System Management, Construction Management, M&E of Infrastructure Development Project, Advance Competencies of Trainers and Zoo Management. Instead of reproducing the whole methodology here, it was thought convenient for the readers to add it with this report as Annex-C.

4- FINDINGS

The participants have expressed their satisfaction with the training course and the logistical arrangements however one of the participants has shown his dissatisfaction with the both. They were also satisfied with the different aspects of the course and rated *Training facilities, The overall quality of training workshop, Administration and Subject matter knowledge of instructor(s)* very highly. A few of the participants have shown concerns with the abilities and skills of some of the Resource Persons especially regarding their *Communication Style, Availability for after session consultations and Management of the learning process*. Majority of the participants were of the view that the study visits were relevant and beneficial but a couple of participants have declared these as not much beneficial. None of the modules was mentioned as irrelevant by participants.

All the participants have recommended this course and institute for the future training of other officers as well. The participants' feedback in this regard have been organized and reported below in the form of charts, matrixes / tables, etc.

4.1 - Level of satisfaction expressed by participants on different aspects of training

This section shows the level of satisfaction expressed by the participants on the different aspects of the training course.

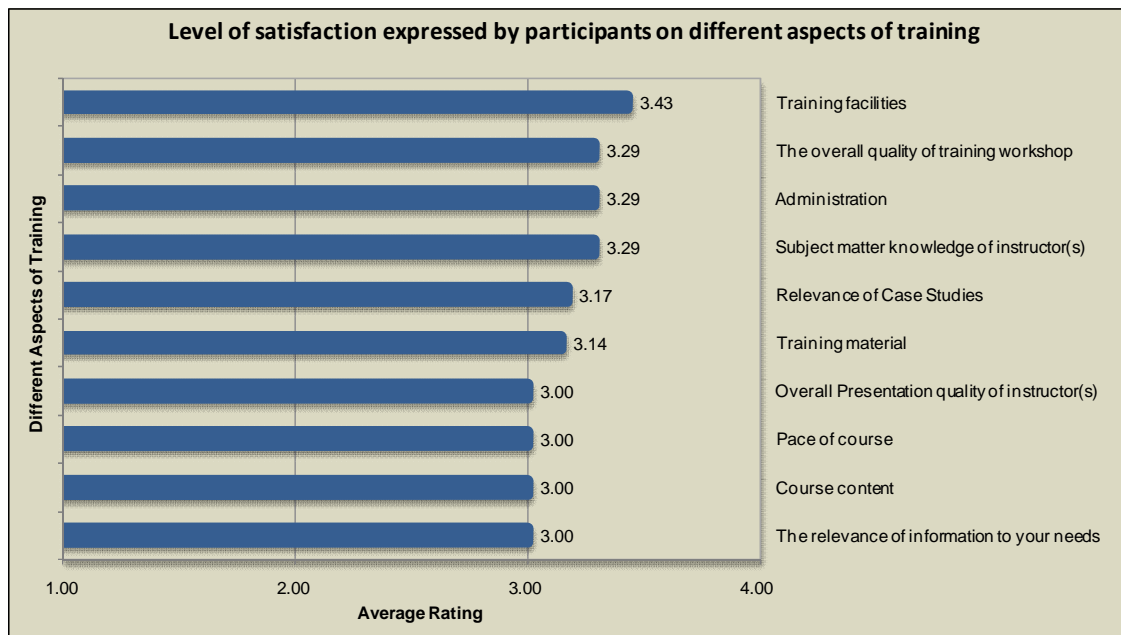


Figure 1

Participants were asked to rate each item on a four-point scale:

- 1 = Not satisfied
- 2 = Somewhat satisfied
- 3 = Satisfied
- 4 = Very satisfied

Figure 1 shows that, in head wise rating, *Training facilities* (3.43), *The overall quality of training workshop* (3.29), *Administration* (3.29) and *Subject matter knowledge of instructor(s)* (3.29) were rated very highly. On the other hand *Overall presentation quality of instructors*, *Pace of course*, *Course content* and *The relevance of information to your needs* have got comparatively lower ratings from the participants of the course

(3.00 each). However all of the achieved ratings represent *Satisfied to Very satisfied* on the Ratings Scale.

4.2 - Self-ratings of participants of their knowledge before and after attending the course

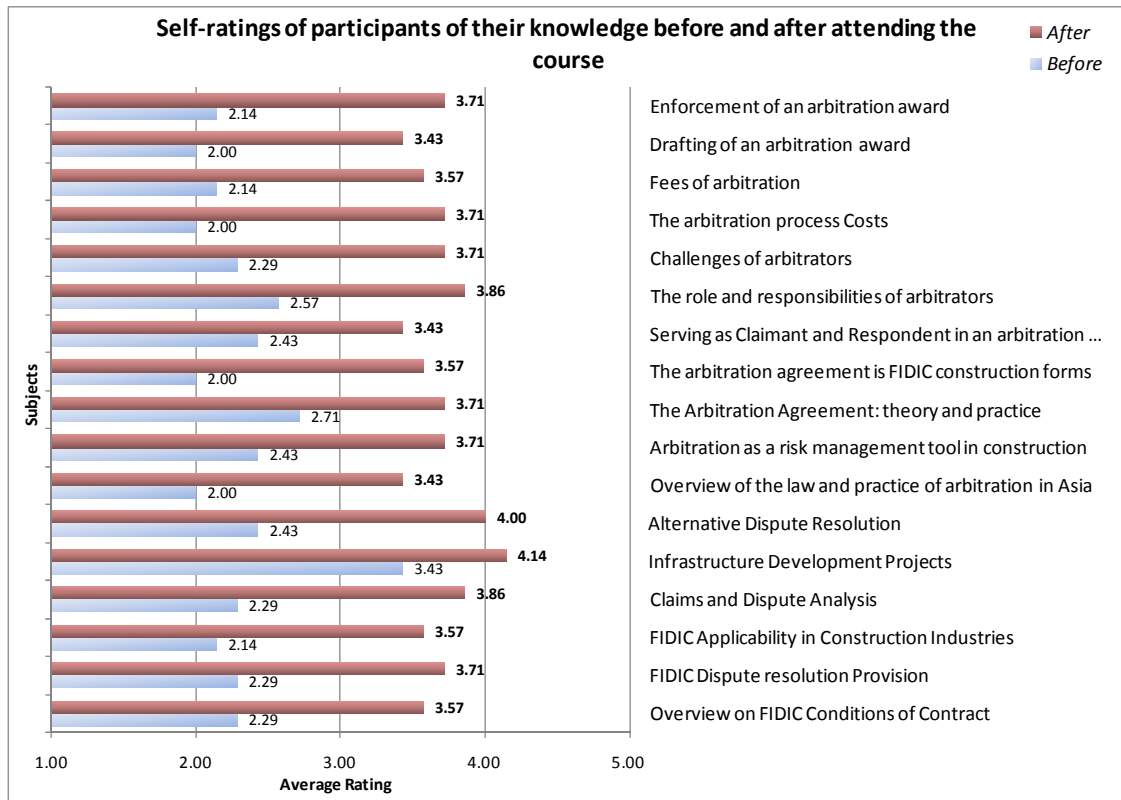


Figure 2

Participants were asked to rate their level of knowledge of each module taught with regard to before and after the training on a five-point scale as described below:

1. Very low = Know nothing about this topic
2. Low = Know very little about this topic
3. Moderate = Know about this topic but there is still a lot to learn
4. High = Have a good knowledge but there are still more things to learn
5. Very high = Know almost everything about this topic

Figure 2 illustrates that the most significant improvement in the knowledge of participants was noticed in *The arbitration process costs* i.e. from an average of 2.00 of pre-training to an average of 3.71 of post-training. This was followed by *The arbitration agreement is FIDIC construction forms* from an average of 2.00 to 3.57, while the least

gain in knowledge was observed in *Infrastructure Development Projects* i.e. from an average of 3.43 of pre-training to 4.14 of post-training.

4.3 - Individual evaluation of resource persons

In any training perhaps the most important input, aside from the participant, is the resource persons / trainers. In view of this it was thought essential that the participants should evaluate the resource persons of the said training. The participants' responses indicate that there were 7 resource persons in all. It needs to be mentioned that our evaluation questionnaire in this regard has place for only six resource persons, therefore some of the resource persons are not mentioned by all the scholars.

