FACTORS INFLUENCING COMPLETION OF CONSTRUCTION OF COURT PROJECTS IN JUDICIARY: A CASE OF MAGISTRATE COURTS IN WESTERN, NYANZA AND RIFT VALLEY REGIONS OF KENYA

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DECLARATION

This research project report is my original work which has not been presented for an award of a degree in any other university.

Signature…… Date……..

Lily Mukoma Odundo.

L50/71807/2014

This research project report has been submitted for examination under my supervision as the university supervisor

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DEDICATION

I would like to dedicate this research work to my beloved mother Nipher Ayako and my two children, Clint and Mike for their moral support and words of encouragement and more so for believing in me.

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ABBREVIATIONS AND ACCRONYMS

AIDS	Acquired Immunity Deficiency Syndrome
APPA	American Public Power Association
AWP	Annual Work Plan
BLS	Bureau of Labor Statistics
EACJ	East African Court of Jurists
ETA	Employment and Training Administration
FIFA	Federation of International Football Association
HIV	Human Immune-deficiency Virus
ICT	Information Communication Technology
IQSK	Institute of Quantity Surveyor of Kenya
JBC	Joint Building council
JTF	Judiciary Transformation Framework
M&E	Monitoring and Evaluation
MCHP	Maternal and Child Health Program
MCP	Mega Construction Projects
MDG's	Millennium Development Goals
MIS	Management Information System
NACOSTI	National Council of Science and Technology
NCA	National Construction Authority
NEMA	National Environmental Management Authority
OECD	Organization for Economic Cooperation and Development
PME	Participatory Monitoring and Evaluation
PMIOK	Project Management Institute of Kenya
SPSS	Statistical Package for Social Sciences

ABSTRACT

The Judiciary is one of the three State organs established under Chapter 10, Article 159 of the Constitution of Kenya. It establishes the Judiciary as an independent custodian of justice in Kenya. The Judiciary developed a Judiciary Transformation Framework that has placed it on the path of institutional transformation. In Kenya to a large extent many of the building construction works still rely heavily on manual labour in their assembly. Therefore, this research attempts to establish the cause of delays in delivery of court projects within stipulated time, in Western, Nyanza and Rift Valley which accounts for 50% of the stalled projects. The purpose of the study was to determine the factors influencing completion of the construction of court projects in judiciary which impacts on delays in justice delivery. This study reviewed the following theories; Management Theory, Theory of performance and Resource-based view theory. Further the conceptual framework measured resource availability, staff competency, monitoring and evaluation and stakeholder participation. In order to achieve its objectives the study used descriptive design allows the researcher to gather information, summarize, present and interpret data, with the target population of 189 the researcher sampled 123 respondents by using the Krejcie & Morgan sample model. Data was collected majorly by use of questionnaires and data analysis was analyzed by SPSS to come up with mean and percentages, the study also employed use of multiple regressions and also utilized correlation. The findings established that 73.03% of the respondents were male while 26.97% of the respondents were female, the study also found out that 44.9% were Administrators within the Judiciary, this was followed by 26.97% who were procurement officers, 20.22% were court clerks and the least were stakeholders who accounted for 7.87% of the respondents. The findings indicate that 95.51% of the respondents indicated in the affirmative that they were aware of construction projects within their areas of judicial jurisdiction while only 4.49% indicated in the negative that they had not seen nor being aware of construction projects in their areas. The findings also revealed that resource availability overall mean index posted by resource availability and its influence on completion of construction projects was 3.3, competency of staff was 3.60, mean for monitoring and evaluation was found to be 3.65 and that of for stakeholder's participation was 4.10. The researcher also conducted a multiple regression the findings indicate that when the intervening variable is left out the fitted model was: $Y= 6.981 +0.193X_1+0.071X_2+0.064X_3 -0.063X_4$ and it is included the fitted model is $Y= 5.667 + 0.165X_1- 0.009X_2+ 0.001X_3 -0.051X_4+ 0.330X_5$. The study therefore, concludes and recommends as follows; first, Resource availability is necessary and approval processes should be followed in order to complete the construction of projects within the stipulated time. Secondly, a well-structured and competent staff force will aid the effective services through the integration of activities involved in the process of construction, Thirdly, respondents agreed that Monitoring and evaluation will hasten the implementation of the magistrates court projects on time and lastly, the culture that contributes to the implementation of the project would be planning that which was not favourable in the past. Therefore, the magistrate's courts needs to urgently address the issue of completion of projects as an equal arm of government in order to be able to proceed without unprecedented challenges that affect the positive outcome of the projects.

CHAPTER ONE
INTRODUCTION

1.1 Background to the study

Globally separation of powers is apparently taken quite seriously by Judiciary. Although in England this is obscured by the fact that the upper House of the legislature has the same name as the highest court, and its Speaker (the Lord Chancellor) is the senior judge. In many Judiciary systems, judges are independent and irremovable. In Russia this is expressly stated, but is a frail novelty. The USA is virtually alone in allowing any court of general jurisdiction to decide matters of constitutionality. Normally such questions are for a Supreme Court or special Constitutional court. Cardozo, Benjamin (1998). The French innovation allows bills to be referred only after they have passed through Parliament and before they are promulgated by the President. In England a court can examine the validity of a duly enacted statute unless it conflicts with the law of the European Community; the same may be true of Scottish courts, although some say they could examine UK statutes for conformity with the (Act of Union 1707). Since October 2nd 2000, when the UK Human Rights Act took effect, English courts are able to declare a statute incompatible with the rights enshrined in the Act. This does not invalidate or render the statute ineffective: it is then up to the executive and ultimately the legislature to decide what to do about the offending legislation.

In Africa, the judiciary is an independent branch of each government, subject only to the constitution and the laws of those African countries. In South Africa, the Judiciary interprets the law of South Africa, using as the basis of its interpretation the laws enacted by the South African Parliament as well as explanatory statements made in the legislature during the enactment. Chapter 8 of the Constitution of South Africa defines the structure of the South African judicial system. This chapter also guarantees the independence of the courts and requires other organs of the state to assist and protect the courts in order to ensure their "independence, impartiality, dignity, accessibility and effectiveness". In addition, Chapter 2 of the Constitution guarantees every person the right to have a dispute or trial heard by a fair, impartial and independent court. *(*South Africa Constitution No. 108, 1996*).*

The East African Court of Justice (EACJ) is a treaty-based judicial body of the East African Community tasked to ensure adherence to law in the interpretation and application of and compliance with the East African Community Treaty of 1999. The Court is made up of two divisions: a First Instance Division and an Appellate Division. Its Judges, a maximum of ten in the First Instance Division and of five in the Appellate Division, are appointed by the East African Community Summit, the highest organ of the community, from among persons recommended by the Partner States who are of proven integrity, impartiality and independence and fulfill the conditions required in their own countries for high judicial office, or are jurists of recognized competence. The East African Community was revived on November 30, 1999, when the Treaty for its re-establishment was signed. It came into force on 7 July 2000, 23 years after the total collapse of the defunct Community and its organs. This followed a process of re-integration which was embarked on in 1993, and which involved tripartite programmes of co-operation in political, economic, social and cultural fields, research and technology, defense, security, legal and judicial affairs. The Court's major responsibility is to ensure the adherence to law in the interpretation and application of and compliance with the Treaty.

In Kenya, Judiciary is one of the three State organs established under Chapter 10, Article 159 of the Constitution of Kenya. It establishes the Judiciary as an independent custodian of justice in Kenya. Its primary role is to exercise judicial authority given to it, by the people of Kenya. The judicial system in Kenya is defined by 15 articles spanning from Article 159 (Judicial authority) to article 173 (Judiciary Fund) contained in the new constitution of Kenya (Kenya Constitution, 2010). In Kenya, the courts under the Constitution operate at two levels, namely; Superior and Subordinate courts. The subordinate courts are established under Article 169. They consist of the Magistrates' Courts, Kadhis Courts, Court Martial, and any other court or local Tribunal established by an Act of Parliament.

The Judiciary developed a Judiciary Transformation Framework that has placed it on the path of institutional transformation. Popularly known as JTF, the 2012-2016 plan is the Judiciary's strategic reform blueprint launched in May, 2012. the Transformation of the Judiciary entails several goals: Transforming the Judiciary to be an independent but complementary partner with other branches of government and to make Kenya a constitutional democracy founded on the values of the rule of law, human dignity, equity, social justice, human rights, transparency and

accountability, Transforming court procedures, processes, organizational culture, and management to re-orientate them towards a culture of responsive, friendly, and effective service delivery pegged on performance management; Reordering the Judiciary's administrative and judicial processes so that the former supports the latter to enhance delivery of services, improve access to justice by all, Reorienting the work environment in the Judiciary with a view to providing a conducive and affirming work place where employees are treated fairly and respectfully to allow career advancement without discrimination; Redesigning the institutional and administrative arrangements of the Judiciary to create a unified national institution with appropriate levels of devolution to enhance service delivery and facilitate innovations for Court administration and local solutions to local problems; Transforming the Judiciary's relationship with other institutions of the justice chain and other stakeholders involved in court administration to better manage inter-dependencies and Equipping the Judiciary to develop a robust, indigenous, patriotic and progressive jurisprudence in the country.

The Subordinate courts are the courts established under Article 169 of the Constitution of Kenya 2010. These are;(a) The Magistrates' Courts, the Kadhis' Courts, the Court Martial and Any other court or local tribunal as may be established by an Act of Parliament (Kenya Constitution, 2010) Under the Judiciary transformation Framework (JTF) pillars it states that building more courts, increasing mobile Courts, and engaging the public and stakeholders in the administration of justice is key. Therefore, this research attempts to establish the key indicators and sensitization to improve efficiency in the construction and completion of projects and specifically the Court projects in Judiciary specifically in Western, Nyanza and Rift Valley regions in order to improve delivery of Justice to the citizens.

Locally, to a large extent many of the building construction works still rely heavily on manual labour in their assembly. According to Mbita (2008), the construction industry employs more than 800,000 people who are required to deliver the constructed facilities to the client's within budget and meeting specified standards of quality. All these may be feasible only if the predetermined levels of labour productivity are known by stake holders in advance. The labour productivity of operative on site might be affected negatively by a variety of factors which include: extraneous reasons, shortcomings of management, short coming of laborious and legislation Heap, (1987). According to Wachira (1999) Kenya being a developing country is not

an exception to the trend in other countries which are at crossroads with the building teams due to the later not delivering the project within the stipulated time. The fluctuations in labor productivity rates in construction has remained a big challenge to developers and contractor's in their decision-making processes over decades in the determination of activity durations and consequently, inadequate estimation of contract periods Mbita (2008), despite the concern on lack of data for estimation.

Globally, construction industry, which is mainly concerned with the assembly of building materials which are supplied by the manufacturing sector and delivered to the site by the transportation sector. Delays in meeting construction activities completion times on site has caused cost to the client and strained the working relationship between the parties in the project. This has been brought about by among other the lack of validated labor productivity rate in the construction industry to base their estimates Kent, (2011) the inaccurate determination of activity duration has in most cases led to the incorrect estimation of contract periods delays in completion of project s in construction industry are indication of productivity problem and it has been a big challenge. Labor productivity therefore has been of key determinants of the contract period of projects and could be improved through effective construction management.

