

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

**CONTRACT ADMINISTRATION AND  
ALTERNATIVE DISPUTE RESOLUTION**

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## 1- BACKGROUND

The ability of the officials to perform their assigned tasks is crucial to the efficient performance of the tasks of 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 programmes to world reputed universities, in areas of value to the provincial government. In addition, it also includes sending selected government employees on short courses to various institutions, such as the Civil Service College, Singapore, and the Asian Institute of Technology ( A.I.T) Thailand.

The first batches to the A.I.T were sent in May and June of this year. So far three batches have been sent, two from the Irrigation & Power Department, and one from the Health Department. The first course was on “Contract Administration, Arbitration and Alternate Dispute Resolution”. Irrigation is an engineering department, and involves 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*.

It was decided by PRMP to conduct an evaluation of this training, with a view to assess the course, its contents and resource persons and usefulness for the Government of Punjab, with a view to send officials to this course in the future as well. It is also desired that any short comings and positive suggestions may be identified with a view to communicating the same to A.I.T, so that they may improve the course for the future batches that are sent on the said course.

## 2- 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 organisation, with the intention of improving the strategy or way of functioning of the project or organisation). It can also be **summative** (drawing lessons from a completed project or an organisation 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.

### **2.1 Methods used:**

The total number of participants was 18, out of which only 11 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.

## **2.2 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.

## **2.3 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.

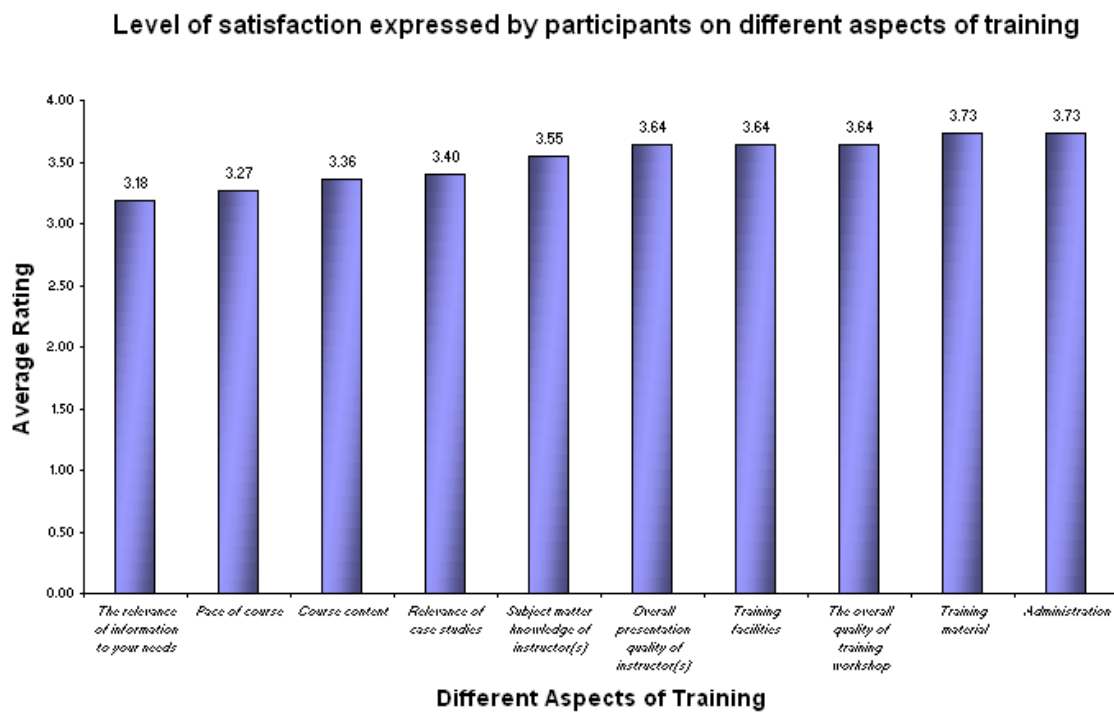
The data from questionnaires was meticulously extracted and compiled. Statistical techniques were used to convert responses into means (averages), frequencies and percentages for further clearer analysis. After a thorough analysis, the analyzed data was organized in the form of lists, graphs, summaries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

### 3- FINDINGS

#### 3.1 Level of satisfaction expressed by participants on different aspects of training

The participants have shown an overall high level of satisfaction with the course content and logistical arrangements. They have also showed a general level of satisfaction with the resource persons and the field/ study visits. The participants have recommended that the course and the training at A.I.T, should be repeated for other recipients as well. All their responses in this regard have been conveyed below in the form of graphs, pie charts, matrixes/ tables etc.