The participants were asked to rate the resource persons with regard to a number of skills:

- Qualification & experience
- Training methodology
- Knowledge of the topics
- Communication style
- Time management
- Availability for after session consultations
- Management of the learning process

The five-point scale used for the rating is as follows:

- | | | |
|---|---|---------------|
| 1 | = | Below average |
| 2 | = | Average |
| 3 | = | Good |
| 4 | = | Very good |
| 5 | = | Excellent |

Results for the same are shown below:

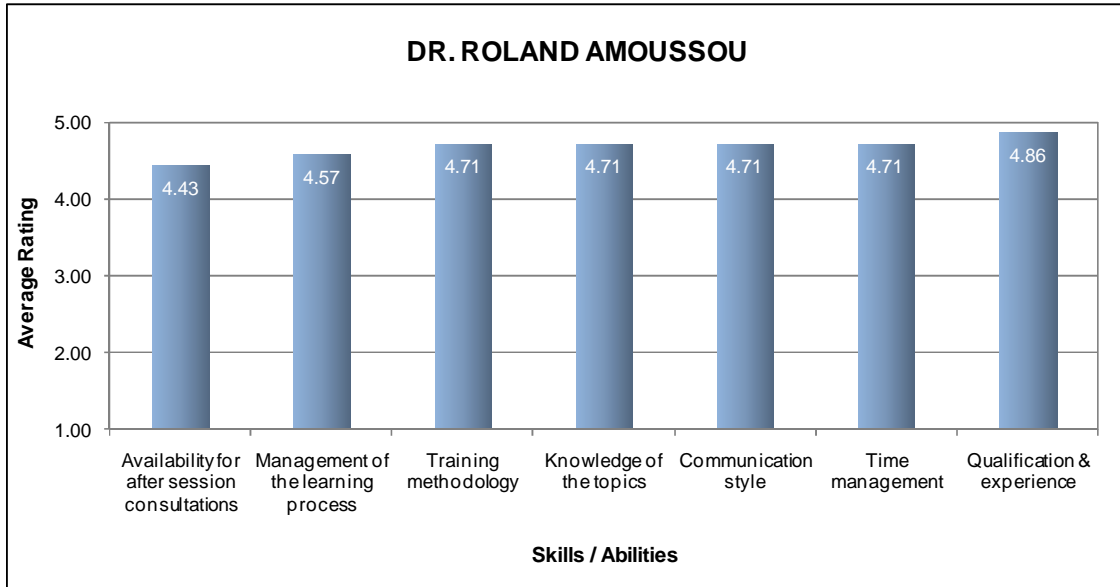


Figure 3

The averages for Dr. Roland Amoussou were calculated from the feedback of 7 participants. It is evident from the Figure 3 that all his skills and abilities were greatly appreciated by the participants and were given very high ratings. The participants rated all his attributes between *Very good* and *Excellent* on the ratings scale. He got the highest average rating (4.86) for his *Qualification and experience* and lowest (4.43) for his *Availability for after session consultations* (4.43).

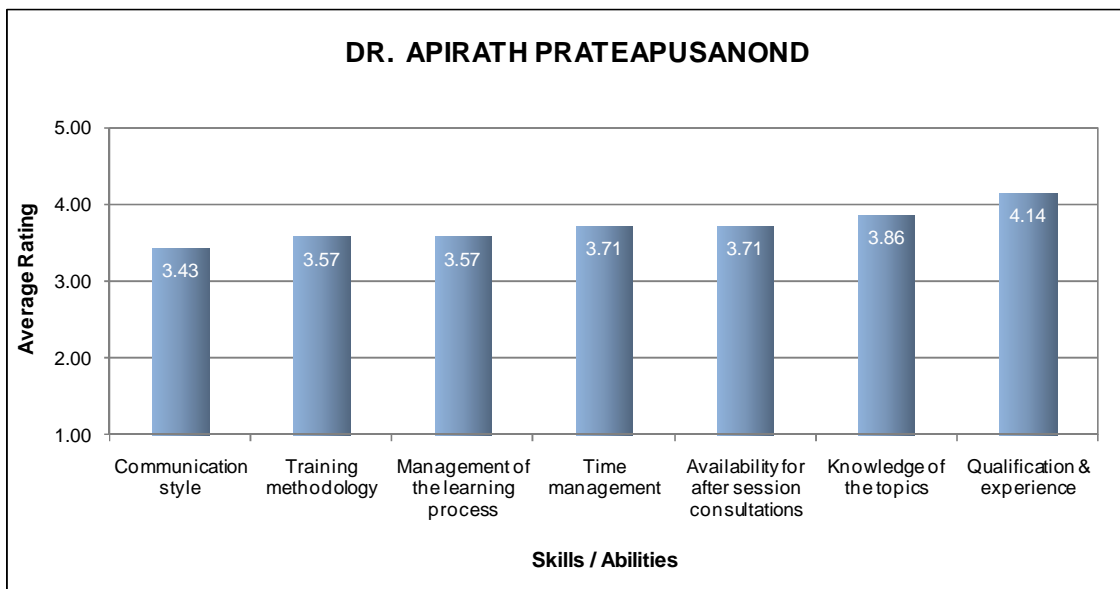


Figure 4

Figure 4 shows the average ratings that were assigned to the abilities of Dr. Apirath by the participants of the course. The *Qualification & experience* of Dr. Apirath was rated highest by the participants with average rating of 4.14. All of his other

attributes were given the average rating between 3.00 and 4.00 which represent *Good* and *Very good* on the Ratings Scale. The *Communication style* of Dr. Apirath was given the lowest rating (3.43) by the participants. The averages for Dr. Apirath were calculated from the feedbacks of 7 participants.

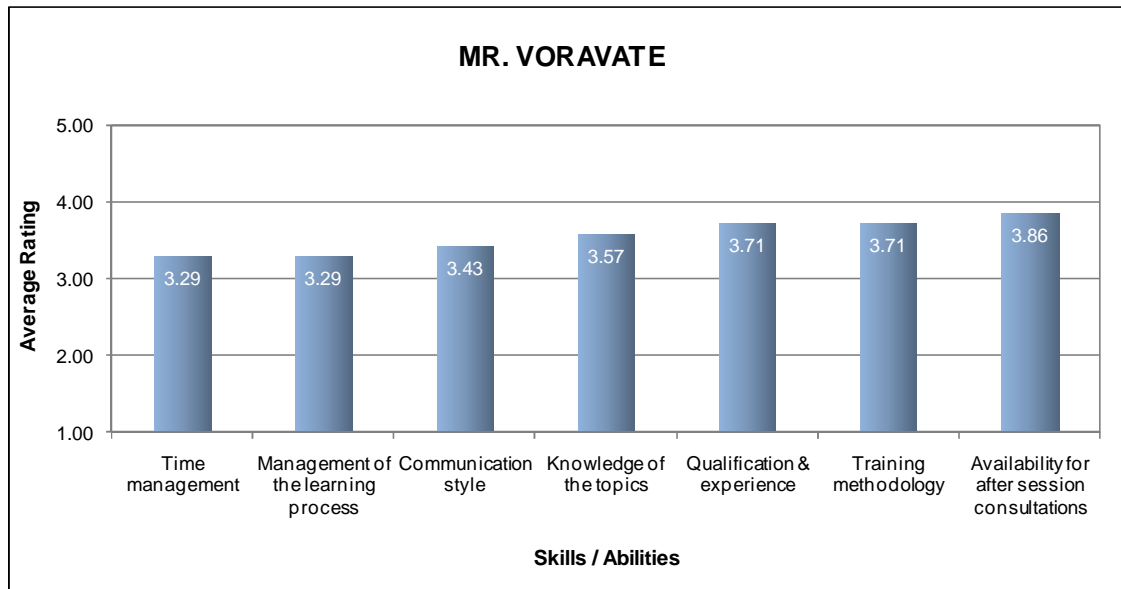


Figure 5

The average ratings for Mr. Vorvate were calculated from the feedback of 7 participants. All of his abilities and skills were given the ratings between *Good* to *Very good* by the participants. Mr. Vorvate's *Availability for after session consultations* (3.86), *Training methodology* (3.71) and *Qualification and experience* (3.71) were rated highest whereas his *Time management* and *Management of the learning process* were rated lowest with an average of 3.29 each.

The feedback of the participants regarding Mr. Vorvates's abilities and skills is shown in the Figure 5.