1.2 Statement of the problem

In the construction industry of developing countries', productivity loss is one of the greatest and severe problems arising from lack of documented data for estimating, scheduling and control of the project. Poor site management effective and efficient site management by contractors is very important to ensure projects are completed on time. Poor coordination contributes to delay from estimated completion time. Therefore, this research attempts to establish the cause of delays in delivery of court projects within stipulated time, in Western, Nyanza and Rift Valley which accounts for 50% of the stalled projects (as per attached table in appendix II) which has caused delays of justice delivery to the Kenyan Citizens in these regions as compared to Central, Upper and lower Eastern regions of Kenya where stalled court projects account only for 10%. Therefore, lack of completion of court projects within the stated time has resulted in lack of sitting space and storage facilities for court files thus resulting in file misplacement. Also lack of adequate home grown accurate data on labor productivity rates in Kenya has made planning and estimating for activities on construction sites unpredictable and thereby affecting the delivery of

construction projects within the stipulated time Wachira (1999). The limited documented bodies like Joint Building council (JBC), Institute of Quantity Surveyor of Kenya (IQSK) are generalized and vary in details and depth of their contents on both human and operational factors. Such data which is not documented and its authentic Kent (2011).Little research attention and documentation has been undertaken on construction sites to establish home grown data for planning, costing and budgeting in the construction industry in Kenya.

1.3 Purpose of the study

The purpose of the study was to determine the factors influencing completion of the construction of court projects in judiciary which impacts on delays in justice delivery to the citizens in Western, Rift valley and Nyanza regions of Kenya.

1.4 Objectives of the study

This study was guided by the following objectives:

i. To establish the extent to which resource availability influence completion of Construction of courts projects in Judiciary.
ii. To determine the extent to which staff competency influence completion of construction of courts projects in Judiciary.
iii. To determine the influence of monitoring and evaluation on completion of construction of court in projects in Judiciary.
iv. To establish how stakeholder participation influence completion of construction of court projects in Judiciary.

1.5 Research questions

This research study sought answers to the following questions:

i. To what the extent does resource availability influence completion of construction of courts in Judiciary?
ii. How does staff competency influence completion of construction of courts in Judiciary?
iii. How does monitoring and evaluation influence completion of construction of courts in Judiciary?

iv. How does stakeholder participation influence completion of construction of courts in Judiciary?

1.6 Significance of the study

The findings may hopefully be valuable in the building and construction industry as they will prioritize the factors that are associated with effective productivity. This may hopefully assist the planning for resources to be used in the execution of the work and thereby improving productivity in various counties. The findings may hopefully contribute to the general understanding of factors influencing completion of construction of court projects and assist the Judiciary management understand the aspect of project management and hence assist in designing interventions in a way that may hopefully help them improve on meeting project deadlines. Finally, this research study hopefully may be of value to researchers and scholars as it forms a basis for further research and be a source of reference material in other related topics.

1.7 Delimitation of the study

This study sought to determine the factors influencing completion of construction of court projects in Judiciary. The study specifically focused on construction of court projects in Western, Nyanza and Rift Valley regions. These three regions were selected due to the fact that they had most of the stalled Judiciary projects, the population and participants were readily accessible for participation in the study since they were daily court users as provided by Supreme Court data of 2016 attached in the appendix II.

1.8 Limitation of the study

Collecting much data on all constructions site in Magistrate courts proved tough, complex and time consuming task for the period set. In addition, not all the construction sites were visited and the few chosen could not provide all the necessary evidence for the study. However, the researcher was to cover as much construction activities and sites as possible with the help of the three research assistants in the hope that all information gathered will be put in better use for decision making in the future.

1.9 Basic Assumption of the study

The study assumed that every construction project being implemented had at least been approved by relevant authorities for example, National Construction Authority (NCA). Also it assumes that every worker had an experience going through relevant training. The industry picks from where the training left it and therefore improves on what the previous training left as the basic and core entry behavior into any effective labour construction industry at the job market.

1.10 Definition of significant terms

Building Construction- This is the process of preparing for and forming buildings and building systems. It starts with planning, design, and financing and continues until the structure is ready for occupancy. It can be a single activity or large-scale construction involving human multitasking. It involves design and execution of the infrastructure in completion of court projects.

Completion of Construction of Court Projects - This refers to formal and actual accomplishment of the project as anticipated and handing over of the projects to the user in stipulated time.

Court projects - refer to projects undertaken by the judiciary.

Judiciary - It is the system of courts that interprets and applies the law in the name of the state.

Monitoring and Evaluation- Monitoring is a continuous function that uses the systematic collection of data on specified indicators, to provide management and the main stakeholders of an ongoing development intervention with indication of the extent of progress and achievement of objectives and progress in the use of allocated funds. Evaluation, on the other hand, is the systematic and objective assessment of an ongoing or completed project, program, or policy, including its design, implementation and results. The aim is to determine the relevance and fulfillment of objectives, development efficiency, effectiveness, impact, and sustainability.

Resources availability - Resources refers to construction workers, construction equipment, facilities, funding, or anything else usually other than labor required for the completion of a construction project.

Staff competency - Refers to accuracy levels, turnaround time and academic qualification of court project supervisory staff which may hinder or support completion of court projects.

Stakeholders' participation - these are persons like daily court users, sponsors like government, or the public, who are actively involved in the project or whose interests may be positively or negatively affected by the performance on completion of the project.

1.11 Organization of the study

The study is organized into five chapters as follows:-

Chapter one presents the introduction of the study that consists of the background of the problem, statement of the problem, purpose of the study, objectives of the study, research questions, and significance of the study, basic assumptions and the definition of significant terms.

Chapter two dwells on the review of the literature on effective productivity and construction industry. The literature review has the following aspects of the study: the four objectives deals with international perspective, the national perspective and finally the local perspective on factors influences completion of court projects, the concept of completion of projects, Theoretical framework, the empirical review and the Conception framework

Chapter three discusses the research methodology to be used in the study it discusses research design, target population, sample and sampling procedures, research instruments, instruments validity and instrument reliability. Also included are data collection procedures and data analysis techniques.

Chapter four, the data presentation, data analysis and interpretation discusses the questionnaire return rate and presents all the data collected from the field. This includes categorization of data into appropriate groups for easy interpretations and analysis.

Finally, chapter five presents a summary of the findings, conclusions, recommendations and suggestions for further studies stemming from this study.

CHAPTER TWO
LITERATURE REVIEW

2.1 Introduction

In this second chapter, relevant literature information that is related and consistent with the objectives of the study was reviewed. This literature review drew materials from a number of sources. The chapter mainly highlights literature on competence of staff and their influence on completion of construction projects, monitoring and evaluation and its influence on completion of construction projects, stakeholder participation and their influence on completion of construction projects, the theoretical framework, the proposed conceptual framework and the research gap.

2.2 The concept of completion of projects

Although formulating a consistent strategy is a difficult task for any management team, making that strategy work –implementing it throughout the organization is even more difficult Hrebiniak, (2006). A myriad of factors can potentially affect the process by which strategic plans are turned into organizational action. Unlike strategy formulation, project implementation is often seen as something of a craft, rather than a science, and its research history has previously been described as fragmented and eclectic (Noble, 1999b). It is thus not surprising that, after a comprehensive strategy or single strategic decision has been formulated, significant difficulties usually arise during the subsequent implementation process. The best-formulated strategies may fail to produce superior performance for the firm if they are not successfully implemented, as Noble (1999b) notes. Results from several surveys have confirmed this view:

An Economist survey found that a discouraging 57 percent of firms were unsuccessful at executing strategic initiatives over the past three years, according to a survey of 276 senior operating executives in 2004 Allio (2005). According to the White Paper of Project implementation of Chinese Corporations in 2006, project implementation has become “the most significant management challenge which all kinds of corporations face at the moment”. The survey reported in that white paper indicates that 83 percent of the surveyed companies failed to implement their strategy smoothly, and only 17 percent felt that they had a consistent project implementation process. It is thus obvious that project implementation is a key challenge for today’s organizations. There are many (soft, hard and mixed) factors that influence the success of

project implementation, ranging from the people who communicate or implement the strategy to the systems or mechanisms in place for co-ordination and control. How can we better understand these issues and their importance for successful project implementation?

2.3 Availability of resources and completion of construction of court projects

In project management terminology, resources are required to carry out the project tasks. According to Wikipedia online dictionary resources can be people, equipment, facilities, funding, or anything else capable of definition usually other than labour required for the completion of a project activity. The lack of a resource will therefore be a constraint on the completion of the project activity. Resources may be storable or non-storable. Storable resources remain available unless depleted by usage, and may be replenished by project tasks that produce them. Non-storable resources must be renewed for each time, even if not utilized in previous times. Resource scheduling, availability and optimization are considered key to successful project management. Allocation of limited resources is based on the priority given to each of the project activities. Their priority is calculated using the Critical path method and heuristic analysis. For a case with a constraint on the number of resources, the objective is to create the most efficient schedule possible - minimizing project duration and maximizing the use of the resources available Feuerstein (1986) argues that adequate resources ensure effective, quality construction projects. It is critical to set aside adequate financial and human resources at the planning stage.

The required financial and human resources for timely completion of construction projects should be considered within the overall costs of delivering the agreed results and not as additional costs. Dedicated staff time for effective project implementation, staff should be dedicated for the function. The practices of deployment of personnel for monitoring vary among organizations. The duration of a project will be determined by its purpose. The availability and accessibility of construction materials influence the cost of the project exercise Gorgen (2001). In the absence of these construction materials, the contractor needs to spend more time and resources to locate them. The appropriateness of allocated resources should be assessed to ensure that project runs without delays. If a construction of court project is carried out jointly with donors in the context, there should be an agreement on resourcing modalities with potential donors or other counterparts at the outset. Budget limitation is consistently one of the greatest

constraints to timely implementation of church's construction projects. While projects can often compensate for a lack of technical capacity through training and/or outsourcing, they cannot compensate for the lack of money. Carrying out a church's construction project costs money and, depending on how ambitious project implementers are about their project, it can cost a lot of money. Successful and timely completion of construction projects in churches requires that an organization invest valuable resources, including money and peoples' time. At the earliest stage of designing a construction project, key stakeholders must make a decision on whether the activity is worth pursuing given the expected use and costs. At least a rough budget for the activity is therefore needed as part of up-front planning.

The availability and accessibility of housing materials influence the cost of the project exercise Gorgen (2009). In the absence of these housing materials, the contractor needs to spend more time and resources to locate them. The appropriateness of allocated resources should be assessed to ensure that project runs without delays. If a church magistrate's court is carried out jointly with donors in the context, there should be an agreement on resourcing modalities with potential donors or other counterparts at the outset. Budget limitation is consistently one of the greatest constraints to timely implementation of construction of magistrate's courts.

While projects can often compensate for a lack of technical capacity through training and/or outsourcing, they cannot compensate for the lack of money. Carrying out a construction of magistrate's court costs money and, depending on how ambitious project implementers are about their project, it can cost a lot of money. Successful and timely completion of magistrate's courts in churches requires that an organization invest valuable resources, including money and peoples' time. At the earliest stage of designing a magistrate's court, key stakeholders must make a decision on whether the activity is worth pursuing given the expected use and costs. At least a rough budget for the activity is therefore needed as part of up-front planning.

Financial resources for constructing magistrate's courts should be estimated realistically at the time of planning for the project; Gwadoya (2009). While it is critical to plan for project execution together, resources for each function should be separate. In practice, each project should have two separate budget lines for example the project and for its monitoring and evaluation agreed in advance with partners. Monitoring and evaluation costs associated with

projects can be identified relatively easily and be charged directly to the respective project budgets with prior agreement among partners through inclusion in the project budget or Annual Work Plan (AWP) signed by partners. Sourcing and securing financial resources for constructing magistrate's court or programs can pose additional challenges. Pace (1990) states that it is important to allocate required funds for each magistrate's court.

It is important that partners consider the resources needed for timely completion of projects and agree on a practical arrangement to finance the associated activities. Such arrangements should be documented at the beginning of the program to enable partners to transfer necessary funds in accordance with their procedures, which could take considerable time and effort. Human resources are critical for effective implementation and timely completion of magistrate's courts, even after securing adequate financial resources as per Pace (1990). For high-quality execution of a magistrate's court, there should be an excellent learning tool as well as a means to improve program.