**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

It is evident from the data acquired that participants are very satisfied with the course, with overall average ranking of 3.51. Administration and training material were rated very

highly (3.73). “Relevance of information to your needs” received the lowest average ranking (3.18) with pace of course at the second last position with (3.27). However, it needs to be mentioned that the ranking of 3.18 still falls above the “satisfaction” rating. Average scores received for each individual aspect of training was higher than 3 implying that the participants were extremely satisfied with all elements of training.

### 3.2 Self-ratings of participants of their knowledge before and after the course

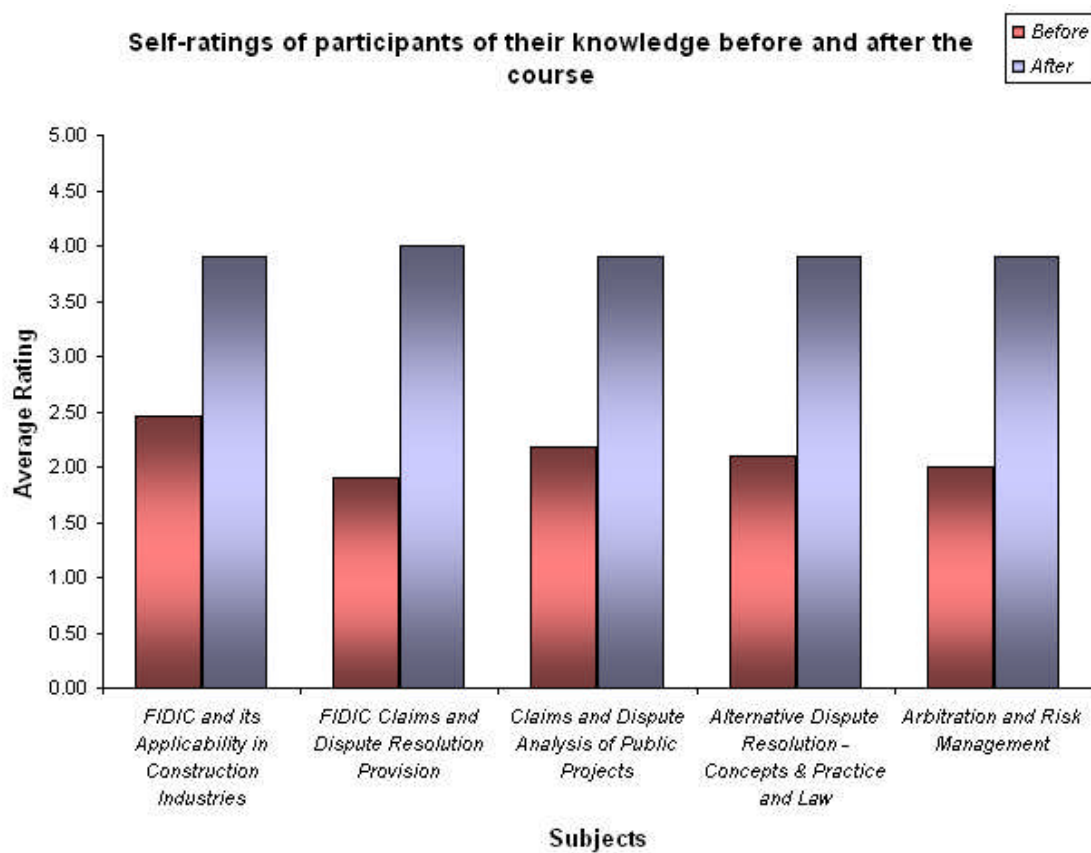


Figure 2

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

The graph above shows that the level of knowledge of all participants about the subjects raised noticeably from “less than moderate” of pre-training to “high” of post-training..

Most significant improvement in the knowledge of participants was noticed in FIDIC Claims and Dispute Resolution Provision and the least change was observed for FIDIC and its Applicability in Construction Industries.

### **3.3 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 resource persons of the said training should be evaluated by the participants. The participants’ responses indicate that there were 9 resource persons in all.