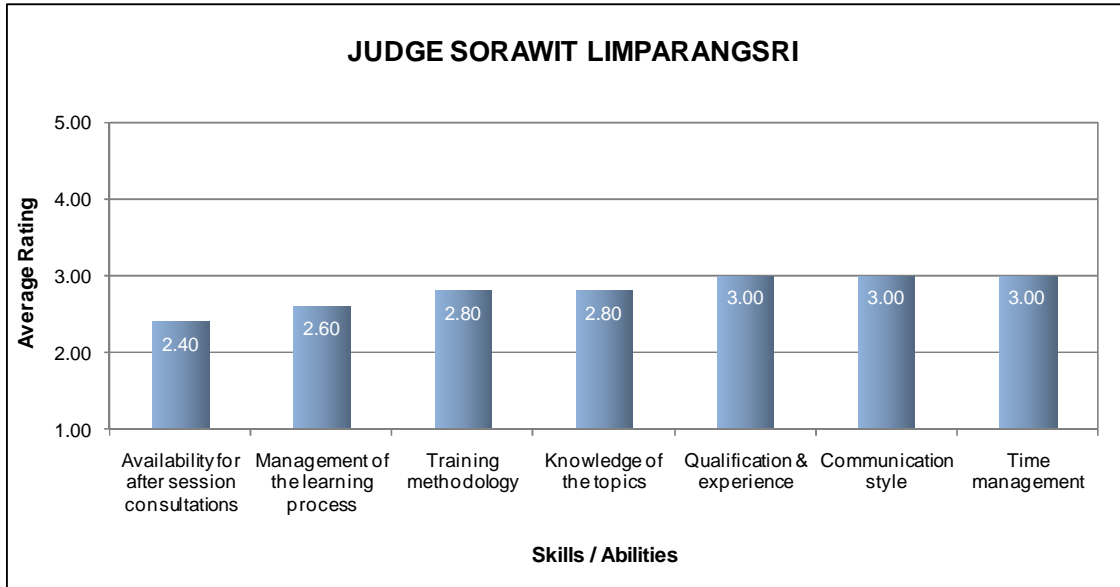


Figure 6

Figure 6 illustrates the averages of ratings assigned by the participants to Judge Sorawit's abilities and skills. The averages ratings for Judge Sorawit were calculated from the feedback of 5 participants. Majority of the abilities of Judge Sorawit were rated 3.00 or closer to 3.00 which represents *Good* on the Ratings Scale. His *Time Management*, *Communication Style* and *Qualification and experience* (each with 3.00) were given the highest ratings by the participants whereas his *Availability for after session consultations* was given the lowest (2.40).

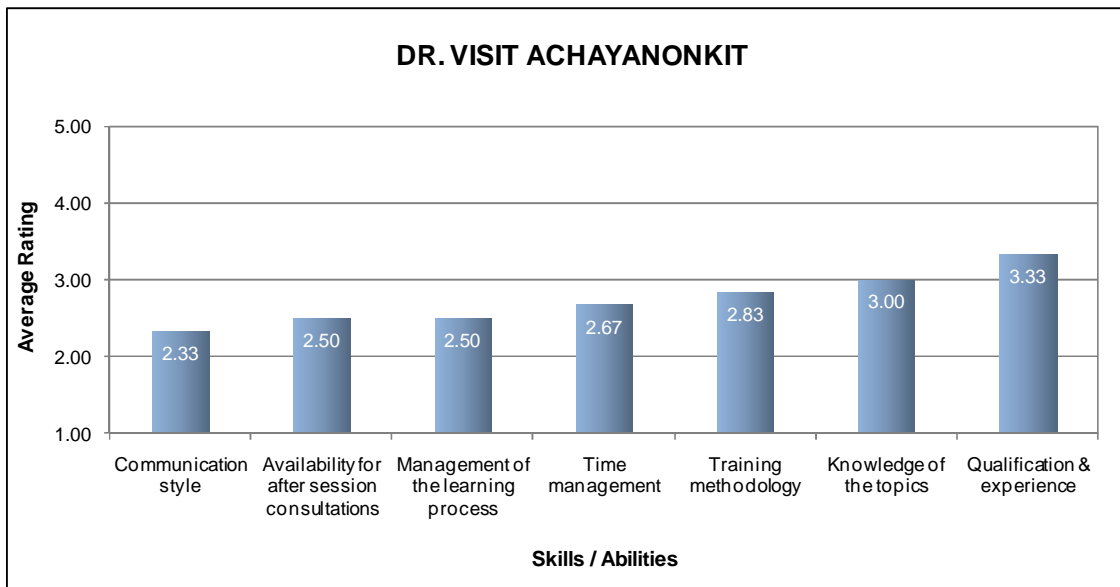


Figure 7

Figure 7 illustrates the average ratings that were assigned by the six participants to Dr. Visit's abilities. It can be seen from the chart that the *Qualification and experience*

and *Knowledge of the topics* of Dr. Visit were his highest rated attributes with averages of 3.33 and 3.00 respectively which is *Good to Very good* on the Ratings scale. The participants have rated all other Dr. Visit's abilities between 2.00 to 3.00 which is an *Average to Good* rating on the Ratings Scale.

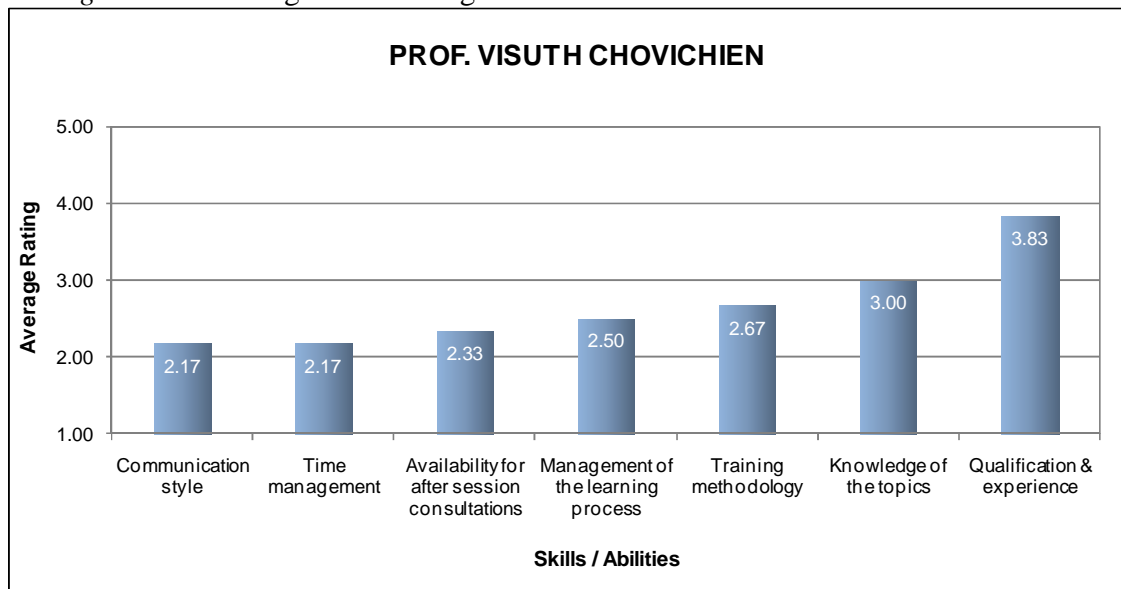


Figure 8

Figure 8 shows the feedback of participants regarding the abilities and skills of Prof. Visuth. Like Dr. Visit, Prof. Visuth's *Qualification and experience* and *Knowledge of the topics* were his highest rated attributes with averages of 3.83 and 3.00 respectively. The average ratings for all his other abilities and skills fall between 2.00 to 3.00 which represents an *Average to Good* rating on the Ratings Scale. These average ratings are based on the feedback of 6 participants.

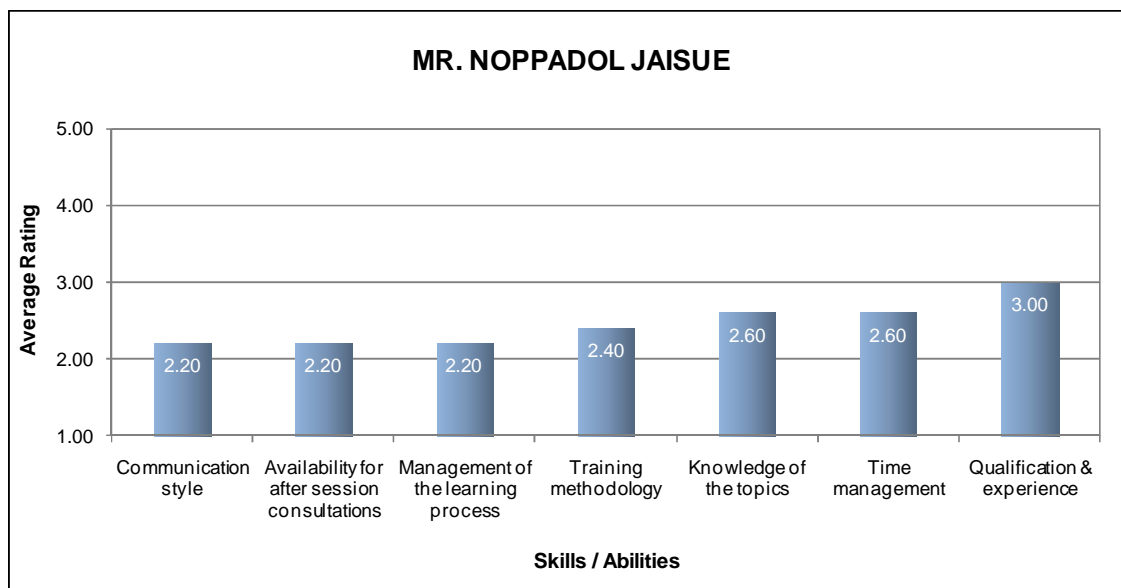


Figure 9

Mr. Noppadol’s average ratings are based on the feedback of 5 participants. The averages of participants’ feedbacks for all his abilities fall between 2.00 (*Average*) to 3.00 (*Good*) on the Ratings Scale. His *Qualification & experience*, *Time management* and *Knowledge of the topics* were rated highest with 3.00, 2.60 and 2.60 respectively by the participants whereas his *Communication style*, *Availability for after session consultations* got the lowest rating 2.20 each. Figure 9 shows the average ratings for all his attributes.