In African countries developing countries, Construction Projects represent a strategic option towards achieving sustainable development objectives. On the one hand, these projects are characterized with the need for high design knowledge and technical skills; competent human resources and managerial capabilities as well as excessive cost investment. Conversely, developing countries experience shortage of many of these requirements, which obstruct the development of MCPs. There are challenges of delivering Mega Construction Projects (MCPs) in developing countries. Construction projects require unique design knowledge, skills, and experience. Lack of professional expertise, shortage of full understanding of scientific and technical requirements Georgieva (2012) and improper decisions and overlooking specialists and stakeholders consultation during the decision making process Kerzner (2006); Jia et al (2011) obstruct the development of Mega Construction Projects (MCPs) in developing countries.

These challenges were clearly noticed in Toshka project, a water infrastructure development, Egypt as not all technical requirements have been taken into full consideration and the different studies conducted over the years related to the project have not been discussed openly and in public. Examples of the technical failure include: Rational behind Human Development Challenges .The ability to attract, retain and develop talented employees is a key feature of

successful business. People are an organization's most valuable asset and this is especially true in relatively low-tech, labor- intensive industries such as construction Loosemore et al (2003).

Labourers are the lifeblood of any construction project, especially in construction projects in developing countries. They are the workforce that creates the final product. Therefore, it is imperative to improve their skills and enhance their abilities to increase the productivity of the construction industry and ensure the quality of the constructed projects Ramburan and Othman, (2007). Shortage of providing quality education and professional training programmes is a major challenge that leads to lack of providing Mega Construction Projects (MCPs) with high-qualified human resources, which have the right skills of organization, technology and management in construction that match challenges of construction projects in developing countries·

In addition, lack of human resources development in management related disciplines i.e. project management, contract administration and leadership results in poor supply of experienced staff who can accept critical roles, which they are not, prepared for Georgieva (2012). Furthermore, there is an agreement between academics and profession- also that academic institutions do not equip graduates with necessary skills required to meet the requirements of the construction industry Nkado (2000); Chileshe and Haupt (2007) and Rwelamila (2007) which highlights the need for human resource development. The construction of the 2010 FIFA World Cup stadia in South Africa is a clear example that explains the impact of the shortage of skilled labour on delivering construction projects in stated timelines in developing countries.

Shortage of skilled labour was ranked the third out of nine causes of cost overrun with Relative Importance Index = 0.58 out of 1 and the second out of nine causes of time delays with Relative Importance Index =0.63 out of 1 Baloyi and Bekker (2011). Another example is the development of Nelson Mandela Bay Metro-pole in South Africa where 100,000 specially designed dwellings of high architectural and engineering quality need to be constructed in 3-5 years to wipe out the backlog 2 million homes. Failing to provide skilled labour and properly trained on-site supervisors who are capable to deliver the required standard of work leaving delivery of homes to unreliable contractors was a major challenge towards achieving the project objectives of finishing the project in time Koen and Theron (2008).

From global perspectives, recourses availability is one of the important challenges facing the construction industry characterized by shrinking workforce. Statistics Canada predicts that in Canada by 2016 there will no longer be enough new workers to replace retirees. In the US a Conference Board studies: Managing the Mature Workforce, predicted that by 2010, the number of workers aged 35 to 44 will decline by 19%; aged 45 to 54 will increase 21%; and aged 55 to 64 will increase 52%. This is a worldwide phenomenon. The number of workers aged 35 to 44 is expected to decline by 27% in Germany, 19% in the U.K., 9% in Italy, 10% in Japan, and by 8% in China. A recent study from the American Public Power Association (APPA), Work Force Planning for the Public Power Utilities: Ensuring Resources to Meet Projected Needs reports that the loss of critical knowledge and the inability to find replacements with utility-specific skills are the two biggest challenges facing the industry. In the utility industry the average age of utility workers is close to 50 and by 2010, as many as 60 percent of today's experienced utility workers will have retired. A survey conducted in 2005 by the Carnegie Mellon University Electricity Industry Center found out that human resources executives in the utility sector overwhelmingly listed the aging work force as their number one concern Nkado (2000).

The construction industry a report prepared in 2004 by the U.S. Department of Labor Employment and Training Administration (ETA) entitled: America's Construction Industry: Identifying High Growth Job Training Initiative in the Construction Industry reported, "Industry leaders noted that the construction industry is experiencing a shortage of workers. This current shortage is complicated by two trends: the growth of the industry, and the retirement of the "baby boomers." The ETA projects that the construction industry will grow at an average annual rate of 1.3 percent between 2002 and 2012, adding over one million new jobs. The U.S. Bureau of Labor Statistics (BLS) projects that the number of jobs in construction will increase by 800,000 in the next ten years from 2004 (6,964,500) to 2014 (7,756,900.) The shrinking workforce problem affects utilities as well as the construction industry. According to the (BLS) the overall number of jobs in utilities is projected to be roughly stable over the next ten years 2004 (570,000) to 2014 (562,500) which implies that most new employment will be replaced as more experienced workers retire.

2.4 Competence of Judiciary staff and completion of construction of court projects

Competence in human resources is a standardized requirement for an individual to properly perform a specific job. Cuban (2001) observed that there are many ways to define and measure the adequacy of staff competency, capacity and the effectiveness of agencies tasked. The issue of timely completion of construction projects in Kenya is increasingly becoming an issue of concern among the stakeholders in the construction industry. The most important factor influencing timely completion of construction projects in Kenya is financing by the contractor, during the project, changes in designs by the owner or his agent during the construction, delays in contractor's payment and non-utilization of professional construction management. In addition, preparation and approvals of shop drawings also contribute to the delays to a significant extent. This is because of the increasing rates of interests, commercial pressure, inflation and the potential of a construction project to result in disputed and claims leading to litigation or arbitration. Others are cash flow problems during the construction process. Owners on their part cause delays when they face labor shortages or labour skills.

In a country like Kenya, construction workers are relatively unskilled and lack of adequate planning at the early stages of the project results in time and cost overruns. The Chinese contractors know this by now. Plan on how to train the Kenyan labor force on their construction methods and this might reduce the scenarios that we see Chinese contractors working with only two or three local workers at the construction site. The more they train and engage in their projects, the more the construction process is likely to stay on course with the construction projects. The effectiveness of the project team tasked with church's construction project administration depends largely on the project staff capacity relative to the demands placed upon them. To be effective, church's construction projects need to have sufficient and capable staff with the appropriate mix of skills and expertise, the motivation and will to act, and the incentives and resources necessary to achieve their mandate. Kent (2011) postulates that the ability of a project's staff to meet demands for its services depends on both its numbers and the skills and expertise staff members bring to the job.

A project team needs to have at least the minimum necessary mix of skills and expertise and a sufficient number of staff with appropriate skills relative to the scale of its responsibility. Construction projects do not implement themselves. They require people to carry out laid down

work, there is need to understand who will work on the systems, what skills and knowledge they have and the overall level of human resources available both within the team and externally to support your project execution plan. The minimum required mix of skills and expertise, and the required number of staff per unit managed or administered by the agency can be established through estimates provided by knowledgeable informants Economic Stimulus Programme Handbook (2009). These informants could include current and past managers of the stimulus project analysts, researchers, tracking the stimulus project operations and functioning, Cambridge (2000).

Based on their informed contractors or consultancy firms' opinions, a range of estimates for the minimum required skill mix and the number of required staff with requisite skills per unit can be established as points of reference. To translate a project's staff skills and expertise into effective action, staff members must have the motivation and willingness to discharge their responsibilities and perform their mandated functions according to norms of professional behavior. Staff motivation and will to act is not directly observable, but it is linked to incentives and rewards for good performance within a project team. The relative attractiveness of the agency's compensation package and prospects for professional growth and promotion can motivate staff and serve as incentives for good performance. Norms of professional behavior set standards and expectations on how staff members ought to conduct themselves in the course of their work. The degree to which these standards are adhered to also provides some indication of quality of staff performance and of how effectively an agency is managed Kent (2011).

Skilled personnel staff entrusted with project execution should have required technical expertise in the area Gardner (2003). Where necessary, skill levels should be augmented to meet the needs and with ongoing investments in developing such capacity within the office as necessary. Specific considerations for budgeting and financing for effective construction endeavors of the project should estimate and indicate financial requirements and financing means for each evaluation in the evaluation plan. When estimating the cost for a project, the duration and scope of the evaluation should be considered. Project management involves people in several different roles: team member, project leader or manager, and client or stakeholder.

The effective project team consists of a group of people who understand the project objective, have expertise in their field as it relates to the project, and understand each person's role and responsibility. Project team members need to be willing to cooperate and collaborate, trust and respect other team members, and focus on results. Gardner (2003) argues that the project manager is the one responsible to keep the project on track and deliver the project outcome, either product or service, on time and within budget. The project manager must ensure that the outcome of the project is what the client or stakeholder asked for, and that the client is satisfied with the results. For effective outcomes, the project manager needs to optimize the use of the shared resources, and balance time, cost, quality, and risk to meet or exceed stakeholder expectations. A successful project manager probably serves as the equivalent of both the CQI team leader and the team facilitator.

The project manager is the leader of the team, with formal authority from designation as the project manager and possible informal authority through respect earned from the team members. The project manager oversees the definition, planning, execution, and completion of the project, and the work of the team members. Remembering that the team members are experts in their fields, the project manager may serve as coach providing strategy, road maps, plays or conductor bringing together specialized experts to provide music rather than noise for the team members. Team members probably do not need to be closely supervised or micromanaged. An effective project manager will be skilled in leadership, communication, time management, problem solving, and handling conflict, and will know when to delegate and how closely to monitor progress. As per Nkado (2000) the project manager will have to make use of softer interpersonal skills such as team building, negotiation and conflict resolution, and more quantitative skills such as estimating, scheduling, and tracking.

The Global Alliance for Project Performance Standards 2007 identifies six major units for project manager competency: manage stakeholder relationships, manage development of the plan for the project, manage project progress, manage product acceptance, and manage coordination Problems due to incompetency of project manager may cause project delays. In a construction project, there are many parties involved such as contractor, consultant, sub- contractor and client. Often, it may be difficult for these various separate parties to coordinate well in order to complete the project. In one study conducted by Assaf et al. (1995) it was found that difficulty in

coordination between the parties is one of the factors that contribute to delay. In addition, Majid and MacAfee (1998) also agree that coordination problems will contribute to delay.

Lack of coordination between contractors and subcontractors will lead to delay, for example in the situation that newly revised housing drawings of a project may be issued later by the contractors to the subcontractors; Ali et al. (2008) and Kadir et al. (2005). This leads to housing mistakes and the work requiring to be redone. Rehousing work takes additional time, therefore affecting upon the completion time of the project. According to Sambasivan and Yau (2007), most of the unskilled labuorers used in the Malaysian housing industry are foreign labourers. These foreign labourers have little formal education Santoso et al (2003). Thus, coordination is very important to guide and instruct these labourers to perform their work correctly. Without coordination, the project will be delayed due to rectifying defective works and low productivity of labourers.

Poor site management may occur when contractors do not have enough experience and suffer from a lack of knowledge in managing the project team Kadir et al (2005). A project manager is the leader in a construction project in the sense that he is required to manage all the works on site from monitoring progress of construction works to managing all the administrative work in the project. It is of utmost importance for the project manager to manage the work and project teams effectively. Hence, poor site management from the project manager will affect the whole team and the progress of works, resulting in the eventual outcome of project delay. This view is supported by studies conducted by Augustine and Mangvwat (2001), Arshi and Sameh (2006), Arditiet al. 1985), Faridi and El- Sayegh (2006), Yang and Ou (2008), Sweis et al (2008), Aibinu and Odenyika (2006) and Ahmed et al (2003) who concluded that poor site management is one of the factors that contribute to delay in construction projects.

