Editorial

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It gives me great pleasure to be able to welcome you to the May 2012 issue of the *Management, Procurement and Law* journal. I took on the role of chairman of the editorial advisory board in November 2011 and would like to take this opportunity to thank my predecessor Mr David Loosemore of David Loosemore Ltd, Middlesex, UK for his hard work, dedication, leadership and years of service since the journal was launched in 2006. Building on the reputation and expertise of the *Proceedings of the Institution of Civil Engineers* series, the *Management, Procurement and Law* journal has clearly established itself as a distinctive international journal.

I would like to take this opportunity to share with the readers my key objectives during my term as chairman and honorary editor of the journal. First, the journal's international outlook will be maintained. This is seen for example in the geographical distribution of its authors and coverage of the papers that we will continue to publish. The journal is well positioned to maintain and strengthen its global reach. It has an established worldwide subscription base backed by a dedicated international editorial panel – we currently have 16 non-UK panel members. Second, the journal will remain interdisciplinary in scope. As such, we expect to find the journal cited broadly, not only in management, procurement and law fields but also in fields such as engineering, building, economics, technology and the social sciences.

Perhaps uniquely among journals in the management, procurement and law field is its strategic positioning. *Management, Procurement and Law* publishes fully peer-reviewed scholarly papers which are read by both academics and practitioners. The journal is subscribed to by universities, consultancies, contractors and other influential organisations in the construction industry. The papers that are published in the journal are academically robust while having direct relevance and impact beyond academia. This strategic positioning of the journal will also be retained.

The reach and impact of the journal will continue to attract both high-quality papers and high-profile authors. There is every expectation that the journal will continue to go from strength to strength. Thus, in order to reduce the duration for accepted papers from the time of submission to the time of publication, it is my expectation to increase the number of issues per year from four to six starting in 2013. Finally, it is also my hope and expectation that the journal will have an

external rating by way of an impact factor in the not too distant future.

Turning to this issue, it includes one briefing article, seven full papers, and a combined review of two books. The briefing article by Wium (2012) provides an excellent example of how industry and universities can work together in partnership to develop manpower and skills in addition to undertaking applied research for the construction sector. The article provides a critical appraisal of the role of the chair funded by Murray & Roberts at Stellenbosch University in South Africa. A description of the key role played by the chair in enhancing the knowledge and skills of professionals in the construction industry through participation in undergraduate and post-graduate training programmes, development of continuing professional development, and the construction management programme is given. It is essential that companies, particularly in sub-Saharan Africa, consider and invest in such partnerships to address skills shortages by developing future engineers and managers who will deliver the much-needed infrastructure.

The first full paper, by Nazlim (2012), provides a review of disputes resolution in Dubai. Dubai is an international commercial and financial centre which has expanded tremendously in recent years. Although the global economic slowdown in 2008 appears to have led to a reduction in investment in this regional hub since then, investment capital is predicted to grow even further once business confidence returns. A brief history of the city's development is given; this is followed by an outline of the legal framework; the key features of arbitrations in Dubai are described. Nazlim clarifies that resolution of disputes in Dubai is normally through arbitration, which is final and binding, although limited rights of appeal exist normally on procedural grounds. The use of alternate disputes resolution (ADR) methods such as negotiation, mediation adjudication, and disputes review or (adjudication) boards in Dubai appears still to be very limited.

Still on the subject of arbitration, the second paper, by Ranasinghe (2012), describes its key features and procedures as practised in Sri Lanka. The paper compares and contrasts arbitration and litigation. As in many jurisdictions, the rights of appeal to courts of law in arbitration in Sri Lanka are limited. The three widely accepted arbitration procedures – document only, short procedure and full procedure – are described. It is suggested that arbitrators coming from a

technical background, such as engineering, need to develop their knowledge and understanding of the legal framework and those from a legal background need to develop some understanding of the technology of construction and how the industry operates generally in order efficiently to preside over the arbitration process.