4.4 - A comparison of resource persons

The following chart is based on the performance comparison of all the resource persons. It is based on the range of questions asked from participants to rate the different individual abilities of the resource persons and has been presented to compare the overall performances of all resource persons.

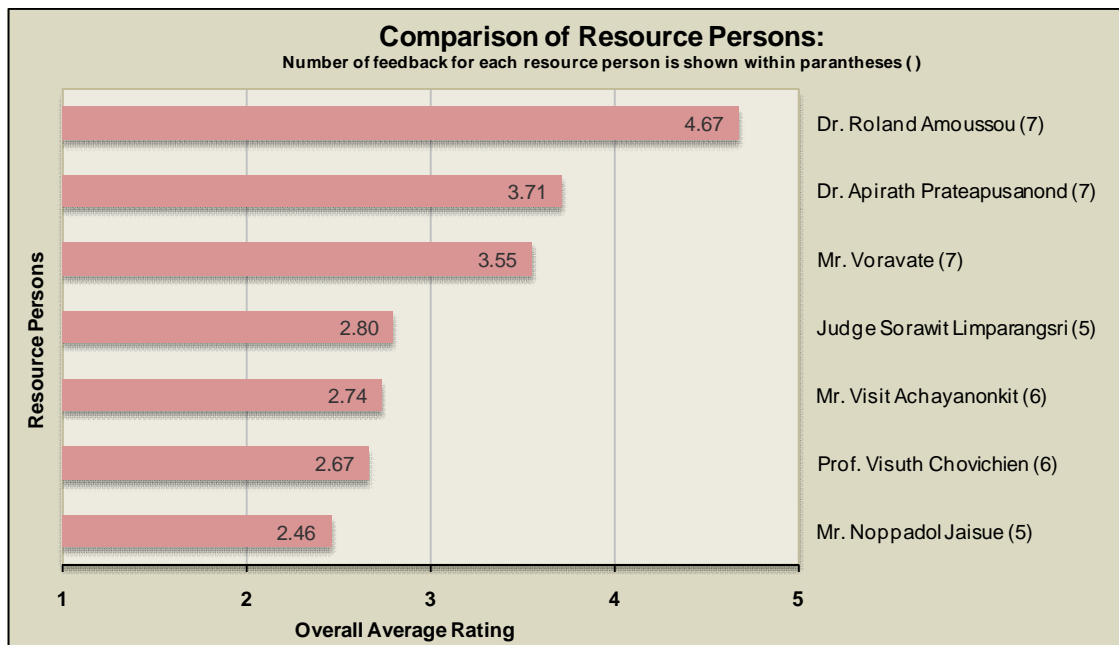


Figure 10

For the purpose of constructing this comparison, an average for the aggregate scores gained by resource persons from participants for each of their individual skill and ability was taken. The number of participants’ feedbacks for each resource person is shown in the parentheses against their names in the chart (Figure 10). The number of feedbacks varies for each participant largely because each participant was provided with a questionnaire for acquiring feedbacks for 6 Resource Persons but the participants’ selection of Resource Persons varied significantly.

It is evident from the chart (Figure 10) that the abilities & skills of Dr. Roland have got the highest average ratings of 4.67 (that represents *Very good to Excellent* rating on the Ratings Scale) by the participants. Dr. Apirath and Mr. Vorvate also got high ratings (*Good to Very good* rating on the Ratings Scale) from the participants of the course with 3.71 (7 feedbacks) and 3.55 (7 feedbacks) respectively.

The averages of ratings for the abilities and skills of the other Resource persons lie between 2.00 to 3.00 (*Average to Good* on the Ratings Scale). The average of ratings for Mr. Noppadol were calculated as 2.46 and was lowest among the resource persons of this course. His average was based on the feedback of 5 participants.

4.5 - Evaluation of the training in achieving the objectives at the department level

The participants' responses (verbatim) are as under:

- ◆ *I would say that it enhanced my knowledge as far as arbitration is concerned as emphasis was on this only.*
- ◆ *Very Good*
- ◆ *Very effective & satisfactory*
- ◆ *Training is quite useful in construction management. The training course is designed to look at the legal framework and tools for Construction Management from a general and practical perspective. The training has definitely enhanced our skills to manage projects.*
- ◆ *I could deliver my knowledge to my colleagues through training program for Contract Administration & ADR.*
- ◆ *Most definitely, I feel benefited from the skills Contract Management and Dispute Resolution in an effective manner. I feel capable of handling the situation more effectively in case of any dispute with the contractors during contract cycle. As a student of Engineering Management during my M.Sc., I had always felt the importance of Contract Administration and strongly realized that Irrigation Engineers must possess adequate knowledge of Project Management. Through this training, I am glad to gain some more knowledge with latest technique.*
- ◆ *I will try to implement the rules and regulations in resolving related problems.*

4.6 - How beneficial and relevant were the study visits with the rest of training and was there any model, which can be replicated in Pakistan

The majority of the participants were of the view that the study tours were relevant with the rest of training and beneficial but a couple of participants have declared these as not very much beneficial. They have also mentioned the models, which in their views can be replicated in Pakistan. Following are the participants' views (verbatim) in this regard:

- ◆ *Study visits though were not very much beneficial or relevant however sewage treatment plant in Bangkok should be replicated in our big cities.*
- ◆ *Basic purpose of training was to understand the concept of ADR. Field visits to O&M project and interaction with Consultants / Advisors were quite relevant with the training. In Pakistan, we can replicate Mega Projects of I&P and other Departments.*
- ◆ *The elevated Railway Project was related to the training course as the scheme was not completed due to dispute.*
- ◆ *The study visits of relevant sites were not so beneficial as should have. However the Tour Management (Traveling & Residence) was quite satisfactory.*
- ◆ *Individually, Thai people are much weaker even though they are much ahead of us since they move and strive collectively like a nation.*
- ◆ *The study visits were very beneficial, particularly of Pasak Dam, waste water treatment plant, High Rise Buildings and Fly-Over network in Bangkok. The idea of “Lift Irrigation System” on Pasak Dam can be well replicated in Pakistan as a number of Small Dams in Punjab are not being utilized effectively due to non-availability of command area.*

With application of ideas of constructing high-rise building and flyover network, a number of problems in major cities of Punjab can be well addressed. Horizontal spread of cities like Lahore can be controlled by making high-rise buildings.

- ◆ *Study visits were arranged excellently and helpful in understanding the real spirit of training. PASAK Dam Irrigation project, exactly like KALABAGH Dam it was initially opposed by some provinces. It’s feasibility study was conducted during 1965 but couldn’t be taken up due to conflict between provinces. Present king, who is basically an Irrigation Engineer, developed a consensus among the provinces. In the results, construction of this dam was started in 1989. Now this dam has been completed and playing important role in boosting up the economy of the country.*

Elevated Railway / Sky Train Project

This project can be replicated in Pakistan to improve the transportation facility in big cities. As due to increase in population, inhabitants of thickly populated areas are suffering badly. Due to shorter space on ground the movement of vehicular traffic cannot be arranged in good way. If the projects like Sky Train / Elevated Railway are implemented in big cities, traffic problems may be reduced to minimum.

4.7 - To what extent the objectives for going to this training were fulfilled

The pie chart below shows the percentage of stated objectives of participants that were fulfilled and those that remained unfulfilled.

