

# **Consulting and Contracting Practice in Pakistan**

*By*

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## **PART I.—CONSULTING PRACTICE IN PAKISTAN**

Before dealing with the subheadings which have been suggested as the scope of Part I of this symposium it is considered necessary that one or two basic facts in connection with Consulting Engineers should be made clear. Firstly, Consulting Engineers are professional men who have, or should have, a code of ethics, and their professional standing should be as much respected as those in the legal or medical professions. Too many Clients these days appear to be suspicious of the motives of the Consulting Engineers they employ. Unless there is mutual trust and respect between the Client and the Consultant then it is a waste of both time and money to employ Consulting Engineers. Secondly, the Client should bear in mind that because he employs the Consultants and pays their fees this does not mean that in dealing with any dispute or difference of opinion that may arise between the Client and the Contractors, the Consultant must always be on the Client's side. In such cases the Consultant can be said to be an arbitrator and as such should give an opinion regardless of the fact that the Client pays his fee. Finally, it should be pointed out that when engaging the services of a Consultant the Client should make his selection on the Consultant's experience in the particular type of work involved and that the Consultant should be one whom the Contractors can also trust if the financial saving to be obtained by employing a Consultant is to be realised, and it should not be necessary for the Client to appoint a second Consultant to check the first Consultant's work.

### **1. Role of Private Consulting Firms in modern economy and technology**

1.1. In general Consulting firms will be engaged on a number of projects for several different clients and will have been in business for a number of years. These firms will, therefore, have gained considerable experience and "know-how" and this experience will have been passed on over the years from one generation of partners or senior members to another. The Client's engineers, who may often be highly qualified and very capable engineers, work in a limited field and inevitably have not got the same years of experience to fall back on. Such engineers are employed for a certain length of time and will eventually

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retire and there is the reasonable certainty that their experience departs with them, which is not the case in Consulting firms.

1.2. If any Client, concerned with any development project, decides that the engineers he already employs are capable of undertaking the design work, he will claim, not unjustifiably, that it will be cheaper than paying the Consultant's fees. This may be so, but if he has sufficient staff to undertake the designs, then his staff was larger than necessary previously and was therefore uneconomical. Alternatively he engages special staff for the project in which case, because their engagement is of limited duration, they will have to receive higher salaries, which is again uneconomical. Finally, if Contractors tender for work which has been designed and will be supervised by the Client's own engineers the tender will undoubtedly be higher when a Consultant is employed and who will act fairly and without prejudice in any disputes.

## **2. Professional and management problems involved in the practice of Consulting Engineering in the present day circumstances**

2.1. If by this question is meant the problems facing the Consulting Engineers they are today generally greater than they were pre-war. The professional problems may be summarised as:

- (a) Keeping abreast of modern techniques and methods.
- (b) Obtaining sufficient staff due to the large demand for engineers throughout the world.
- (c) Obtaining work or retaining Client's due to competition much of which is often highly unprofessional and usually against the recognised code of ethics.

2.2. The main management problem for any firm of Consulting Engineers today seems to be one of making one's Client realise the necessity of paying fees promptly and without a lot of argument. It has already been pointed out that Consulting Engineers are professional men as are lawyers and doctors. The latter do not quote fees in advance but send their bill in afterwards and the individual pays whether he likes it or not. The Consultant quotes his fee in advance, it is accepted by the Client and therefore the Consultant's bill should be paid promptly. British Consulting Engineers are in general private partnerships and unlike companies do not have large financial backing. Failure to pay Consultant's fees means that the individual partners in the firm are having to pay their employees out of their own taxed income.

2.3. There is a tendency nowadays to expect a Consulting Engineer to be 100% perfect and to try and penalise him if he makes a mistake; British Consulting Engineers being unlimited partnerships are very vulnerable in this

respect; those of other nations are usually incorporated or of limited liability and thus the penalty cannot be enforced on them. If your doctor makes a mistake it is not usual to sue him, why treat the Consulting Engineer differently.

### **3. Engineering of development projects by Government Departments of Agencies versus by Private Consulting Firms**

3.1. This must to a very large extent be dependent upon the nature and scope of the project, and to a lesser extent what is meant by "engineering of development projects". If for example a project such as the River Indus Basin Scheme arises which is of such a magnitude that it could not efficiently be carried out by any one firm of Consulting Engineers, then the original planning of the scheme is no doubt better done by a Government department or agency, the more detailed designs of the various sections being undertaken by firms of Consultants.

3.2. Should the project however consist of a new road bridge or a wharf extension in a harbour then it is considered that the original investigations for planning and final design of the project can be more economically undertaken by Consulting Engineers since they will be fully aware of the information to be obtained during the initial investigations, sufficient to meet their requirements when undertaking the design.

3.3. At the other end of the scale, however, if a Government department requires a number of small buildings or structures to be erected at a number of widely spaced sites, each of which structures will only cost some Rs. 20,000 it would be both uneconomical and unnecessary to engage Consulting Engineers.

### **4. What should be done by Government and others to promote the development of private consulting practice in engineering**

4.1. It has already been pointed out that in the majority of cases it is more economical to employ Consultants from which it follows that Governments and others should employ Consultants. The more Consultants are employed the greater the development of private consulting practice. The more a Government employs consultants the greater will become the knowledge of Consultants and this will be followed by greater economy in design which is to the benefit of the Government. The employment of Consultants by Governments will in turn lead to the employ of Consultants by others.

### **5. Need for an Association of Consulting Firms in Pakistan**

5.1. A number of firms working in Pakistan today will almost certainly belong to some Association or other similar body in their own country and will,

or should, operate under the code of ethics, of their own Association. It is also probable that their own Association, as a whole, will belong to the International Association of Consultants, FIDIC. Thus so far as firms from outside Pakistan are concerned there is no real necessity for yet a further Association in Pakistan.

5.2. On the other hand however if there are now a number of Pakistani Consulting Engineering firms then those firms would be well advised to form an Association, but any such Association should be set up by the firms themselves and their rules, methods of conduct and scales of fees should not be dictated by Government or other outside body.