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

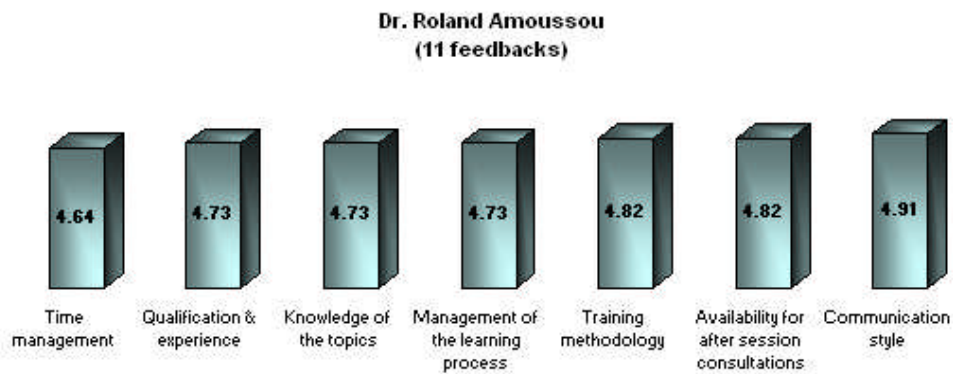
- Qualification & experience
- Training methodology
- Knowledge of the topics
- Communication style
- Time management
- Availability for after session consultations
- Management of the learning process

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

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

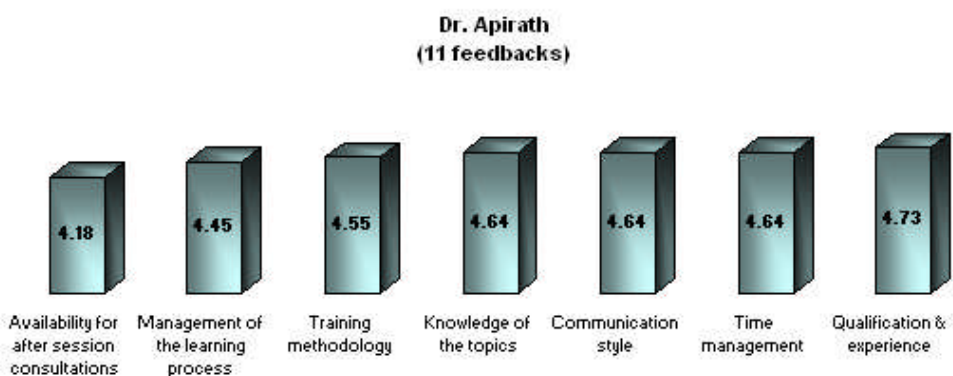
Results for the same are shown below:





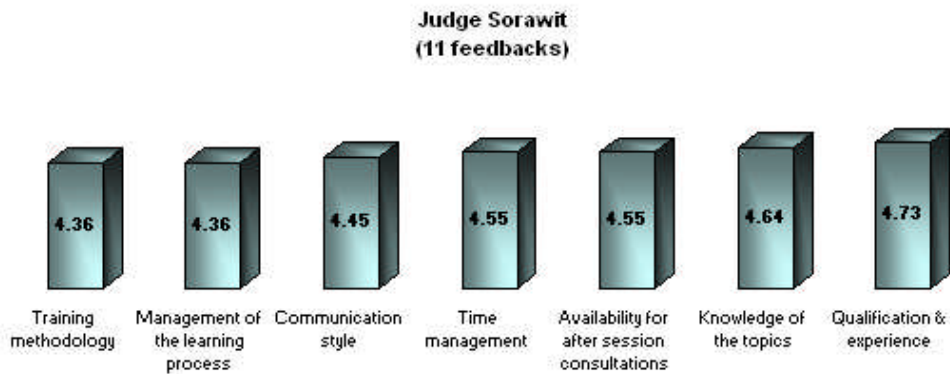
**Figure 3**

The feedbacks of respondents showed that Dr. Roland was rated highest. His communication style, availability for after session consultations and training methodology were particularly appreciated by all the respondents.



**Figure 4**

The participants rated Dr. Apirath the second best among the resource persons. His main strengths as highlighted by respondents were his qualification & experience, time management, communication style and his knowledge of the topics.