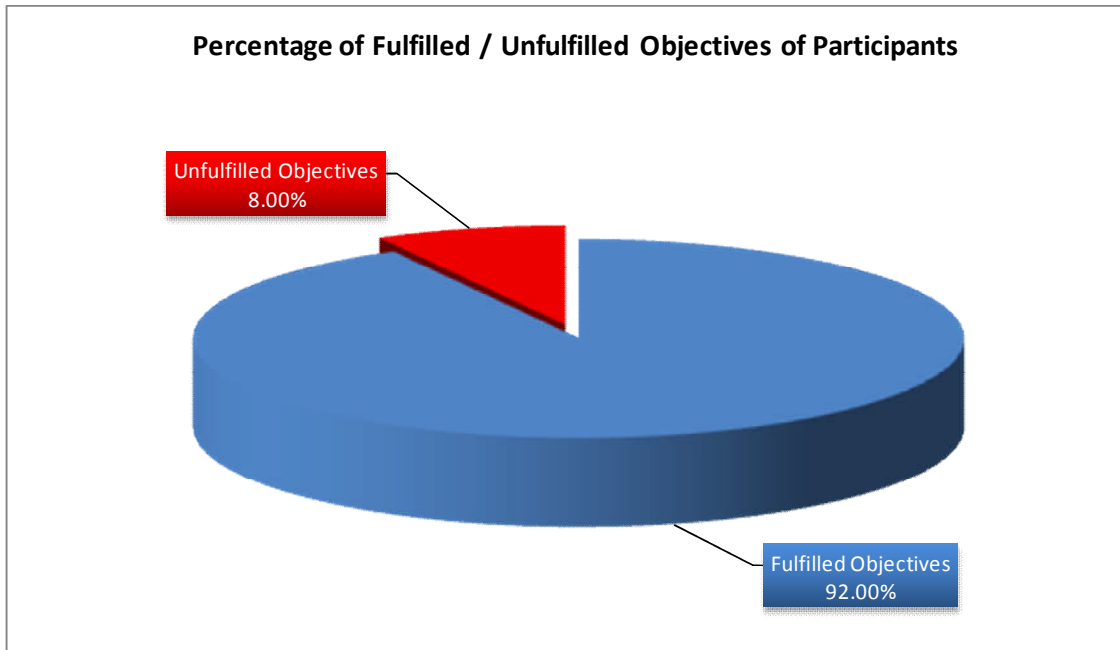


Figure 11

The participants stated 25 objectives in total. Out of which, 23 objectives were marked as fulfilled and 2 of the objectives were marked as unfulfilled by the participants.

All the stated objectives of the participants are attached at Annex-D, of this report.

The participants mentioned the following objective(s) as ‘not fulfilled’:

- 1) *Contract Administration*
- 2) *International Arbitration & ADR*

4.8 - Participants' feedback of most beneficial modules for the public sector

<p>Out of the whole course which modules did you find most beneficial for the Public Sector?</p>	<p style="text-align: center;">PARTICIPANTS' RESPONSES</p> <ul style="list-style-type: none"> ◆ <i>Alternative Dispute Resolution (5)</i> ◆ <i>Claim and Dispute Analysis (2)</i> ◆ <i>Field Visits to O&M Projects</i> ◆ <i>Case Study</i> ◆ <i>Claim & Dispute Analysis</i> ◆ <i>Arbitration</i> ◆ <i>The whole course was beneficial to resolve the serious issues which are often faced by engineers during project execution</i>
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There were few modules which were repeated, that is why the number of times a module was mentioned has been written afterwards within brackets.

4.9 - Modules that should have been added to the current course to make it more useful in view of participants

The participants were requested to identify those modules, which should have been added to the course they attended to make it more useful. The responses of the participants who have mentioned modules are given in the below table:

What	PARTICIPANTS' RESPONSES
modules you think should have been added to the current course, to make it more useful?	<ul style="list-style-type: none"> ◆ <i>Human Resource Development & Management Time & Risk Management To improve Communication Skills</i> ◆ <i>Practical Examples of cases / disputes resolved by ADR</i> ◆ <i>The course is complete, comprehensive and beneficial</i> ◆ <i>Some modules for Contract Administration; like SOPs for Claim Management (EOT, Variation Order, Idle Time and Price Adjustment) and dispute resolution in accordance with FIDIC 1999.</i> <ul style="list-style-type: none"> ▪ <i>Modules for electronic documents administration</i> ▪ <i>Modules for e-procurement in accordance with World Bank guidelines</i> ◆ <i>In my opinion, at least one lecture must be included on “Professional Ethics” in every training course. This will definitely help the participants from Public Sector towards increasing their working efficiency.</i>

4.10 - Modules identified by participants that were not so relevant for the Public Sector.

The participants were asked to mention the modules which were not so relevant for the Public Sector in their opinion. None of the modules was mentioned as irrelevant by any of the participants. All of the participants were unanimous in their feedback that all modules were relevant to the Public Sector.

4.11 Are you satisfied with the training attended

This question was included in the questionnaire to find out the number of participants who were satisfied with the training in general.

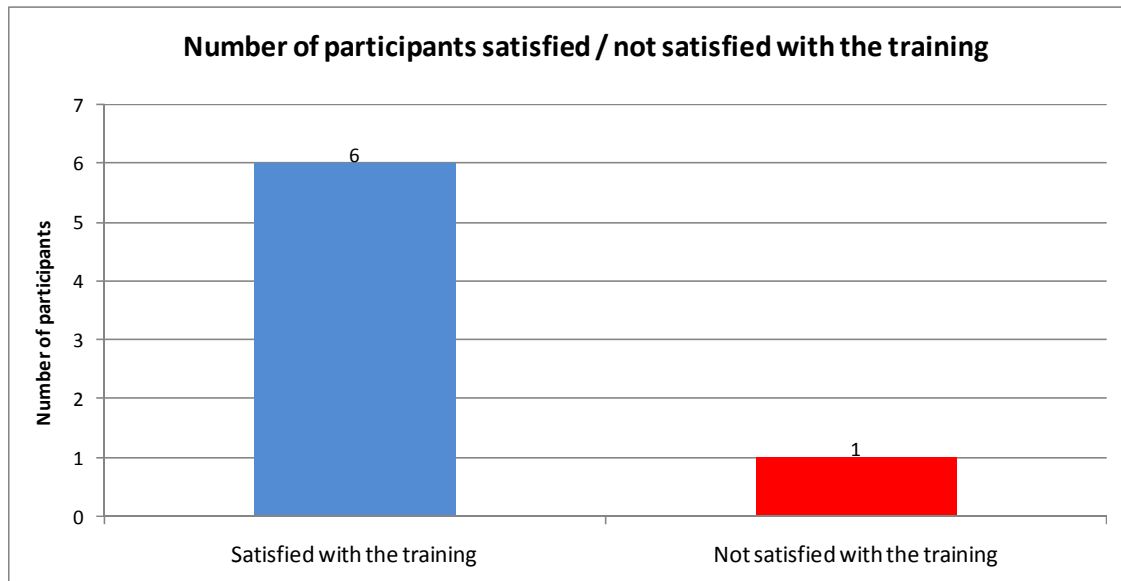


Figure 12

Six participants have expressed their satisfaction with the training while one of the participants has expressed dissatisfaction as shown in the above chart (figure 12). The participant has provided the following reasons for his dissatisfaction with the training:

- ◆ *The focus was on “ADR” only the portion of “Contract Administration” was ignored.*
- ◆ *The resource person for “FIDIC” was not well conversant nor having understandable accent.*

However all the participants have recommended this Course and the Institute for future training to other officers.

4.12 Were you satisfied with the logistical arrangements for training before your departure and during the program

This question was included in the questionnaire to find out the number of participants who were satisfied with the logistical arrangements before the departure and during the program.

Out of the seven participants, six have shown satisfaction with the logistical arrangements and one has shown dissatisfaction. The comments of the participant who has expressed his dissatisfaction with the logistical arrangements are as follows:

The cheque should be delivered at least 3 days prior to departure so that money could be collected before departure. In this case the cheque was delivered too late.

5- A COMPARISON BETWEEN ALL THE TEN COURSES CONDUCTED BY A.I.T.

In order to enhance the quality of training an effort has been made to compare all following ten trainings conducted by A.I.T. so far.

1. Hospital Management
2. Contract Administration & Alternative Dispute Resolution
3. Irrigation System Management
4. Construction Management
5. M&E of Infrastructure Development Project
6. Hospital Management-II
7. Hospital Management-III
8. Advance Competencies for Trainers
9. Zoo Management
10. Contract Administration & Alternative Dispute Resolution-II

5.1 - OVERALL RATING OF TRAINING PROGRAM AND INSTITUTE

The participants were asked to assign an overall rating to their training programs and the institute using the following five-point rating scale:

- | | | |
|---|---|-----------|
| 1 | = | Poor |
| 2 | = | Fair |
| 3 | = | Good |
| 4 | = | Very good |
| 5 | = | Excellent |

A comparison of the results for the same is shown below:

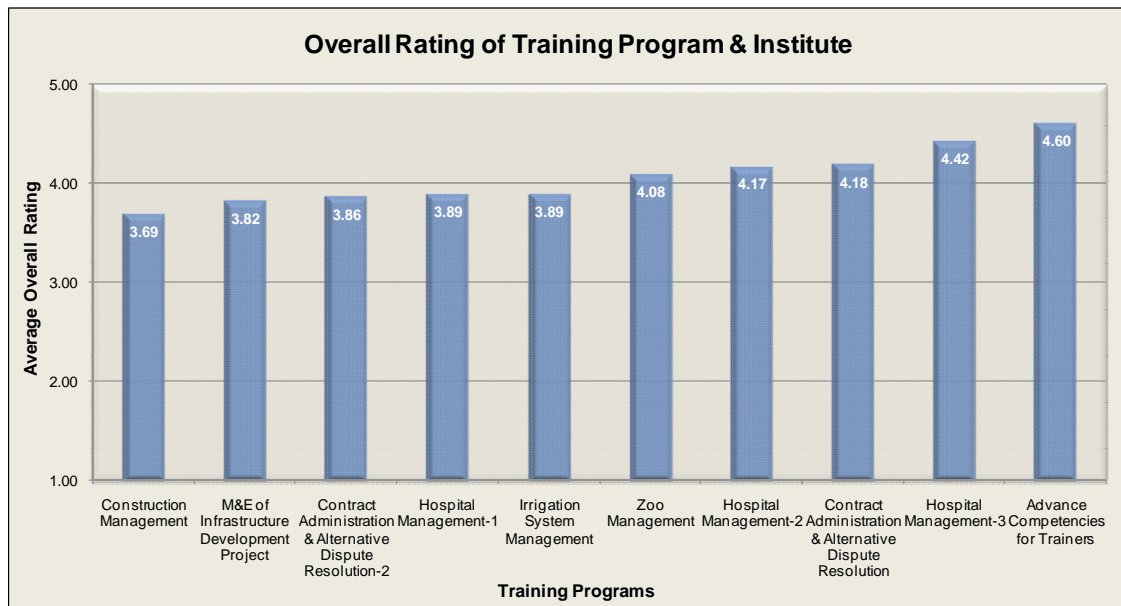


Figure 13

It is evident from the figure 13 that amongst all the training programs conducted by A.I.T. so far, the participants of *Advance Competencies for Trainers* have rated their Program and the Institute (A.I.T.) highest with an average rating of 4.60, which is a *Very Good to Excellent* rating on the Ratings Scale, followed by *Hospital Management-3* course with an average rating of 4.42. The participants of *Contract Administration, Arbitration & Alternative Dispute Resolution* course have given the average rating of 3.86 to their course and the institute.

The program *Construction Management* has been the lowest rated one so far with an average rating of 3.69 which is a *Good to Very Good* rating on the Ratings Scale. All other courses as can be seen in the chart above were also rated between *Good to Very Good* by the participants.

5.2 - COMPARISON BETWEEN THE ACHIEVED STATED OBJECTIVES OF PARTICIPANTS OF ALL TEN COURSES

The following chart demonstrates the results in percentage for the stated objectives of participants of the courses.

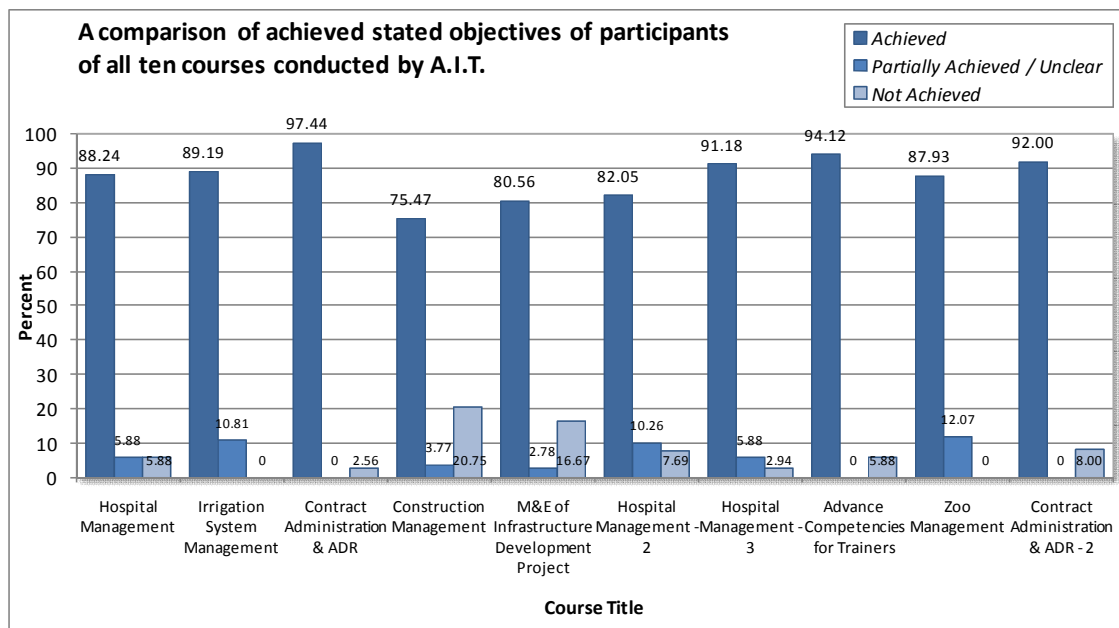


Figure 14

It can be seen from the Figure 14 which shows the comparisons of achieved objectives of participants for all ten courses that the course on *Contract Administration and Alternative Dispute Resolution (course-1)* has been the most successful one in terms of participants' achieved objectives. The course *Construction Management* was behind others in terms of percentage of achieved objectives of participants followed by *M&E of Infrastructure Development Project*.

6- A COMPARISON BETWEEN THE 2 CONTRACT ADMINISTRATION & ADR COURSES

This section has been added to compare the two Contract Administration and Alternative Dispute Resolution courses because this was the second course on the same topic conducted by A.I.T. It was thought useful to compare these two courses with each other to determine the changes that have been made from the previous courses.

In this regard the following aspects of the courses are compared in this section:

- Resource Persons
- Course Objectives
- Course Content

6.1 - RESOURCE PERSONS

6.1.1. List of resource persons

The following table shows the list of Resource persons of both Contract Administration & Alternative Dispute Resolution courses (referred to as Contract Administration & ADR-I for first course and Contract Administration & ADR-II for the second in this section):

Resource Persons	
CONTRACT ADMINISTRATION & ADR - I	CONTRACT ADMINISTRATION & ADR - II
Dr. Roland Amoussou	Dr. Roland Amoussou
Dr. Apirath Prateapusanond	Dr. Apirath Prateapusanond
Mr. Visit Achayanonkit	Mr. Visit Achayanonkit
Judge Sorawit Limparangsri	Judge Sorawit Limparangsri
Prof. Visuth Chovichien	Prof. Visuth Chovichien
Mr. Noppadol Jaisue	Mr. Noppadol Jaisue
Prof. Worsak Kanok-Nukulchai	Mr. Voravate
Dr. Kongkoon Tochaiwat	

It can be seen from the table above that the majority of the Resource Persons of the first course also taught in the second course. The only change was that Mr. Vorvate was included in the second course and Prof. Worsak and Dr. Kongkoon were excluded.

6.1.2. Comparison between the abilities and skills of the resource persons

The following chart compares the abilities and skills of the resource persons of both Hospital Management courses as rated by the participants of respective courses.

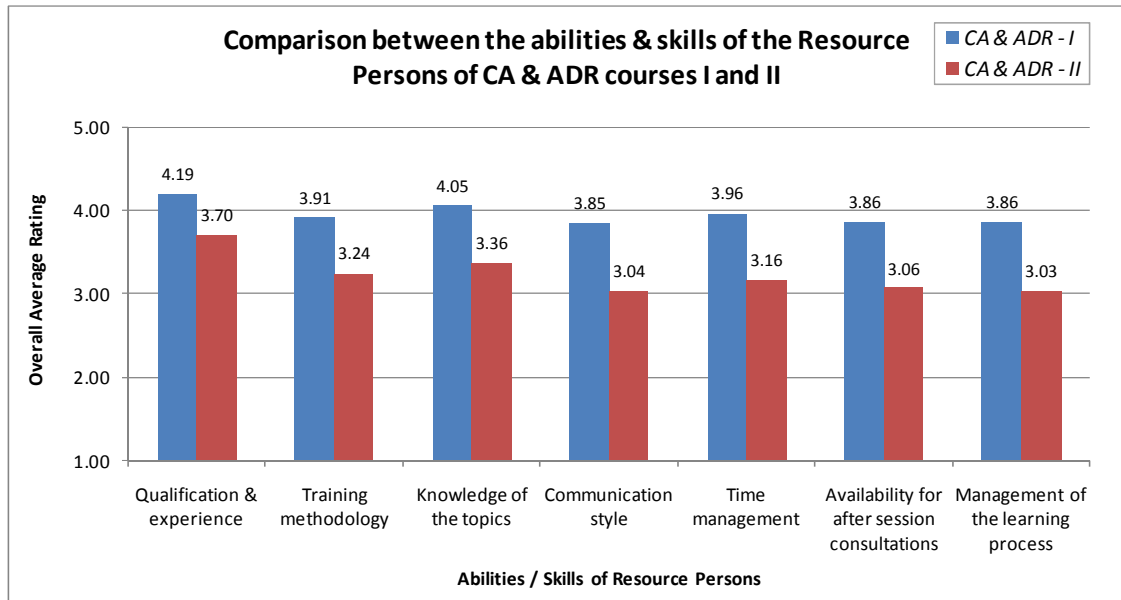


Figure 15

It is evident from the above chart (Figure 15) that all of the abilities / skills of resource persons of Contract Administration & ADR - II course were given much lower ratings by the participants than those of the first course.