Globally, from a resource-based point of view, superior performance of construction projects is linked to the resources and capabilities possessed by a particular project staff. Even though conceptualizing and or measuring these capabilities is not straight- forward , an in-depth analysis of employees' competences and their development is inevitable because they form a key source for competitive advantage in construction projects. This holds particularly true for construction projects branches facing so-called hyperactive competition, which de-notes a competitive

situation where the key success factor is the ability to constantly develop new products, completed in stated timelines providing the customer with increased functionality and performance. From an economic modeling point of view Toor and Ogunlana (2008), allocating available resources amongst a set of project opportunities poses a decision-making problem of intriguing complexity.

The question to be answered involves addressing how the goals of generating innovation value and strengthening innovation capacity can best be accomplished for timely completion of construction projects in a country like Kenya, construction workers are relatively unskilled and lack of adequate planning at the early stages of the project impacts on timely completion of construction projects and cost overruns. In the construction of Super highway for example, The Chinese contractors knew this. They planned on how to train the Kenyan labor force on their construction methods and this reduced the scenarios that we saw of Chinese contractors working with only two or three local workers at the construction site. The more they train and engage in their projects, the more the construction process stayed on course and completed in good time.

2.5 Monitoring and Evaluation and completion of construction of court projects

The Organization for Economic Cooperation and Development (OECD) defines monitoring and evaluation as follows: Monitoring is a continuous function that uses the systematic collection of data on specified indicators, to provide management and the main stakeholders of an ongoing development intervention with indication of the extent of progress and achievement of objectives and progress in the use of allocated funds. Evaluation, on the other hand, is the systematic and objective assessment of an ongoing or completed project, program, or policy, including its design, implementation and results. The aim is to determine the relevance and fulfillment of objectives, development efficiency, effectiveness, impact, and sustainability. An evaluation should provide information that is credible and useful, enabling the incorporation of lessons learned into the decision-making process of both recipients and donors Görgens and Kusek, (2009). From the above two definitions, it is immediately evident that monitoring and evaluation are distinct yet complementary.

Monitoring gives information on where a policy, program or project is at any given time and over time relative to respective targets and outcomes. It is descriptive in intent. Evaluation gives evidence of why targets and outcomes are or are not being achieved. It seeks to address the issues of casualty. Of particular emphasis here is the expansion of the traditional M&E function to focus explicitly on outcomes and impacts Kusek and Rist, (2004).Monitoring and evaluation can be effective tools to enhance the quality of project planning and management. Monitoring helps project managers and staff to understand whether the projects are progressing on schedule and to ensure that project inputs, activities, outputs and external factors are proceeding as planned.

Evaluation can be a tool to help planners and managers assess to what extent the projects have achieved the objectives set forth in the project documents. Monitoring and evaluation as a tool for learning and continual improvement has been increasingly viewed as key to the success of projects and the sustainable management of resources Stem, Margoluis, Salafsky, & Brown (2005). Continual improvement approaches to M&E include Performance Management Frameworks Behn (2003) designed to maximize the effectiveness of projects or programs. Results-based management Swiss (2005) is one such performance management approach commonly used in government and nongovernmental organizations. Despite the availability of these management tools the success of projects remains vulnerable to how effectively they are applied Schreiber, Bearlin, Nicol, & Todd (2004).

Managers commonly do not have the capacity to effectively monitor progress and evaluate success at landscape and regional scales Stem, Margoluis, Salafsky& Brown (2005). Due to the complexity of socio- ecological factors associated with various projects, Margoluis, Stem, Salafsky& Brown (2009) emphasize that project planning and evaluation is wrought with challenges. A lot of scholars have highlighted the fact that many organizations globally have a number of challenges in this aspect of monitoring and evaluation of the projects they implement. The challenges unless mitigated mean that the monitoring and evaluation is not effectively done, translating into inability of projects to optimally benefit from this monitoring and evaluation aspect Rakotononahary (2002).

From a global perspective Monitoring and evaluation has become an increasingly important tool within global efforts toward achieving environmental, economic and social sustainability Mrosek, Balsillie & Schleifenbaum (2006). Project monitoring and evaluation is fundamental if the project objectives and success is to be achieved. Monitoring and evaluation of project improves overall efficiency of project planning, management and implementation. Monitoring and evaluation are intimately linked to project management functions and as a result there is a lot of confusion in trying to make them work on projects Crawford and Bryce (2003).

At national and international scales, sustainability criteria and indicators for M&E are important tools for defining, monitoring and reporting on ecological, economic and social trends, tracking progress towards goals, and influencing policy and practices Montreal Process 1998; United Nations 2008. At regional and sub-regional scales, M&E is important for assessing the sustainability of local practices, and can be an important tool to assist with management planning. Current educational thinking underpinning monitoring and evaluation reflects a move away from a pathological theoretical approach to one, which values understanding of learning difficulties. Monitoring and evaluation locates barriers to learning and development in the entire system instead of only focusing on the individual. This implies that barriers to the implementation may be located within the project, the community and or within the broader social, economic and political context. This thinking has its foundation in Eco systemic theory postulated by Bronfenbrenner (1979).

The Eco systemic theory is the most commonly used theory in monitoring and evaluation. Implicit in the systems approach is the understanding that there are layers in the systems that interact with each other to produce certain outcomes. It suggests that effective implementation of inclusion requires the collaboration or interaction of multiple participants. With regard to Eco systemic theory, several researchers argue that monitoring and evaluation are badly implemented because they may be based upon an inadequate understanding of the problem, its causes and the possible solutions Sabatie (2005). In other words, if the theory underpinning the policy is fundamentally incorrect, the policy implementation will fail. One of the key proponents of this approach is Elmore (2000). He argues that a more realistic understanding of implementation can be gained by looking at the policy from the view of the target implementers and the service providers. This theorist argues that successful implementation depends more on the skills of local

implementers than upon efforts of central government officials. Matland (1995) notes: "At the macro- implementation level, centrally located actors devise a government programme; local organizations react to the macro- level plans, develop their own programs and implement them."

According to Behn (2003) most 66.7% of the government projects in the developing countries fail due to poor monitoring and evaluation during the project implementation process. The study also determined that the monitoring and evaluation practices of the projects fell short of the best practices. Most of the best practices were inconsistently done and others were not done at all. Planning for monitoring and evaluation was inadequately and inconsistently done. Further, Muzinda (2007) observed that there have been reports in the media decrying the inadequate monitoring and evaluation of HIV/AIDS projects implemented in Botswana. This is mainly due to the serious lack of control of funds that were disbursed, lack of accountability for the disbursed funds and absence of any evidence of the attainment of the objectives for which the funds were disbursed to the NGOs. Lack of adequate monitoring and evaluation expertise or capacity among the local NGOs is one area that has been highlighted by several scholars Hughes d'ach (2002) and Gibbs et al (2002).

Monitoring and evaluation requires specific skills and expertise such as monitoring and evaluation design skills particularly log frame design, indicator setting: both qualitative and quantitative, design of data collecting instruments including questionnaires, focus discussion guides. Other necessary skills include data collection skills such as conducting interviews, conducting focus group discussion, data analysis and report writing skills Gibbs et al (2002). Lack of adequate financial resources to carry out monitoring and evaluation is another challenge faced by these organizations. A good number of organizations lack adequate funding for their activities: this means that the little resources available are channeled to actual implementation of project activities: monitoring and evaluation are looked at as an expense that they cannot afford Gibbs et al (2002).

Monitoring and Evaluation, (M&E) is increasingly recognized as an indispensable tool of both project and portfolio management. They acknowledge the need to improve the performance of development assistance calls for close attention to the provision of management information, both to support the implementation of projects and programs and to feed back into the design of

new initiatives Casley and Kumar (1987). M & E also provides a basis for accountability in the use of development resources. Given the greater transparency now expected of the development community, governments and agencies assisting them need to respond to calls for more success on the ground with examples of development impact and with evidence that they have systems in place that support learning from experience.

Project beneficiaries in design and implementation bring greater ownership of project objectives and encourage the sustainability of project benefits McMillan (1989). Objectives should be set and indicators selected in consultation with stakeholders, so that objectives and targets are jointly owned. The emergence of recorded benefits early on helps reinforce ownership, and early warning of emerging problems allows action to be taken before costs rise. A reliable flow of information during implementation enables managers to keep track of progress and adjust operations to take account of experience. Bamberger (1999) also indicated that another challenge is the provision for collecting data and managing project records so that the data required for indicators are compatible with existing statistics, and are available at reasonable cost. Thus, for example, a health project might be designed to further the sectorial goals of a reduction in child mortality and incidence of infectious diseases, but have an immediate, measurable objective of providing equitable access to more health services. Objectives should be specific to the project interventions, realistic in the timeframe for their implementation, and measurable for evaluation.

In Africa, Jalandhar (2011) have done a study on the challenges of monitoring and evaluating maternal and child health program in developing countries and established that in most of the developing countries the Management Information System (MIS) is not sound enough to capture all the indicators backed by numerous challenges. With an aspiration to achieve Millennium Development Goals (MDGs), evaluation of various maternal and child health program (MCHP) can help stakeholders and the community to understand what the program is doing, how well it is meeting its objectives and whether there are critical needs inhibiting the progress. Barasa (2011) also conducted a study on the factors influencing implementation of monitoring and evaluation of projects in non-governmental organizations: a case of Sun Aid Africa. The study sought to understand how Finance affects Monitoring &Evaluation implementation; and examine the level of participation of stakeholders in the monitoring and evaluation process. Without forgetting the level of skills, Monitoring &Evaluation officers possess to enable them perform the process

satisfactorily and the availability of enough staff to perform Monitoring and Evaluation. It was also revealed that finance and resources, which most organizations tend to ignore, determines the general input, which would be dedicated to monitoring and evaluation as a whole. This study is of great significance to organizations, project officers, stakeholders and the community as a whole.

In a case of East Africa Wildlife Society, Nyabuto (2012) studied the factors influencing implementation of monitoring and evaluation of projects in NGO's. The study sought to understand how Finance affects M&E implementation; and examined the level of participation of stakeholders in the monitoring and evaluation process. The study reveals that a higher number of stakeholders are not involved in monitoring and evaluation and the projects do not allocate enough funds monitoring and evaluation. This research recommends further research to be done to investigate the system concepts on performing evaluation. It also recommends that a research to be done to address the gap that exist between interpretation of Monitoring and Evaluation framework and its implementation.

In Kenya, Kipyego (2012) has done a study on the factors affecting implementation of monitoring and evaluation programs in Kazi kwa Vijana projects by government ministries in Kakamega Central District, Kenya. The study focuses on the monitoring and evaluation component in the Kazi kwa Vijana projects. The study investigates the influence of funding and training on the implementation monitoring and evaluation programs. The research revealed several shortcomings in the monitoring and evaluation of Kazi kwa Vijana projects notably serious under funding, lack of skilled manpower and a general negative attitude towards monitoring and evaluation. The study recommends that these critical issues be addressed by up scaling funding for monitoring and evaluation activities, enhanced training of monitoring and evaluation personnel and the setting up of dedicated monitoring and evaluation teams at the District level across all ministries implementing Kazi kwa Vijana projects. This will facilitate efficient implementation of these projects to maximize the benefits of this huge investment in the youth of this country.

On the study carried out by Gwadoya (2011) on the factors influencing effective implementation of monitoring and evaluation practices in donor funded projects in Kenya: a case of Turkana

District the key findings and recommendations, the researcher found out that staff competency; resource adequacy, technology adoption and donor policies play a pivotal role in determining the performance and success of donor-funded project. However, the study finds out that there is a shared need for proper understanding of M & E practices in donor-funded project. On the other hand, Adan (2012) did a study on the factors influencing the application of participatory monitoring and evaluation (PME) in community based projects: a case of IDPs in Mogadishu Somalia. He observes that sufficient time was needed to develop adapt and implement the agreed process of PME. Training is also found to be very important in PME and it needs a lot of time to be built into the stakeholders.