**Figure 5**

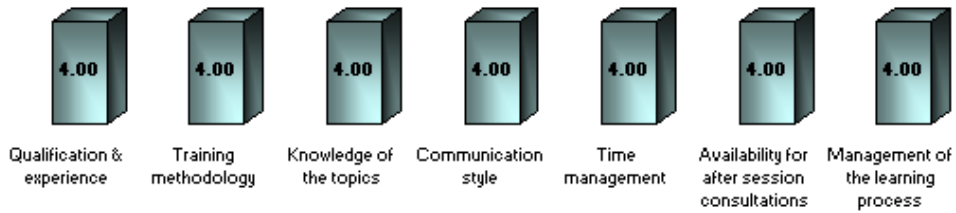
Judge Sorawit was among the top scorers and participants rated him highly for his qualification & experience, knowledge of the topics and his availability for after session consultations. Judge Sorawit was marginally behind Dr. Apirath in overall average as evidenced from the eleven participants' feedbacks.



**Figure 6**

Professor Visuth received very good averages for all his abilities and skills from the participants. There was not much variation in his lowest average score in training methodology to his highest average in management of the learning process, availability for after session consultancy and time management.

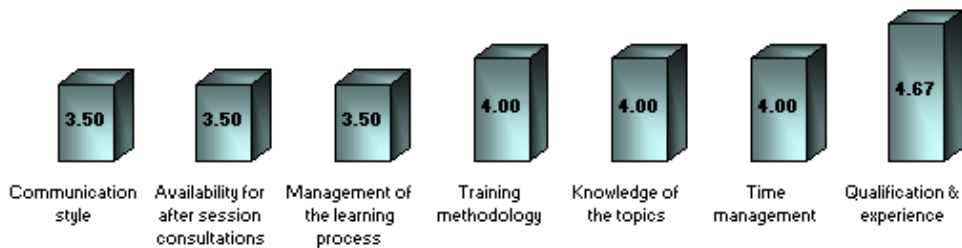
**Mr. Hoppadol  
(2 feedbacks)**



**Figure 7**

Mr. Noppadol's result may not be the true reflection of his skill and abilities as his result was based on responses from two participants only.

**Professor Worsak  
(6 feedbacks)**



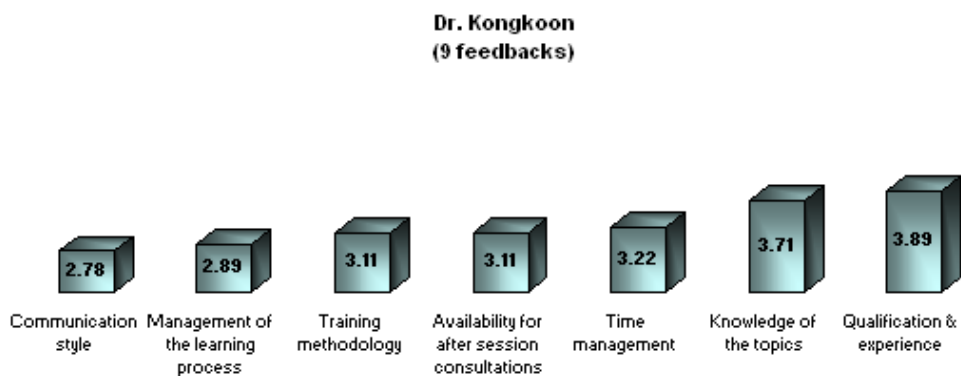
**Figure 8**

Professor Worsak received very strong ratings in qualification and experience category from respondents but was unable to get excellent averages in his communication style, availability after session consultations and management of the learning process.



**Figure 9**

Mr. Visit’s abilities were rated between the average range of 3.33 – 3.83 by the respondents which shows the balance in his skills and capabilities but not comparable to the leading resource persons.



**Figure 10**

Dr. Kongkoon was only able to impress the participants with his qualification & experience and knowledge of the topics. The averages for his communication style and management of the learning process were less than those of the other resource persons. His overall average, considering 9 feedbacks received, was not as impressive as some of his counterparts achieved though he was able to maintain his rating above the ‘good’ in rating scale.