It is to be mentioned here that the majority of the Resource Persons (six out of seven) were same for the second course on Contract Administration & ADR-II as for the first course.

6.2 - COMPARISON BETWEEN COURSE OBJECTIVES

The course objectives as conveyed by A.I.T. for both Contract Administration & ADR courses were same and are as follows:

Course Objectives:

At the end of this course the Punjab government officials and engineers will:

- ❖ *Enrich their knowledge on FIDIC's condition of contract, especially on Claims and Dispute Resolution*
- ❖ *Have awareness on approaches used in analyzing claims and actions to be taken in response to such claims*
- ❖ *Have an increased knowledge of Arbitration and ADR*

- ❖ *Learn how to draft arbitration agreements, submissions and awards*
- ❖ *Identify the different ADRs and how they work*
- ❖ *Improve their skills in using Arbitration and ADR processes*

6.3 - COMPARISON BETWEEN THE COURSE CONTENT

Following are the lists of modules of both Contract Administration & ADR courses:

The course outline of both the courses is as follows:

- ❖ *Overview on FIDIC Conditions of Contract*
- ❖ *FIDIC Dispute resolution Provision*
- ❖ *FIDIC Applicability in Construction Industries*
- ❖ *Claims and Dispute Analysis*
- ❖ *Infrastructure Development Projects*
- ❖ *Alternative Dispute Resolution*
- ❖ *Overview of the law and practice of arbitration in Asia*
- ❖ *Arbitration as a risk management tool in construction*
- ❖ *The Arbitration Agreement: theory and practice*
- ❖ *The arbitration agreement is FIDIC construction forms*
- ❖ *Serving as Claimant and Respondent in an arbitration of construction dispute*
- ❖ *The role and responsibilities of arbitrators*
- ❖ *Challenges of arbitrators*
- ❖ *The arbitration process Costs*
- ❖ *Fees of arbitration*
- ❖ *Drafting of an arbitration award*
- ❖ *Enforcement of an arbitration award*

The contents of the first and the second course on Contract Administration and ADR were also same.

7- RECOMMENDATIONS

Recommendations of the participants are given below in their own words:

- ◆ *The training course was well planned, organized and cover almost all the aspects of the given topic. However, it is likely to be added to cover the topic on human psychology so that the officers of Government Departments can interact with construction firms in a better way.*
- ◆ *The PRMP is doing good job and it will definitely contribute in good governance. The sincere efforts and effective steps being taken by PRMP are really very much appreciable.*
- ◆ *After enhancing the quality of course and as I had expectation as stated at Sr. No. 4b above, I may kindly be given a chance to fulfill my expectations.*

- ◆ *An excellent opportunity for us as Professional Engineers and there is a dire need for more courses of different natures which will certainly help in enhancing working efficiency and skills of modern concepts in engineering management.*
- ◆ *It would a better idea for the department to prepare a database of all engineers working in the department so that required areas of specialization and interest of particular engineers can be well assessed while making nomination of the courses.*
- ◆ *It is a good opportunity to train engineer for contract administration. This training may be arranged for all the engineers of executive level.*

ANNEXES

ANNEX A: QUESTIONNAIRE

SHORT COURSE-POST TRAINING EVALUATION FORM
ASIAN INSTITUTE OF TECHNOLOGY
*Contract Administration, Arbitration and Alternative Dispute
Resolution (ADR)*
(September 2009)

PERSONAL INFORMATION		
1. Name:	2. Gender:	Male Female
3. Designation & Department:		
4. Occupational Group/Service:	5. Pay Scale:	
6. Date of Birth:	7. Year of Joining Service:	

1) Education:

Degree	Subject	Institution	Year
M.A. / M.Sc.			
Professional Degree			
Others			

Evaluation OF Short Executive Courses Please provide your candid evaluation of the Short Course that you have just undertaken. Your evaluation will help to improve the future delivery of trainings by Punjab Resource Management Program.

2) Were you satisfied with the logistical arrangements for training before your departure and during the program?

Yes No

If no, why [please use extra sheet, if required]:

3) Training Program:

a. Title of the Training:

b. Name of the Institute / Department:

c. Are you satisfied with the Training attended?

Yes No

If no, than kindly elaborate [Please feel free to use extra sheet, if required]:

d. Out of the whole course, which, modules did you find most beneficial for the Public Sector?

e. What were the modules, which were not so relevant (identify 2-3 only) for the Public Sector?

f. What modules you think should have been added to the current course, to make it more useful?

g. Would you like to recommend your Course and Institute for future training to other officers?

Yes No

		Poor	Fair	Good	Very good	Excellent
h.	Your overall rating of Training Program and Institute.	1	2	3	4	5

4) Learning Objectives

4.a) What were your objectives for going to this Training?

4.b) To what extent were these objectives fulfilled?

Objectives		Fulfilled	Not Fulfilled
1.			
2.			
3.			
4.			
5.			

4.c) How would you evaluate the training in achieving your objectives at the departmental level?

5) Training Evaluation

5.a) Overall Evaluation of Training

How satisfied are you with:	Not Satisfied	Somewhat Satisfied	Satisfied	Very Satisfied
The relevance of information to your needs?	1	2	3	4
Course content	1	2	3	4
Pace of course	1	2	3	4
Training Material	1	2	3	4
Relevance of Case Studies	1	2	3	4
Overall Presentation quality of instructor(s)?	1	2	3	4
Subject matter knowledge of instructor(s)?	1	2	3	4
Training facilities?	1	2	3	4
Administration	1	2	3	4
The overall quality of the training workshop?	1	2	3	4

5.b) Resource Person Evaluation:

a. Resource Persons Evaluation (_____)

		Below average	Average	Good	Very good	Excellent
A	Qualification & experience	1	2	3	4	5
B	Training Methodology.	1	2	3	4	5
C	Knowledge of the topics	1	2	3	4	5
D	Communication style	1	2	3	4	5
E	Time management	1	2	3	4	5
F	Availability for after session consultations.	1	2	3	4	5

G	Management of the learning process	1	2	3	4	5
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b. Resource Persons Evaluation (_____)

		Below average	Average	Good	Very good	Excellent
A	Qualification & experience	1	2	3	4	5
B	Training Methodology.	1	2	3	4	5
C	Knowledge of the topics	1	2	3	4	5
D	Communication style	1	2	3	4	5
E	Time management	1	2	3	4	5
F	Availability for after session consultations.	1	2	3	4	5
G	Management of the learning process	1	2	3	4	5

c. Resource Persons Evaluation (_____)

		Below average	Average	Good	Very good	Excellent
A	Qualification & experience	1	2	3	4	5
B	Training Methodology.	1	2	3	4	5
C	Knowledge of the topics	1	2	3	4	5
D	Communication style	1	2	3	4	5
E	Time management	1	2	3	4	5
F	Availability for after session consultations.	1	2	3	4	5
G	Management of the learning process	1	2	3	4	5

d. Resource Persons Evaluation (_____)

		Below average	Average	Good	Very good	Excellent
--	--	----------------------	----------------	-------------	------------------	------------------

A	Qualification & experience	1	2	3	4	5
B	Training Methodology.	1	2	3	4	5
C	Knowledge of the topics	1	2	3	4	5
D	Communication style	1	2	3	4	5
E	Time management	1	2	3	4	5
F	Availability for after session consultations.	1	2	3	4	5
G	Management of the learning process	1	2	3	4	5

e. Resource Persons Evaluation (_____)

		Below average	Average	Good	Very good	Excellent
A	Qualification & experience	1	2	3	4	5
B	Training Methodology.	1	2	3	4	5
C	Knowledge of the topics	1	2	3	4	5
D	Communication style	1	2	3	4	5
E	Time management	1	2	3	4	5
F	Availability for after session consultations.	1	2	3	4	5
G	Management of the learning process	1	2	3	4	5

f. Resource Persons Evaluation (_____)

		Below average	Average	Good	Very good	Excellent
A	Qualification & experience	1	2	3	4	5
B	Training Methodology.	1	2	3	4	5
C	Knowledge of the topics	1	2	3	4	5
D	Communication style	1	2	3	4	5

E	Time management	1	2	3	4	5
F	Availability for after session consultations.	1	2	3	4	5
G	Management of the learning process	1	2	3	4	5

5. c) Please explain how beneficial and related were the study visits with the rest of your training, and was there any model which can be replicated in Pakistan:

6) Level of Knowledge: Contract Administration, Arbitration and Alternative Dispute Resolution (ADR)

Please circle the appropriate number to indicate your level of knowledge about the following topics **before** and **after** completing the program. Please use the following key for rating:

- 1. Very Low = Know nothing about this topic
- 2. Low = Know very little about this topic
- 3. Moderate = Know about this topic but there is still a lot to learn
- 4. High = Have a good knowledge but there are still more things to learn
- 5. Very High = Know almost everything about this topic

How do you rate your knowledge about:	BEFORE THIS WORKSHOP					AFTER THIS WORKSHOP				
	Very Low	Low	Mode-rate	High	Very High	Very Low	Low	Mode-rate	High	Very High
Overview on FIDIC Conditions of Contract	1	2	3	4	5	1	2	3	4	5
FIDIC Dispute resolution Provision	1	2	3	4	5	1	2	3	4	5
FIDIC Applicability in Construction Industries	1	2	3	4	5	1	2	3	4	5
Claims and Dispute Analysis	1	2	3	4	5	1	2	3	4	5
Infrastructure Development Projects	1	2	3	4	5	1	2	3	4	5
Alternative Dispute Resolution	1	2	3	4	5	1	2	3	4	5
Overview of the law and practice of arbitration in Asia	1	2	3	4	5	1	2	3	4	5

Arbitration as a risk management tool in construction	1	2	3	4	5	1	2	3	4	5
The Arbitration Agreement: theory and practice	1	2	3	4	5	1	2	3	4	5
The arbitration agreement is FIDIC construction forms	1	2	3	4	5	1	2	3	4	5
Serving as Claimant and Respondent in an arbitration of construction dispute	1	2	3	4	5	1	2	3	4	5
The role and responsibilities of arbitrators	1	2	3	4	5	1	2	3	4	5
Challenges of arbitrators	1	2	3	4	5	1	2	3	4	5
The arbitration process Costs	1	2	3	4	5	1	2	3	4	5
Fees of arbitration	1	2	3	4	5	1	2	3	4	5
Drafting of an arbitration award	1	2	3	4	5	1	2	3	4	5
Enforcement of an arbitration award	1	2	3	4	5	1	2	3	4	5

7) Any other suggestion / comment.

Name: _____

Signature: _____

Date: _____

Contact Telephone No: _____

Note:

The information contained in this Performa will be used for evaluation and analysis. We may also use your comments in certain publications/ reports.

ANNEX B: COURSE CONTENT

COURSE OUTLINE

- ❖ Overview on FIDIC Conditions of Contract
- ❖ FIDIC Dispute resolution Provision
- ❖ FIDIC Applicability in Construction Industries
- ❖ Claims and Dispute Analysis
- ❖ Infrastructure Development Projects
- ❖ Alternative Dispute Resolution
- ❖ Overview of the law and practice of arbitration in Asia
- ❖ Arbitration as a risk management tool in construction
- ❖ The Arbitration Agreement: theory and practice
- ❖ The arbitration agreement in FIDIC construction forms
- ❖ Serving as Claimant and Respondent in an arbitration of construction dispute
- ❖ The role and responsibilities of arbitrators
- ❖ Challenges of arbitrators
- ❖ The arbitration process Costs
- ❖ Fees of arbitration
- ❖ Drafting of an arbitration award
- ❖ Enforcement of an arbitration award

ANNEX C: METHODOLOGY

Evaluation is the comparison of actual project impacts against the agreed strategic plans. It looks at what you set out to do, at what you have accomplished, and how you accomplished it. It can be **formative** (taking place during the life of a project or organization, with the intention of improving the strategy or way of functioning of the project or organization). It can also be **summative** (drawing lessons from a completed project or an organization that is no longer functioning). In addition, experts usually distinguish among four levels of training evaluation, which were first developed by Donald L. Kirkpatrick in 1959:

Level 1 : Reaction - *Measures participant's opinions about the course. This is the most common way to evaluate a course and provides a measure of customer satisfaction. It is low cost; easy to administer, provides insights into participants' opinions. This method provides quick feedback regarding successes and failures.*

Level 2: Learning - *Can include tests of performance before and after the course*

Level 3: Transfer to the job - *Measures how the knowledge, skills and values from a course are used on the job. Typically measures 3 to 6 months after training*

Level 4: Organizational impact - *Measures performance improvements, quality improvements and cost savings to an organization*

This evaluation report is based on the first level technique, that is the reaction of the participants. The other three advanced levels of evaluation require much more time and resources than level 1.

Methods used:

The total number of participants was 14, out of which only 7 have filled in the Questionnaire. This means that we were handicapped by the small number of participants, which obviously resulted in the availability of limited data. It is because of this that the sampling technique was not used, as the total amount of data available was itself small enough to be easily manageable. It is because of this that all the available data has been carefully and systematically incorporated in the evaluation process.

In the development of this report Methodological triangulation was employed. Two separate sources of data collection were used, one of the questionnaire, and the other of the select interview. However, within the first method of questionnaire, two within-method techniques were used, that is *the Rankings* and the *Rating Scales*. The objective is that to see if there is room for improvement and to communicate that information to AIT.

Structure of Post-Training Evaluation Form / Questionnaires:

Questionnaires were carefully designed in such a way so as to acquire the relevant data from participants, which could subsequently be used to review and assess the quality of training provided by AIT. Evaluation process requires a combination of quantitative and qualitative

information in order to be comprehensive and hence the questionnaires were custom designed to yield quantitative as well as qualitative data. The questions used in the questionnaire were both open-ended questions and the closed-ended ones. The objective was to obtain explanatory responses from participants, their observations and their candid views on different aspects of training.

The questionnaire was further developed in a way that involved both the ranking and ratings scale. Ranking was incorporated to judge what participants found most/ least useful during the course. The Rankings method involves getting participants to state what they consider most important, most useful, least important, least useful, etc. It can be used with individuals and groups, as part of an interview schedule or questionnaire, or as a separate session. The Rating Scale method was included to let the participants express their level of liking and disliking about various fields of training. This technique makes use of a continuum, along which participants are expected to place their own feelings, observations etc. People are usually asked to say whether they agree strongly, agree, don't know, disagree, disagree strongly with a statement.

Process:

All the participants of the course were provided with the questionnaires and were requested to fill in the required fields as per their experiences and observations during training.

In addition, the method of select semi-structured one on one interview was employed to complement the process of information acquisition and these outcomes were considered while preparing recommendations.

The data from questionnaires was meticulously extracted and compiled. Statistical techniques were used to convert responses into means (averages), frequencies and percentages for further clearer analysis. After a thorough analysis, the analyzed data was organized in the form of lists, graphs, summaries and charts and has been included in the succeeding section.

At the end of the report recommendations and suggestions for improvement of training courses has been provided as per the recommendations provided by the participants themselves.

ANNEX D: ALL THE STATED OBJECTIVES OF PARTICIPANTS FOR THE TRAINING

(√ represents fulfilled objectives while X represents those that were not fulfilled)

OBJECTIVES	Fulfilled / Not Fulfilled
❖ <i>Dispute Resolution Techniques</i>	√
❖ <i>Contract Administration</i>	X
❖ <i>How progress is achieved by a nation</i>	√
❖ <i>Optimum use of human resources and skills</i>	√
❖ <i>Time Management to achieve the objectives & goals</i>	√
❖ <i>Analyzing claim & action</i>	√
❖ <i>Increased knowledge of arbitration & ADR</i>	√
❖ <i>Project Planning & Action Plan</i>	√
❖ <i>Risk Analysis</i>	√
❖ <i>Claims Prevention and Resolution Strategy</i>	√
❖ <i>In-time completion with no Risk and claim etc.</i>	√
❖ <i>Disputes Management</i>	√
❖ <i>Learning in accordance with the International Organization of Standards "ISO" wherein contract Administration & ADR through proper SOPs and TOR and their implementations</i>	√
❖ <i>E-documentation for effective control on claim and dispute management</i>	√
❖ <i>E-procurement to develop transparency and efficiency in Contract Administration</i>	√
❖ <i>Claim Management, especially EOT, Variations, Price Adjustment, termination of contract</i>	√
❖ <i>International Arbitration & ADR</i>	X
❖ <i>To know about the latest techniques on Contract Management, Dispute Resolution (particularly ADR)</i>	√
❖ <i>To interact and work together with AIT people towards enhancing skills on modern system of management</i>	√
❖ <i>To increase my knowledge and skills on contract documentation and arbitration</i>	√
❖ <i>To know about the fast track development in Thailand towards construction industry</i>	√
❖ <i>Sightseeing and to know about the cultural values and social system of Thailand</i>	√
❖ <i>How to evolved the disputed issue between two parties</i>	√
❖ <i>How to resolve this disputed issue as arbitration</i>	√
❖ <i>How to implement the results of arbitration</i>	√