Resources in form of finances and human resource is indeed necessary for PME for various activities such as planning, implementation, monitoring and mobilizing the community among other activities. Skills are also found to be necessary in the following area, planning, implementing, assessing and monitoring and for numeracy, literacy, interviewing and monitoring in qualitative and quantitative methods, for Management Information Systems (MIS) and for follow ups, adequacy, technology adoption and donor policies play a pivotal role in determining the performance and success of donor funded project hence their timely completion. Nyabuto (1999) did a study that shows there is a shared need for proper understanding of M& E practices in donor-funded project.

2.6 Stakeholder participation and completion of construction of court projects

The Project Management Institute of Kenya states in the (PMIOK) that "Stakeholders are persons or organizations e.g., customer, sponsors, the performing organization, or the public, who are actively involved in the project or whose interests may be positively or negatively affected by the performance or completion of the project. Stakeholders may also exert influence over the project, its deliverables, and the project members. Project Management Institute (2008) page 23 describes project stakeholders are those people who have a stake in the project. They are persons who have interest in the activities of the project.

The following are the types of stakeholders that may be involved in a project activity, the community whose situation the programme seeks to change the project staff who implements

activities. Programme Managers who oversee programme implementation funders and other Decision-Makers who decide the course of action related to the programme and supporters, critics and other stakeholders who influence the programme environment Davies (1998). Ferreira (1999) argues that influence of stakeholder participation on effective implementation of projects provides opportunities for public participation. The extent to which stakeholder participate ensures people decision-making processes and decision-making capacity of the implementing the project and engage with other stakeholders in projects' policy decision- making and implementation, existence and effectiveness of conflict resolution and grievance mechanisms is important.

Lemos (2000) on the other hand, looked at multi-stakeholder processes and observed that they can aid in the specification and selection of appropriate construction project. Verification, triangulation and peer review can greatly enhance the accuracy, reliability and credibility of the chosen indicator and measurement, and of the governance assessments based on these measures. Stakeholder consultation can serve this purpose. Having the indicator measures and assessments cross-checked and verified by different stakeholders in the context of multi-stakeholder forum and dialogues can help reduce subjectivity and bias. Stakeholders may not necessarily agree on the measured results or their interpretation and assessment.

However, the areas and extent of disagreement among stakeholders can, provide valuable insights and point to issue requiring greater attention Adan (2012). The project, in all likelihood, involves a variety of players. Project managers, resource managers, staff members, volunteers, participants, and community members all have a stake in the overall success of the project. Each plays a different role and sees the project through a different lens. These perspectives should be tapped when planning construction project in the church. To ensure that ideas and Perspectives are represented; members of stakeholder groups should be invited to participate in a court construction project planning team. The team, depending on the particulars of the project, may play a purely advisory role or may take a more hands-on role in the actual data collection.

The exact expectations of planning team members need to be decided and articulated early on in the process. Project execution as agreed among the key stakeholders at the end of the planning stage, is essential in order to carry out implementation systematically. This plan serves as a tool

for the project implementation, and should clarify effective and timely decision-making, required information from regular and implementation activities. Planning for implementation should start at the time of programme or project design, and they must be planned together with indicators for progress. Stakeholder participation in project implementation can produce effective communication for various other objectives. These includes facilitating communication of 'early wins' to increase support and enlist engagement of those who are not yet engaged, ensure access of early products and services of initiatives for intended beneficiaries, mobilize additional resources to fill resource gaps, and ensure effective use of lessons learned in future decision making Larry (2001).

According to Karl (2000), in order to monitor and evaluate stakeholder participation in development projects and programmes, it is necessary to identify the stakeholders, for example, those who are affected by the outcome negatively or positively or those who can affect the outcomes of a proposed intervention. Primary stakeholders are those people and groups who are ultimately affected by the project. Secondary stakeholders are intermediaries in the process of delivering aid to primary stakeholders. External stakeholders are those not formally involved in a project, but who may influence or be affected by it. In development projects and programmes, stakeholders usually include donor agencies, government, civil society organizations and the local community and beneficiaries. Stakeholder analysis is one of the major methods used for identifying the relevant stakeholders of a particular project or programme.

Experiences in monitoring and evaluation of participation are still limited. Lee in Cleland & Gareis (2006) assert that attention is focusing more on identifying stakeholders and assessing the extent and quality of stakeholder participation than on assessing the costs and benefits of participation to the different stakeholder groups or the impact of stakeholder participation. However, this is not always a clear separation among the approaches and methods for assessing these different aspects of participation. Assessing the extent and quality of participation requires both quantitative and qualitative indicators. Quantifiable indicators can be used to measure the economic aspects of participation, the extent of participation in organizations and project activities, and the development momentum.

Qualitative indicators measure processes such as organizational growth, group behavior and self-reliance. These indicators may evolve over the life of a project as participation changes. Larry (2001). Stakeholder's assessment is a crucial element in assessing the extent and quality of participation. Understanding gender differences is also essential. While different methods can be used, participatory in monitoring and evaluation and involvement of the primary stakeholders wherever possible is generally recommended. Experiences in assessing the costs and benefits of participation to the different stakeholders have been limited. The few assessments documented in the literature pertain mainly to the costs to the donor agency.

The World Bank in particular, has carried out some assessments of the costs of participation to the Bank. Results show that participatory projects require more financial and time input than non-participatory projects but, these are not excessive. The studies have however, not attempted to measure the costs of not providing for participation. Some of the literature suggests that participatory project implementation could be used to assess the costs and benefits of participation to the primary stakeholders. Karl (2000) further states that assessments of the impact of stakeholder participation have been carried out mainly through reviews of ex-post evaluations, case studies, surveys and statistical analysis. There has also been some experience of using both conventional M&E techniques and participatory M&E during the life of the projects. While evidence is still limited, it suggests that participation has a positive impact on project and programme performance, outcomes and sustainability.

Globally, projects have changed in the last decade as globalization presents a dynamic and more interactive process, which is influencing nowadays everywhere. Therefore, many global projects currently are executed in organizations containing completely diverse cultures, working together to reach success. This extraordinary and worthy phenomenon Anon (2010) consists of different stakeholders, which intervene from various points of view as well as presenting the global project itself. As Aarseth et al (2012) pointed out the biggest challenge in global projects is the treatment of external stakeholders. Stakeholders in general need to be considered as a key to success within global environment Turner (2007). Therefore, they need to be heard Andersen (2008) as well as actively and effectively communicated with Grisham & Srinivasan (2007).

Another reason for examining stakeholders in global projects presents the different perspectives of various stakeholders. From this understanding, the global project can benefit a lot, and aim to commit early to stakeholders within the global project Tinnirello (2002). Therefore, stakeholders display the core of a global project and their particularities as well as different influences towards the project need to be examined. Firstly, core elements as global projects, stakeholders and success factors are defined, and then stakeholders are examined more closely by presenting the motivation and necessity of stakeholder attention. Furthermore, global environments are still unknown in terms of interaction of different participants as well as reaction caused by various new impacts. Besides good preparation, there can be unexpected problems in terms of varying institutions Orr & Scott (2008).

Communication is the basic tool between the stakeholders. As collaborative knowledge has become a core competence in the global environment Lee in Cleland & Gareis (2006), stakeholders need to be treated intensively to exploit this type of knowledge. Relationship management presents the most important particularity and a fundamental of communication. The Project Management Institute states, by not being aware of the stakeholders and if overlooking them, a failure is very likely to occur, Project Management Institute (2008). Stakeholders in general can be described, as the core on one side and as the global project itself on the other side, therefore needs to be examined in detail to understand the new influences and different impacts a global project faces. Through the extent of the scope to a global level, more actors have to be considered as participants of a global project Kliem (2012) to be able to finish this project successfully, because the stakeholders will provide the basis for decision making and by this have a big stake in the global project Van Gunsteren (2011).

In Africa over the past several years, issues of “participation” have become increasingly important at the African Development Bank. Like other international development institutions, the Bank has recognized that participation is essential to the achievement of its overarching objectives of poverty reduction and sustainable development. Participatory approaches have been shown to enhance project quality, ownership and sustainability to empower targeted beneficiaries in particular, women and poor people) and to contribute to long-term capacity building and self-sufficiency, Wilson (1995). Numerous development projects documents in Africa refer to the

importance of "stakeholder participation" and encourage staff to utilize a "participatory approach" in their day-to-day operations. For example, the Bank's Vision statement 1999 emphasizes the importance of "a bottom-up, participatory approach" and a "client-responsive approach to ensure stakeholder commitment and ownership".

The Bank document entitled operationalizing the vision calls for a shift to an approach where "all stakeholders, including targeted beneficiaries of civil society, the donor community and borrower countries are involved from the outset of program design through to implementation" Kliem (2012). Multiple references are made to "stakeholder participation" and "participatory approaches" throughout the Bank's Operations Manual in particular, in sections regarding the content of operational missions and project documents) and in almost all recent Bank policy papers, for example, those on Education, Governance, Economic Cooperation and Regional Integration, Cooperation with Civil Society Organizations, Population, HIV/AIDS forthcoming and Gender forthcoming. The Bank has firmly committed itself to mainstreaming participatory development, and staffs are required to adopt a participatory approach in carrying out their work. In practice, the Bank is also making notable progress in translating the commitment to participation into concrete actions in both its policy and project based intervention.

2.7 Theoretical Framework

The theoretical framework is the structure that can hold or support a theory of a research study. The theoretical framework introduces and describes the theory that explains why the research problem under study exists.

2.7.1 Management Theory

Management is the process of designing and maintaining an environment in which individuals, working together in groups, efficiently accomplish selected aims (Koontz and Weihrich, 2000). In its expanded form, this basic definition means several things. First, as managers, people carry out the managerial functions of planning, organizing, staffing, leading, and controlling. Second, management applies to any kind of organization. Third, management applies to managers at all organizational levels. Fourth, the aim of all managers is the same to create surplus. Finally, managing is concerned with productivity this implies effectiveness and efficiency.

Managing, like all other practices whether medicine, music composition, engineering, accountancy, or even baseball is an art; it is know-how. It is doing things in the light of the realities of a situation. Yet managers can work better by using the organized knowledge about management. It is this knowledge that constitutes science. However, the science underlying managing is fairly crude and inexact. This is true because the many variables with which managers deal are extremely complex. Nevertheless, such management knowledge can certainly improve managerial practice. Managers who attempt to manage without management science must put their trust to luck, intuition, or what they did in the past (Gardiner, 2000). In managing, as in any other field, unless practitioners are to learn by trial and error, there are no place they can turn for meaningful guidance other than the accumulated knowledge underlying their practice; this accumulated knowledge is theory. For practical purposes, all managers must develop three sets of skills, namely; conceptual, technical, and human (Peterson 2004)

2.7.2 Theory of Performance (ToP)

The Theory of Performance (ToP) develops and relates six foundational concepts to form a framework that can be used to explain performance as well as performance improvements. To perform is to produce valued results. A performer can be an individual or group of people engaging in a collaborative effort. Developing performance is a journey, and level of performance describes location in the journey. Current level of performance depends holistically on 6 components: context, level of knowledge, levels of skills, level of identity, personal factors, and fixed factors. Three axioms are proposed for effective performance improvements. According to Hijzen, Görg & Hine (2005 these involve a performer's mindset, immersion in an enriching environment, and engagement in reflective practice.

Performance advancing through levels where the labels "Level 1," "Level 2," etc. are used to characterize effectiveness of performance. That is, a person or organization at Level 3 is performing better than a person or organization at Level 2, performing at a higher level produces results that can be classified into categories: (i) quality increases—results or products are more effective in meeting or exceeding the expectations of stakeholders produce a result goes down; amount of waste goes down, (ii)capability increases—ability to tackle more challenging performances or projects increases,(iii) capacity increases—ability to generate more throughput

increases, (iv) knowledge increases—depth and breadth of knowledge increases,(v) skills increase—abilities to set goals persist, maintain a positive outlook, etc. increase in breadth of application and in effectiveness and(vi) identity and motivation increases—individuals develop more sense of who they are as professionals; organizations develop their essence.