The third paper is by Bell (2012) and a must-read for all directors, supervising civil engineers and other senior engineers who provide training support to young engineers and graduates. It provides an exemplar on how to provide mentoring to prepare graduate engineers and others for the world of work. An evaluation of what is meant by technical competence is provided followed by a description of the content of a short continuing professional development course in brownfield engineering. The course content involved structural steelwork design to the American Institution of Steel Construction (AISC) code, design of frame structures, manual methods of structural analysis, design of structural connections, analysis of complex loading and torsion behaviour of structural pipe supports. Professional membership of the Institution of Civil Engineers (ICE) and the Institution of Structural Engineers (IStructE) is discussed as crucial parts of professional development. Training engineers to understand the business in which they operate is emphasised.

It is estimated that sub-Saharan Africa's population will grow from 800 million people in 2007 to reach 1.5 billion people by 2050. The current growth rate is estimated at 2.3%. Population growth with increasing urbanisation will require increased investment in basic essential infrastructure including power supply, roads, airports, sea ports, railway transportation networks, water supply and sanitation, housing, schools, hospitals, office accommodation, telecommunication systems and so on. Indeed, such essential infrastructure is not only important for a life of dignity and health and for economic productivity but key to ending poverty. Building essential infrastructure in sub-Saharan Africa will depend not only on a substantial injection of financial resources but also on a steady supply of the right quality and numbers of civil engineers and civil engineering technicians. The paper by Fang and Aboushiwa (2012) analyses the current skills shortages in South African civil engineering and suggests potential solutions. The development strategies suggested cover the short term, medium term and long term.

The paper by Emuze and Smallwood (2012) first describes the common problems that are likely to be encountered in delivery of major infrastructure projects irrespective of location. Based on a literature review and a survey of client organisations, contractors and consultants in South Africa the barriers and interventions that impact on effective infrastructure project

delivery in South Africa are provided. Their study finds that the number one issue that significantly impacts on delivery of major projects in South Africa is lack of skills. Other factors were found to be poor project definition and coordination; inadequate risk allocation and project management practices; inappropriate organisational structure; poor documentation and logistics; poor health and safety practices and so on. It is suggested that the public sector has a crucial role to play in promoting best practice and excellence by hiring technically competent manpower and well-equipped contractors to deliver major projects.

In the paper by Amod *et al.* (2012), the South African state of infrastructure report card for the year 2011 is reviewed, compared and contrasted with the 2006 report – the first year that such a report was published in South Africa. On scale of A+ to E– the authors report that the state of infrastructure in South Africa was rated D+ in 2006 compared to an overall grade of C– in 2011. The infrastructure report card in South Africa is based on assessments by the South Africa Institution of Civil Engineering (SAICE) and very similar to the report cards published by ICE in the UK and the American Society of Civil Engineers (ASCE) in the USA. The report card draws attention to the infrastructure investment needs of a country. Amod *et al.* (2012) report that the SAICE report card has been well received by the media and government. The paper further suggests that future assessments of the state of infrastructure should involve other organisations such as the statutory and voluntary sector, external engineering organisations, Unesco and so on so as not to compromise the objectivity and independence of the exercise.

The influence of the South African government intervention programmes in the construction industry sector designed to address the inequalities and legacy of the apartheid era are discussed by Hindle and Strasheim (2012). The construction sector was specifically targeted by the South African government as the vehicle for investment and social development. Detrimental impacts of the intervention programmes are described. The paper describes both the intended and unintended consequences of these interventions and suggests that these may have been detrimental to some of the government's two key objectives of construction industry development and emerging contractor development.

Finally, there is a review of the *CESSM3 Price Database* and the *Code of Estimating Practice*. If you are thinking of buying any of these two books, this review clearly provides some useful guidance. I enjoyed reading the papers in this edition; I hope that you will as well. I thoroughly commend the journal and this edition to you and look forward to reading your feedback.

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