**Mr. W. Kanok Nukulchai  
(1 feedback)**

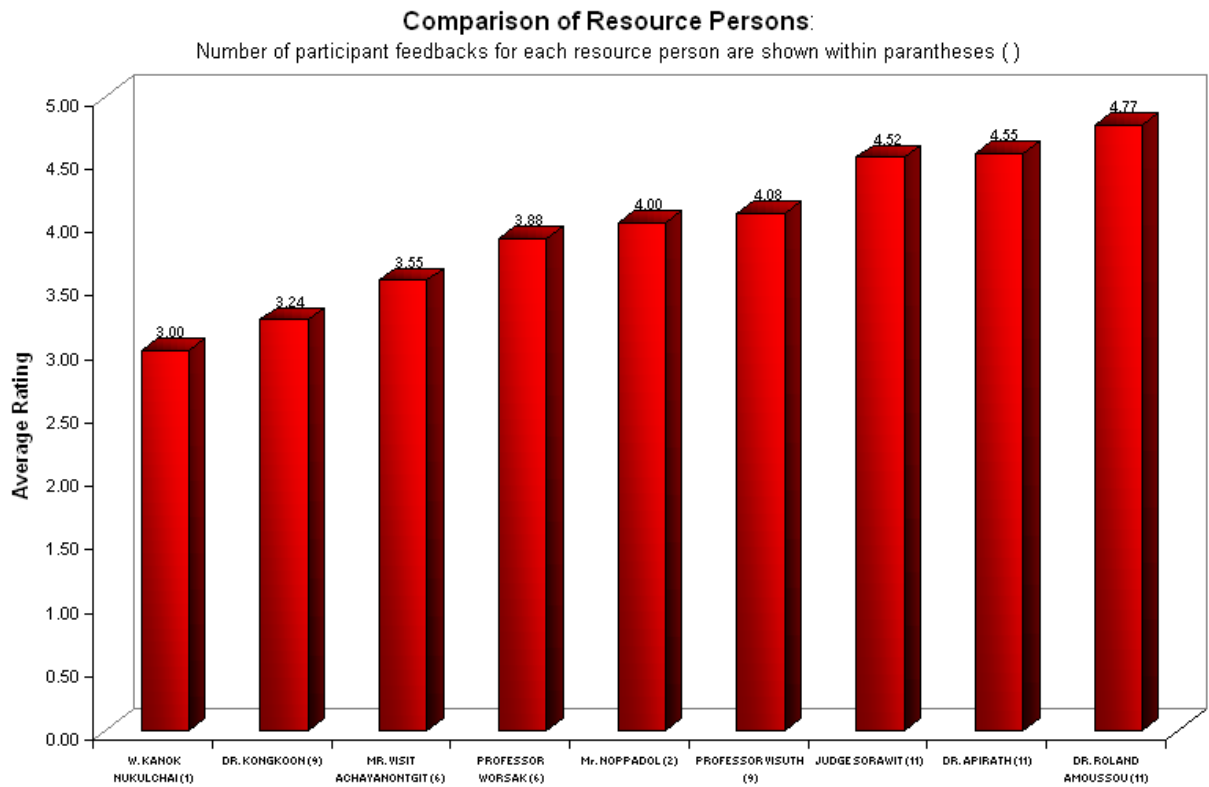


**Figure 11**

Only one of the participant mentioned Mr. W. Kanok Nukulchai and therefore his result was only based on that feedback. This data cannot be considered enough for making any conclusive remarks about Mr. Nukulchai's abilities.

### **3.4 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 12**

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.

This comparison of resource persons shows that Dr. Roland scored highest overall average rating from the participants with a mean of 4.77. Dr. Apirath and Judge Sorawit were not far behind Dr. Roland with averages of 4.55 and 4.52 respectively. Mr. W. Kanok Nukulchai and Mr. Kongkoon had the lowest scorers with averages of 3.00 and 3.24 respectively.

### 3.5 Evaluation of the training in achieving the objectives at the department level

PARTICIPANTS' COMMENTS	
<p><i>How would you evaluate the training in achieving your objectives at the departmental level?</i></p>	<ul style="list-style-type: none"> <li>➤ It is very relevant to my assignment in the department. I shall benefit from it in administration of upcoming contracts (ICBs) on my project.</li> <li>➤ It will be helpful for me for effective contract administration especially for dispute resolution.</li> <li>➤ The training was very much relevant to the job and surely will help in improving the efficiency level of the department officers.</li> <li>➤ Very useful to resolve the issues of agreement in the beginning to avoid litigation.</li> <li>➤ This will be applicable on mega project where national and international firm involve.</li> <li>➤ My overall understandings about FIDIC and DR have improved through the training.</li> <li>➤ I am feeling much confident regarding understanding of resolution of disputes.</li> <li>➤ It will be feasible in department while executing any international contract for the project engineer.</li> <li>➤ I am more conversant in dealing contracts under FIDIC environment e.g. Taussa barrage emergency rehabilitation project, FESS project and NDP in I&amp;P Department.</li> <li>➤ Very useful and helpful.</li> <li>➤ Truly relevant to the key persons handling the projects under FIDIC &amp; ICB. The training has improved my understanding and I have marked in my mind to be proactive and clear while negotiating the contract condition &amp; provisions of the contract to avoid disputes.</li> </ul>