2.7.3 Resource –Based View

The core premise of the resource -based view is that organizational resources and capabilities can vary significantly across firms, and that these differences can be stable. If resources and capabilities of a firm are mixed and deployed in a proper way they can create competitive advantage for the firm. Firms with higher competitive advantage tend to create a sense of confidence in stakeholders that their support, whether financial or otherwise, will be valued and put into action. The resource-based view in outsourcing builds from a proposition that an organization that lacks valuable, rare, inimitable and organized resources and capabilities, shall seek for an external provider in order to overcome that weakness (Müller & Jugdev, 2012).

The focus of the agency theory originally was on the relationship between managers and stakeholders (Hair, 2006), but had spread over the time on explaining the relationship between two inter-firm subjects. In that context we associate the agency theory to understanding the relationship between the firm and the outsourced resources (Dvir, Sadeh & Malach-Pines, 2006). Stakeholders will want to be involved in projects that have the resources available well managed. Outsourced resources tend to facilitate the reduction of costs of the entire project. Thus, stakeholders can be convinced that the project managers are working towards the achievement of the project at minimum costs for maximum utility and benefit.

2.8 Conceptual Framework

The proposed conceptual framework gives the relationship between the independent variables and the dependent variables. The key independent variables are resources availability, staff competency, monitoring and evaluation and stakeholders' participation. The dependent variable is the completion of construction projects which should be timely, within the scope, conforming to the specifications and be cost effective.

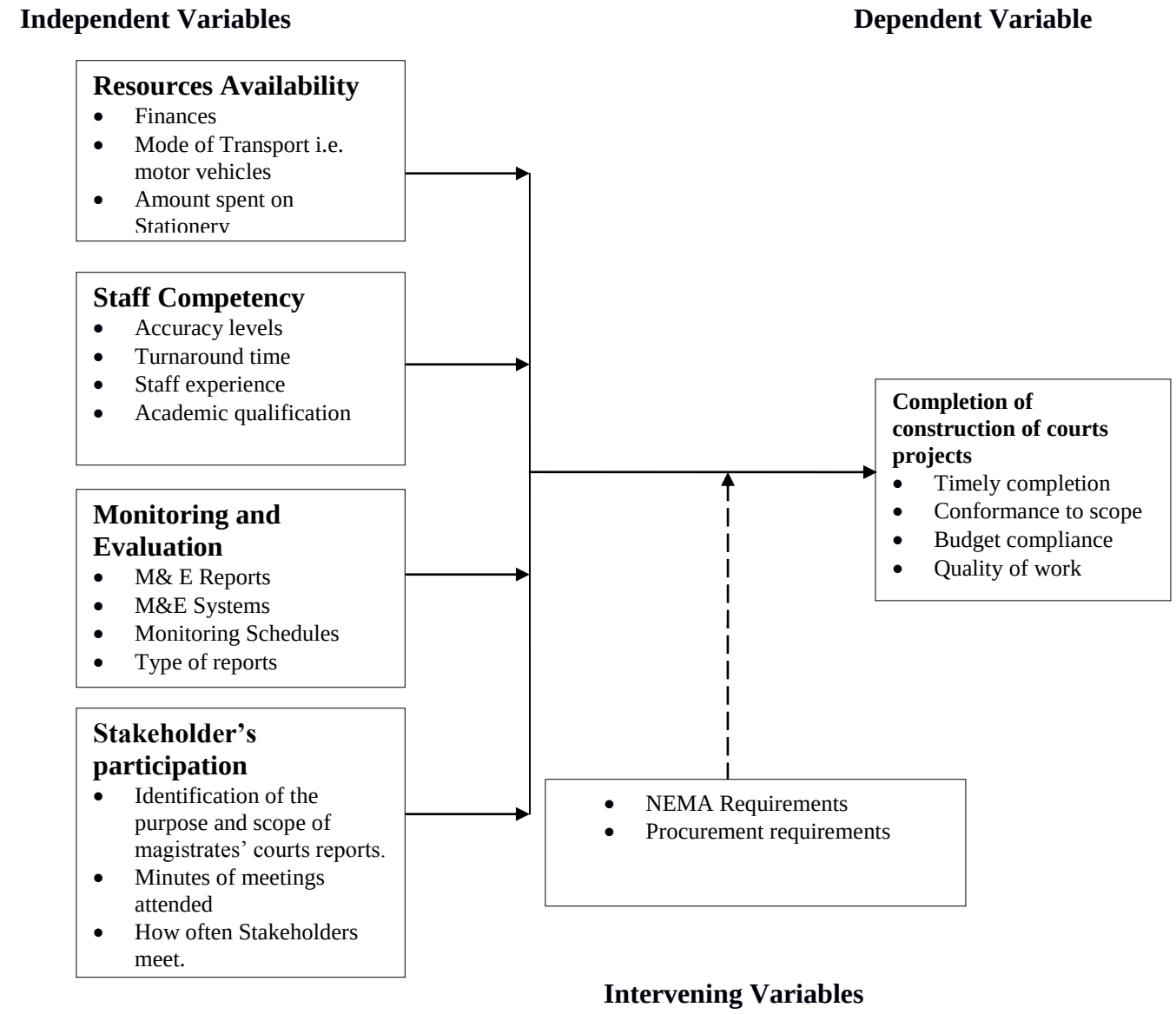

Figure 1: Conceptual Framework

2.9 Summary of literature review

This chapter is divided into eight sections. Section one gives an introduction of the topic. Section two covers the influence of availability of resources on completion of construction court projects in Judiciary, section three covers competence of construction workers and their influence on completion of construction court projects. Section four explores Monitoring and Evaluation and its influence on completion of construction court projects and section five explores Stakeholders Participation and their influence on completion of construction court projects. Section six covers the theoretical framework while chapter seven defines Conceptual framework and chapter eight in this section a review and the existing research gap.

2.10 Research gap on construction of Magistrate courts projects in Judiciary

Construction projects are notorious for failing to complete in time due to over-budgeted, late and saddled with scope creep, as well as from poor communication protocols and inadequate controls around scope change management this especially pronounced in nonprofit organizations Guerin, (2012). Timely completion of construction project is fundamental if the project objectives and success is to be achieved. A project that is completed on time exhibits overall efficiency of project planning, management and implementation and effective tracking project progress.

Therefore this study sought to fill this research gap by investigating factors influencing the completion of construction projects by Judiciary in a case of Magistrates courts in Western, Nyanza and Rift Valley regions of Kenya. Factors that influence the completion of construction projects by Judiciary have not been well documented in the public. As a result, the literature review looks into the role played by various factors in determining completion of construction of court projects by research gap matrix as shown in Table 2.1

Table 2.1 Research gap matrix

Study	Year	Variables	Theories	Population	Sample Size	Data Analysis Technique	Gaps
Investigate factors affecting completion of construction projects within Nairobi County and its environs	2014	i. To determine how construction contract duration influences completion of construction projects in Nairobi ii. To investigate how project financing influences completion of construction projects in Nairobi, iii. To examine how planning influences completion of small construction projects in Nairobi. iv. To find out how supervision of work influences completion of construction project in Nairobi. v. To assess how the type of project delivery chosen influences completion of construction projects in Nairobi.	None	None	77	Spearman Rank correlation	No Theories reviewed and no population target mentioned
Establish the factors influencing the completion of building projects in Kenya a case study of Ministry of Land, Housing and Urban Development, Kenya	2015	i. To determine the influence of business related factors on the completion of building projects in Kenya. ii. To assess the effect of influence procedures on the completion of building projects in Kenya. iii. To establish the influence of project management factors on the completion	• System Theory • Co-evolutionary Theory • Classical Theory	136 managers	100	Pearson's correlation	Multiple regression was not carried out

		of building projects in Kenya. iv. To establish the influence of human related factors on the completion of building projects in Kenya.					
Investigate factors influencing completion of projects in Government Tertiary Institutions in Nairobi County in Kenya	2014	1. To establish how time overruns influence completion of projects in Government Tertiary Institutions in Nairobi County 2. To investigate how cost overruns influence completion of projects in Government Tertiary Institutions in Nairobi County. 3. To examine how management influence completion of projects in Government Tertiary Institutions in Nairobi County 4. To explore how environment influence completion of projects in Government Tertiary Institutions in Nairobi County		25 firms	25 firms	Means and averages	No theories were reviewed for the research

From the three studies that were looked into in-depth since they also touched on project completion, it was noted that none of them touched on construction projects within the judiciary, secondly none of them had reviewed any theory and finally the data analysis model used was either correlation of mean and averages. This study therefore intends to review theories and will also use multiple-regression to find the effect of the independent variables on the dependent.

CHAPTER THREE
RESEARCH METHODOLOGY

3.1 Introduction

This chapter outlines the research methodology that was used to carry out the study. Here, the researcher was aiming at explaining the research design method, selection of target population, calculating the sample size and sampling procedure adopted, the data collection methods and procedure and the research instruments tools that were used. Further it describes how validity and reliability was enhanced in the study methods of data collection as well as data analysis procedure. The chapter concluded with an explanation of how ethical issues were adhered to.

3.2 Research Design

A research design as the scheme, outline or plan that was used to generate answers to research problems as stated by Orodho (2003). According to Zikmund (2007), descriptive design allows the researcher to gather information, summarize, present and interpret data. This study employed descriptive survey design. Descriptive method involves measurement, classification, comparison and interpretation of data while the survey method is suitable as it is used in gathering data from a relatively large number of cases at a particular time. The descriptive design was preferred because the questions raised in the study required collecting data through administration of questionnaires and interviewing the respondents and also it was effective since the study involved a large population. The descriptive design was appropriate because the researcher was able to examine variables under natural conditions in which they are operating as dependent and independent variables.

3.3 Target Population

According to Mugenda and Mugenda (1999), population refers to a complete census of all items or people in a researcher's area of study. According to Mugenda and Mugenda (2003), the target population should have some observable characteristics, to which the study intends to generalize the results. The target population for this study was 54 court administrators, 81 court clerks, 27 procurement officers and 27 stakeholders (lawyers) and this gives a total of 189 respondents as per attached appendix II of stalled projects of Magistrate courts in Judiciary.

Table 3.1 Target population

Section	Total Population	Percentage of Total Population
Administrators	54	29%
Court Clerks	81	43%
Procurement Officers	27	14%
Stakeholders	27	14%
TOTAL	**189**	**100%**

3.4 Sample size

Sample size is the number of observations or replicates to include in a statistical sample according to Mugenda and Mugenda (2003). The sample size is an important feature of any research study in which the goal is to make inferences about a population from a sample. In practice, the sample size used in this study is determined based on the expense of data collection, and the need to have sufficient statistical power.

Sampling procedure is a method of statistically selecting a random (or "representative") subset of a population. It is concerned with the selection of a subset of individuals from within a statistical population to estimate characteristics of the whole population. Sampling technique is widely used for gathering information about a population. Purposive sampling is a method in which elements are chosen based on purpose of the study. It may involve the studying of the entire population of some limited group or a subset of a population. A sample of 123 of the total population of 189 was arrived at by using Krejcie & Morgan sample size formula table. Krejcie & Morgan is attached in Appendix V**.** Therefore, 123 respondents formed the courts' sample for the study.

3.4.1 Sampling procedure

In statistics, a simple random sample is a group of subjects (a sample) chosen from a larger group (a population). Each subject from the population is chosen randomly and entirely by chance, such that each subject has the same probability (or chance) of being chosen at any stage during the sampling process. An unbiased random selection of subjects is important so that in the end, the sample represents the population. Simple random sampling merely allows one to draw

externally valid conclusions about the entire population based on the sample. Conceptually, simple random sampling is the simplest of the probability sampling techniques. It requires a complete sampling frame for small populations. A simple random sample gives each member of the population an equal chance of being chosen. One way of achieving a simple random sample is to number each element in the sampling frame and then use random numbers to select the required sample.