### **3.6 How beneficial and related were the study visits with the rest of training and was there any model which can be replicated in Pakistan**

#### *4.6.1 Relevance / Relation of study tours with the rest of training.*

Participants were clearly divided in their opinions about the relevance of study visits with the rest of training. The participants who did not agree with the statement were clearly outnumbered by those who considered the study tours as beneficial and related with the rest of the training. There were also few participants who were in partial agreement to this opinion. In particular the visit to the Elevated Railway Project was appreciated by the participants.

#### *4.6.2 About replication of any model in Pakistan:*

Most of the participants remained indifferent while responding to this particular part of question.

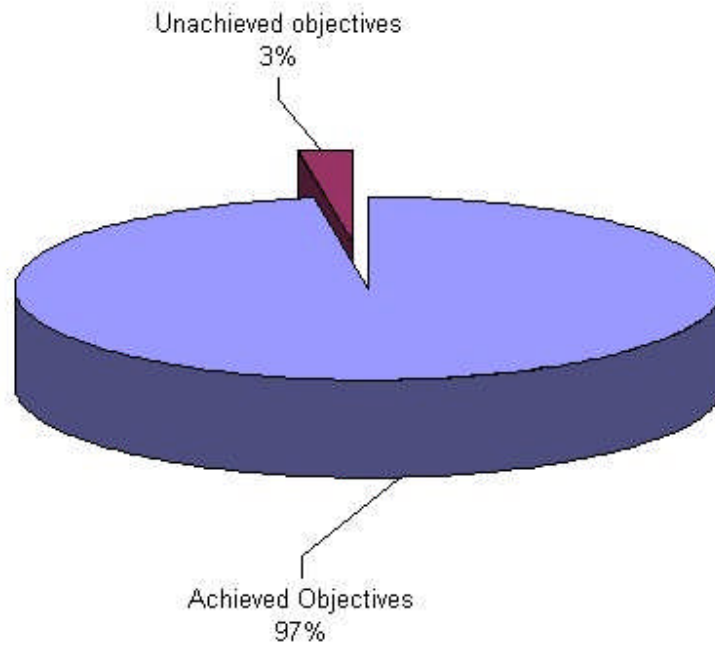
One of the participants was of the view that these cannot be replicated in Pakistan whereas four participants gave their opinion about replicating of a model in Pakistan. Some of their comments are as follows:

- 1- Development in water resources project can be replicated in Pakistan.
- 2- Such training can be replicated in Pakistan by hiring foreign resource persons.



### 3.7 To what extent the objectives for going to this training were fulfilled

The chart below shows the percentage of achieved objectives of participants and those that are not achieved.



**Figure 13**

There were 39 objectives in total stated by the participants. All objectives were achieved barring one. All the stated objectives of the participants are attached in the annex A of this report.

### 3.8 Participants' feedback of most beneficial modules for the public sector

PARTICIPANTS' COMMENTS	
<p><i>Out of the whole course, which modules did you find most beneficial for the Public Sector?</i></p>	<ul style="list-style-type: none"> <li>➤ Claim and dispute analysis and use of CPM schedule to prevent project delay.</li> <li>➤ Alternate Dispute Resolution ADR arbitration agreement.</li> <li>➤ Use of CPM schedule to prevent project delay.</li> <li>➤ Alternate Dispute Resolution</li> <li>➤ Arbitration Institute in Pakistan should be strengthened to avoid unnecessary litigation in the civil courts.</li> <li>➤ Alternate dispute resolution techniques especially arbitration found most beneficial module.</li> <li>➤ All material was relevant, beneficial for the Public Sector.</li> <li>➤ ADR</li> <li>➤ All the modules were beneficial for the public sector. However, use/ utility of ADR (Alternate Dispute Resolution) should be examined before sending any participant to the said course.</li> <li>➤ Scheduling for the projects.</li> <li>➤ Analysis of claims, disputes and use of planning tools (CPM) to understand the delays and causes and consequently the responsibility of delay.</li> </ul>