Table 3.2 Sample population

Section	Total Population	Sample Size
Administrators	54	35
Court clerks	81	52
Procurement officers	27	18
Stakeholders	27	18
TOTAL	**189**	**123**

The study used both primary and secondary data collection. The primary data was collected from the magistrate courts in the three regions using a structured closed ended and open-ended questionnaire. This instrument was preferred by the researcher since it was effective in generating the required response. The closed ended questions are easier to administer as each item is followed by an alternative answers and it is economical to use in terms of time and money. On the other hand the open ended questions was appropriate in this study since it permits a greater depth of response especially as the study evaluates perception which is attitudinal in nature and thus this type of questions allows the respondents to give their feelings, background, hidden motivation, interests and decisions Mugenda and Mugenda (2003). In addition the researcher also used observation. The data generated through the above methods is both qualitative and quantitative in nature. This eventually makes analysis easier. Secondary data will be collected from the High Court registry office in Nairobi.

3.5 Data collection instruments

The researcher collected data through self-administered questionnaire. This method was appropriate as it reached a large number of subjects who are literate. The interview guide, which is the questionnaire, was administered to the illiterate respondents on a face-to-face basis.

3.5.1 Pilot testing

A pilot study was conducted before the actual study to check on the reliability of the questionnaires in collecting the data. The pilot study involved 18 respondents picked randomly from the three regions to show how closely related a set of items are as a group in order to give logical conclusion. This is the best sample according to Mugenda & Mugenda (2003) which is between 10% - 20% of the entire population. According to Peat, Mellis, and Williams, (2002) they advocate against including the pilot testing population and results in the final results and therefore the researcher did not include the pilot test results in the final results.

3.5.2 Validity of research instruments

Validity is the strength of our conclusions, inferences or propositions. Validity is defined as the appropriateness, correctness, and meaningfulness of the specific inferences, which are selected on research results Frankel & Wallen (2008). It is the degree to which results obtained from the data analysis actually represent the phenomenon under study. More formally, Cook and Campbell (1979) define it as the "best available approximation to the truth or falsity of a given inference, proposition or conclusion. This research study concerned itself with content validity. Content validity according to Kothari (2004) is the extent to which a measuring instrument provides adequate coverage of the topic under study. Content validity ensures that the instruments will cover the subject matter of the study as intended by the researcher. To ensure content validity of the instruments, the researcher closely consulted with the supervisor and the peer members undertaking the same program. The supervisor assisted in assessing the variables to be measured by the instruments, while the peer members helped in determining whether the set of items are accurately representing the variables under study. The questionnaire too was well structured to ensure that it remained focused, accurate and consistent in the course of the study.

3.5.3 Reliability of instruments

Reliability is the extent to which data collection procedures and tools are consistent and accurate Salinger and Shohamy (1989). Reliability of a measure indicates the extent to which it is without bias and hence ensures consistent measurement across time and across the various items in the instrument Sekaran (2006). Reliability is increased by including many similar items on a measure, by testing a diverse sample of individuals and by using uniform testing procedures. An instrument is said to be reliable if measures what is supposed to measure. To test reliability, a pilot study was conducted before the actual study to check on the reliability of the questionnaires in collecting the data. The pilot study involved 7 courts who were Administrators, Court Clerks, Procurement officers and stakeholders. Therefore, as a researcher I used Cronbach's Alpha since it is a measure of internal consistency, that is, to show how closely related a set of items are in a group since construct composite reliability co-efficient Cronbach alpha of 0.6 or above, for all the constructs, is considered adequate. Therefore, I used a sample of 18 respondents and calculated the Cronbach value. The finding of the reliability test is as shown in Table 3.3:

Table 3.3 Reliability test

Cronbach's Alpha	Number of Items	Cronbach's Alpha (α)
Resource Availability	4	0.779
Competence	4	0.715
Monitoring and Evaluation	6	0.744
Stakeholder Participation	4	0.807
Completion	4	0.764

From the reliability test above it was concluded that all the factors were stable enough and sufficient to sustain the study.

3.6 Data collection procedure

Data collection started with researcher obtaining a letter of introduction from the University of Nairobi Extra-mural department, then proceeded to obtain permit from National Council of Science and Technology (NACOSTI) to collect data. Thereafter the researcher made appointments with the Magistrates courts in these three regions in order to get permission to carry of the study. After permission was granted, administration of the questionnaires began and

it took one month to complete the exercise. This was made possible through the help of the three research assistants who were closely supervised by the researcher. The study used "drop and pick" method to administer the questionnaires to the sample population.

3.7 Data analysis technique

Before analysis, data was cleaned by checking for logical constancy and any unnecessary data was removed. Coding involves converting responses to numbers. The data collected was analyzed using quantitative method of analysis. The quantitative data is analyzed using descriptive statistics where the responses from the a questionnaires is tallied, tabulated and analyzed using percentages, frequencies, mean and standard deviation using statistical package for Social Sciences (SPSS V20) which is able to handle large amounts of data and is efficient because of its wide spectrum of statistical procedures purposively designed for social sciences.

An average is the mean of a set of scores or measurements, this was calculated by adding up all the scores and dividing the sum by the total number of scores. Percentages are the proportion of a sub group to the total group or sample and ranges from 0% to 100%. The study calculated the proportion of the study.

3.7.1 Pearson's product moment correlation

Correlation analysis is the statistical tool that can be used to determine the level of association of two variables (Levin & Rubin, 2008). Correlation analysis used to establish the relationship between the independent and dependent variables. The objective of the study was to find out the the factors influencing completion of construction of court projects in Judiciary: A case of Magistrate courts in Western, Nyanza and Rift Valley Regions of Kenya. The variables to measure under completion of court projects are resource availability, staff competency, monitoring and evaluation and stakeholder's participation.

The dependent variable is completion of court projects this will be measured in form of Timely completion, conformance to scope, budget compliance and quality. The study will use SPSS to find out Pearson (r) correlation coefficient in order to determine the strength and direction of correlation between independent variables (credit appraisal model) and dependent variable (non-performing loans). According to Mugenda and Mugenda (2003), the correlation technique is

used to analyze the degree of relationship between two variables. The importance of correlation analysis is that it can examine how variables are related. Secondly it can determine the strength and direction of the association between two variables which can lead to selection of variables for further statistical analysis for example regression analysis (Mugenda and Mugenda, 2003).

The research model that will be used in this study was Pearson r correlation. It is widely used to measure the degree of relationship between linear related variables.
The following formula is used to calculate the Pearson r correlation.

$$r = \frac{N \sum xy - \sum (x)(y)}{\sqrt{N \sum x^2 - \sum (x^2)][N \sum y^2 - \sum (y^2)]}}$$

Where:

r = Pearson r correlation coefficient

N = number of value in each data set

∑xy = sum of the products of paired scores

∑x = sum of x scores

∑y = sum of y scores

∑x2= sum of squared x scores

∑y2= sum of squared y scores

In this study, X is credit appraisal model and Y is non-performing loans. Interpretation of correlation will be in the usual way. Positive correlation between X and Y implies a possibility of a proportional increase or decrease in the value of X for an increase or decrease respectively in the value of Y and vice versa. Similarly, Negative correlation will imply a possibility of proportional decrease or increase in the value of X for an increase or decrease respectively in the value of Y and vice versa. Coefficient of correlation may be between -1 and +1. Nearer the correlation to +1 or -1 the possibility in the above statements are very high while it is low when correlation coefficient is nearer to zero.

3.7.2 Multiple regression

The regression analysis as a statistical process for estimating the relationships among variables, Scott (2012) defines. It includes many techniques for modeling and analyzing several variables, when the focus is on the relationship between a dependent variable and one or more independent variables. More specifically, regression analysis helps one understand how the typical value of the dependent variable changes when any one of the independent variables is varied, while the other independent variables are held fixed. In this sense, regression goes beyond correlation because it provides further information about predictive effects of one or more independent variables on a dependent variable. It is widely used for prediction and forecasting. This helps to understand which among the independent variables are related to the dependent variable and to explore the forms of these relations.

The general variables in this study will be represented by the multiple regression model below:

$$Y = \beta 0 + \beta 1X1 + \beta 2X2 + \beta 3X3 + \beta 4X4 + \varepsilon$$

Where Y was the dependent variable, (completion of court projects) and X1, X2, X3 and X4 are the independent variables, where:

X1= Resource Availability

X2= Staff Competency

X3= Monitoring and Evaluation

X4= Stakeholders Participation

ε = is the error term

And $\beta 1$, $\beta 2$, $\beta 3$ and $\beta 4$ are the regression coefficients of determination of the general model.

The analysis of the model is based on a coefficient of determination of (R2) values. Sekaran and Bougie (2009) note that the 'coefficient of determination', R2, provides information about the goodness of fit of the regression model: it is a statistical measure of how well the regression line approximates the real data points'. The regression coefficients are usually the basis on which decisions about the existing relationships are deduced Mugenda & Mugenda, (2003). For the regression model constructed above, the goodness of fit of the model and the statistical significance of the estimated parameters were confirmed. R-squared will be used to check the goodness of fit, there was also the analyses of the pattern of residuals and hypothesis testing. Statistical significance will be checked by an F-test of the overall fit, followed by t-tests of individual parameters.

3.8 Ethical considerations

The study collected sensitive information; therefore, the researcher has a moral obligation to treat the information with utmost modesty. The researcher ensured respondents confidentiality of the information given to ensure that the respondents are not reluctant to give the information as sought by the study.

3.9 Operationalization of Variables

The different variables and how they are applicable to the study are summarized in Table 3.4

Table 3.4 Operationalization of variables

Objective	Independent Variables	Indicators	Measurement Scale	Dependent Variables	Total of Analysis	Type of Data Analysis
To determine the influence of availability of resources on completion of construction of court projects by Judiciary	Resources	-Finances -Skilled personnel - Mode of transport i.e. Motor vehicles - Stationery	Nominal Ordinal	Completion of construction of courts projects in Judiciary	Mean Percentage	Quantitative statistics
To determine the influence of competency of judiciary staff on timely construction of court projects by Judiciary in Western, Rift Valley regions	Competency and attitude	- Accuracy level -Turnaround time. - Knowledge of workers in Project Planning & Management. - Experience and qualifications of project workers. - Workers motivation, accountability	Nominal Ordinal	Completion of construction of courts projects in Judiciary	Mean Percentage	Quantitative statistics
To determine the influence of Monitoring and Evaluation on completion of timely construction of court projects by Judiciary in	Monitoring and Evaluation	-Monitoring and Evaluation offices -Monitoring and Evaluation records e.g. reports.	Nominal Ordinal	Completion of construct ion of courts projects in	Mean Percentage	Quantitative Statistics

Western, Nyanza and Rift Valley regions of Kenya		- Monitoring and Evaluation systems -M&E Activity frequency		Judiciary		
To Assess the influence of Stakeholders participation on timely completion of court projects by Judiciary in Western, Nyanza and Rift Valley regions of Kenya	Stakeholders Participation	-Stakeholders engagement Reports and minutes -Stakeholders reports	Nominal Ordinal	Completion of construction of courts projects in Judiciary	Mean Percentage	Quantitative Statistics
What are the factors that influence completion of court projects	Completion of construction of courts projects	-Timely completion -Conformance to scope -Budget compliance -Quality	Nominal Ordinal		Mean Percentage	Quantitative Statistics

CHAPTER FOUR

DATA ANALYSIS, PRESENTATION AND INTERPRETATION

4.1 Introduction

This chapter provides statistical presentation and analysis of the data collected. The data has been presented in tables, frequencies, and percentages with summaries being given for each Table. The objective of this chapter is to explain the data rather than draw conclusion and interpretations. The data analysed and presented, is based on the response to the items in the questionnaires.