**3.9 Modules that should have been added to current course to make it more useful in view of participants**

	<b>PARTICIPANTS' COMMENTS</b>
<p><i>What modules you think should have been added to the current course, to make it more useful?</i></p>	<ul style="list-style-type: none"> <li>➤ A bit about the contract agreement of Govt. of Punjab because most of the participants are not engaged in the activities relating to projects on which FIDIC is applied. So administration of local contracting would be better addition and especially in cases of dispute handling.</li> <li>➤ These are already too many to be handled in just two weeks time.</li> <li>➤ Although all possible efforts were made by the resource persons, yet course work and field tours require more balancing.</li> <li>➤ 2 Weeks Time Period of course according to material is not sufficient.</li> <li>➤ Contract Administration in Pakistan and its dispute resolution.</li> <li>➤ Arbitration cases relating to mega construction projects of Pakistan dealt with International arbitration should be included as “Case Study” in Course Contents.</li> <li>➤ This module was related to Dispute Resolution. There was some gap regarding ‘Contract Administration’ (CA). Some more time be needed to spent on CA and to understand different clauses of FIDIC to avoid Disputes generations.</li> <li>➤ Comparison of Contract Administration under FIDIC with other prevailing Contract Administration module be added.</li> <li>➤ Maximum number of case studies related to the topics.</li> <li>➤ A comparison of FIDIC contract condition and conditions of contract format of Punjab, to understand the difference and the comparison of Arbitration Act – 1940 of Pakistan and ICC rules which the FIDIC refers for dispute resolution / Arbitration. Also the introduction of FIDIC conditions and difference between FIDIC construction “FIDIC Design Build” &amp; FIDIC EPC/T contract conditions.</li> </ul>

## 4- RECOMMENDATIONS

The recommendations are based on the Suggestions of Participants.

- Program orientation session should be held about a week prior to leaving.
- Department should take the responsibility of arranging visas for participants.
- Time schedule at AIT is a bit tight, they may be asked to built in some free time, which may lead to better learning.
- The content of the course was too intense to digest in just two weeks. It should have been a three weeks course.
- A very much relevant training to the field officers and must be continued in future on regular basis. Useful in capacity building and enhancement of practical know how of the officers of technical departments.
- Smaller groups from each department should be sent instead of sending 20 persons from the same department.
- Single accommodation should be provided to each participant.
- Sections pertaining to “consultancy services contracts” their administration and ADR techniques should be included in course content.
- A separate training session should be conducted on the contract administration with respect to FIDIC clauses.
- A brief of the course contents may be provided to the participants a few days before departure, so that they are better prepared and oriented for the course.
- The officers of P& D, F.D. and Law Departments may also be included in the training for better understanding of FIDIC, Arbitration under ICC and the issues related to multinational construction industry as well as ICB. The multinational are labeled as “Claim Industry” due to their experience and better vision of ICC rules FIDIC conditions and to avoid claims the relevant P.Ds / key persons of the projects and related Administration Departments ends may be referred to such training for capacity development as well as updating of their knowledge and skills.
- Such trainings may be arranged / replicated in Pakistan by hiring qualified resource person like Dr. Roland, etc

## ANNEXES

### **Annex 1 – All the stated objectives of participants for the training.**

- Latest update on FIDIC
- FIDIC Provisions Reg. claim
- ADR
- Use of CPM in Delay Control Techniques
- Ways to avoid disputes and claims
- Understanding FIDIC conditions in dispute resolution
- Difference between FIDIC and other contract firms
- Concept of arbitration
- Level of training / education – comparison
- Improvement in knowledge
- Interaction with the international scholars
- Study the subject related material
- Field visits / Study tour
- Social / Economic / Technical / development activities observation
- Understanding to resolve the issue according to FIDIC
- Difference between the FIDIC and Pakistan contract law
- How the international contract agreement take place in Mega Project
- How they resolve the disputes
- It's management and organization behavior
- Understanding of ICB using FIDIC model
- ADR procedures
- Different methods to resolve the disputes
- Importance to resolve the issues at lower level
- International exposure
- To understand other point of view
- To understand international contract
- ADR
- Contract Management
- To accustomed with FIDIC contract administration
- Assessing the procedures of ADR
- Seeing diversity of culture
- Capacity building for ADR
- Infrastructural development
- Human Resource Management
- Intercultural, Social, Religious information
- FIDIC condition in general
- Difference of FIDIC EPC/T with other FIDIC formats
- ADR & ICC rules
- Claim analysis & Use of CPM