4.2 Questionnaire return rate

The respondents comprised of judiciary employees and stakeholders working in Magistrates courts in Western, Nyanza and Rift Valley regions of the republic of Kenya.123 questionnaires were distributed to the respondents, out of which 89 responded by completing and returning the questionnaires. This gave a response rate of 72.36%.

4.2.1 Respondents by gender

In order to achieve the main purpose of this study, the researcher found it paramount to find out the demographic information of the respondents under which interpretation would be justifiably made. In the table 4.1, the findings indicate 73.03% of the respondents were male while 26.97% of the respondents were female.

Table 4.1 Distribution of respondents by gender

Gender of the respondent	Frequency	%
Male	65	73.03
Female	24	26.97
Total	**89**	**100%**

This shows majority of the respondents in this sector comprised mostly male.

4.2.2 Respondents by Duration of Service

In Table 4.2, the findings show that 34.83% had been working with the judiciary for a period of less than 2 years, 25.84% had been in service for a period between 2-5 years, 25.85% had been in service for a period of between 5-10 Years and while 13.48% had been at the Judiciary for a period of more than 10 years.

Table 4.2 Distribution of respondents by duration of Service

Duration of service in the organization	Frequency	%
Less than 2 years	31	34.83
2-5 Years	23	25.84
5-10 Years	23	25.85
More than 10 years	12	13.48
Total	**89**	**100.00**

This implies that the respondents had been at the judiciary long enough to objectively respond to the questionnaire.

4.2.3 Section of Engagement

In Table 4.3, the analysis indicates that majority of the respondents 44.9% were Administrators within the Judiciary, this was followed by 26.97% who were procurement officers, 20.22% were court clerks and the least were stakeholders who accounted for 7.87% of the respondents.

Table 4.3 Distribution of respondents by Section of Engagement

Section	Frequency	%
Administrators	40	44.94
Court clerks	18	20.22
Procurement officers	24	26.97
Stakeholders	7	7.9
Total	**89**	**100.0**

This implied that the respondents were accustomed with construction projects in their respective areas and thereby able to respond to the questionnaire objectively.

4.2.4 Awareness of Construction Projects

The respondents were asked to indicate if they were aware of any construction project within their areas of jurisdiction. The findings in Table 4.4 show that 95.51% of the respondents indicated in the affirmative that they were aware of construction projects within their areas of judicial jurisdiction while only 4.49% indicated in the negative that they had not seen nor being aware of construction projects in their areas.

Table 4.4 Distribution of respondents by Awareness of Construction Projects

Awareness of construction projects	**Frequency**	**%**
Yes	85	95.51
No	4	4.49
Total	**89**	**100.00**

These findings indicate that the respondents were well informed and aware of construction projects in the magistrate courts. There-by able to respond objectively to the questionnaire.

4.3 Resource Availability

The first objective of the study was to establish the influence of resource availability on completion of construction projects. These findings are as depicted in Table 4.5.

Table 4.5 Influence of resource availability on completion of construction projects

INFLUENCE OF RESOURCE AVAILABILITY	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Mean
Availability of Finances enables completion of projects on time	2.25%	23.60%	23.60 %	41.57%	8.99%	3.31
Skilled personnel are critical for timely completion of projects	4.49%	20.22%	26.97 %	41.57%	6.74%	3.26
Effective mode of transport needs to be provided for completion of projects	4.49%	20.22%	29.21 %	38.20%	7.87%	3.25
Stationery need to be provided if projects are to be completed on time	5.62%	14.61%	30.34 %	39.33%	10.11%	3.34
Overall Average	**4.2%**	**19.7%**	**27.5%**	**40.2%**	**8.4%**	**3.3**

The overall mean index posted by resource availability and its influence on completion of construction projects was 3.3 on a likert scale. This implies that it falls between neutral but close to disagree. Individual factors performed as follows "Stationery need to be provided if projects are to be completed on time" had the strongest mean at 3.34 followed by "Availability of Finances enables completion of projects on time" at a mean of 3.31, "Skilled personnel are critical for timely completion of projects" at a mean of 3 .26 and the least mean obtained was from "Effective mode of transport needs to be provided for completion of projects" at 3.25.

The levels of agreement were also considered and the responses given in form of percentages 40.2% agreed that indeed resource availability affects completion of construction projects while another 8.4% strongly agreed to it, 27.5% were neutral who are crucial to swing the tide either in favour or against and this is the group that need to be worked on 19.7% disagreed and 4.2% strongly disagreed that resource availability does not influence completion of construction project.

4.3.1 Resource availability and its influence completion of projects

The researcher sought to find out whether resource availability affects completion of construction projects. The results confirmed in the affirmative indeed resource availability does influence completion of construction projects and it was established that 95.51% agreed that indeed resource availability affects completion of construction projects while 4.41% were of a contrary opinion.

4.3.2 Extent to which availability of resources influence completion of construction Projects

The study also sought to find out to what relative extent resource availability affects completion of construction projects. The findings indicate that 55.29% of the respondents indicated that resource availability affects completion of construction projects to a great extent, 20.00% indicated to a very great extent. 18.82% were indifferent while less 6% indicated to a little extent r to no extent at all. This could imply that organizations need to adequately provide and avail resource if constructions are to be completed on time.

4.4 Competency of Judiciary staff

The second objective was to evaluate and find out whether staff competency especially judiciary staff had an influence on completion of construction. Cuban (2001) observed that there are many ways to define and measure the adequacy of staff competency, capacity and the effectiveness of agencies tasked, further Kent (2011) postulates that the ability of a project's staff to meet demands for its services depends on both its numbers and the skills and expertise staff members bring to the job. Therefore the degree to which these standards are adhered to also provides some indication of quality of staff performance and of how effectively an agency is managed Kent (2011). Therefore this study aimed at confirming whether the above statements are true and the findings are as shown in Table 4.6.

Table 4.6 Competency of Judiciary staff

COMPETENCY OF JUDICIARY CONSTRUCTION STAFF	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Mean
Accuracy levels of judiciary construction supervisor helps in timely completion of projects	3.37%	17.98%	32.58%	37.08%	8.99%	3.30
Turnaround time is considered to ensure projects are done within the agreed time-lines	1.12%	7.87%	14.61%	55.06%	21.35%	3.88
Staff experience is key towards ensuring completion of construction projects	1.12%	7.87%	15.73%	51.69%	23.60%	3.89
Academic Qualifications of staff makes decision making process easier	2.25%	19.10%	37.08%	31.46%	10.11%	3.28
Competency of staff enhances performance of construction projects	0.00%	21.35%	31.46%	33.71%	13.48%	3.39
Judiciary construction staff have the requisite skills to ensure construction projects are completed on time	1.12%	11.24%	12.36%	49.44%	25.84%	3.88
Overall Index	**1.50%**	**14.23%**	**23.97%**	**43.07%**	**17.23%**	**3.60**

The overall mean for competency of staff was 3.60 on a likert scale, this was a result of "Staff experience is key towards ensuring completion of construction projects" which had the strongest mean of 3.89 which was closely followed by "Turnaround time is considered to ensure projects are done within the agreed time-lines" and "Judiciary supervisory staff have the requisite skills to ensure construction projects are completed on time" at a mean of 3.88, "Competency of staff enhances performance of construction projects" had 3.39, "Accuracy levels of judiciary construction staff helps in timely completion of projects" had 3.30 and the least was "Academic Qualifications of staff makes decision making process easier" at 3.28. The levels of agreement were also analyzed the findings establish that more half (60.30%) either agreed or strongly agreed that competency affects completion of construction projects, 23.97% were neutral 11.24% disagreed and only 1.50% strongly disagreed. This implies that this variable does affect completion of construction projects.

4.4.1 Competency of judiciary construction supervisor's and its influence on completion of construction projects

The study also sought to find out whether competency of staff affects completion of construction projects; from the study it was established that 92.13% of the respondents were in agreement that competency of staff does affect completion of construction projects. However on the down side 7.87% responded in the negative that staff competency did not affect completion of construction projects.

4.4.2 Extent to which competency of staff influence completion of projects

The study also sought to find out to what extent does competency of staff affects completion of projects. The findings indicate that (49.44%) of the respondents indicated that indeed competency of staff affects completion of projects to a great extent; a further 11.24% affirmed to a very great extent competency of staff affects completion of projects. 32.58% indicated that competency of staff affects completion of projects to a moderate extent while 5.62% and 1.12% indicated little extent and to No extent at all respectively.

4.5 Monitoring and Evaluation

The third objective of the study was to establish whether monitoring and evaluation affects completion of construction projects. Previous studies such as Rakotononahary (2002) who posits that the challenges unless mitigated mean that the monitoring and evaluation is not effectively done, translating into inability of projects to optimally benefit from this monitoring and evaluation aspect. Further Project monitoring and evaluation is fundamental if the project objectives and success is to be achieved. Therefore monitoring and evaluation are intimately linked to project management functions and as a result there is a lot of confusion in trying to make them work on projects Crawford and Bryce (2003). This study therefore brings to fore challenges encountered under monitoring and evaluation and how they can be mitigated.

Table 4.7 Monitoring and Evaluation

MONITORING AND EVALUATION	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Mean
Monitoring and Evaluation ensure projects are completed on time	4.49%	8.99%	16.85%	50.56%	19.10%	3.71
Judiciary Staff been using a monitoring and Evaluation targets to monitor progress	1.12%	11.24%	12.36%	49.44%	25.84%	3.88
Effective implementation of monitoring and evaluation allows completion of quality projects	3.37%	16.85%	28.09%	39.33%	12.36%	3.40
Monitoring and evaluation allows to foresee challenges that may be encountered during project construction phase	5.62%	15.73%	33.71%	34.83%	10.11%	3.28
There are Monitoring and construction strategies in place to ensure timely completion of projects	1.12%	7.87%	13.48%	46.07%	31.46%	3.99
Overall Index	**3.15%**	**12.13%**	**20.90%**	**44.04%**	**19.78%**	**3.65**

The overall mean for monitoring and evaluation was found to be 3.65 on a likert scale. This was as a results of good mean index posted by "There are Monitoring and construction strategies in place to ensure timely completion of projects" at a mean of 3.99 that was followed by "Judiciary construction Staff been using a monitoring and Evaluation targets to monitor progress" at 3.88, "Monitoring and Evaluation ensure projects are completed on time" had a mean of 3.71, "effective implementation of monitoring and evaluation allows completion of quality projects" at 3.40 and the least mean was obtained from "Monitoring and evaluation allows to foresee challenges that may be encountered during project construction phase" 3.28. This could imply there is need to use M&E more to foresee and forestall challenges and obstacles that a project might run into. The study also looked into how the levels of agreement performed, 44.04% of the respondents indicated that they agreed M&E influences completion of construction projects, a further 19.78% strongly agreed, 20.90% of the respondents were indifferent, 12.12% disagreed while those who strongly disagreed comprised 3.15% of the respondents. The findings are summarized in Table 4.7.

4.5.1 Monitoring and evaluation and its influence completion of construction projects

The study also sought to find out whether M&E affects completion of construction projects. The response obtained indicated that 95.51% were in agreement that M&E indeed does affect completion of construction projects while only 4.49% were of a contrary opinion that M&E does not affect completion of projects.

4.5.2 Extent to which M&E influence completion of projects

The study also sought to find out to what extent M&E affects completion of projects. The study established that indeed 56.18% were in agreement that M&E does affect completion of projects to a great extent, a further 21.35% indicated to a very great extent, moderate extent accounted for 17.98%, 4.49% indicated to a little extent and there was none who indicated no extent at all.

4.6 Stakeholders participation

The fourth objective was to establish whether stakeholder participation affects completion of construction projects. According to the Project Management Institute of Kenya states in the (PMIOK) that "Stakeholders are persons or organizations e.g., customer, sponsors, the performing organization, or the public, who are actively involved in the project or whose

interests may be positively or negatively affected by the performance or completion of the project. Ferreira (1999) argues that influence of stakeholder participation on effective implementation of projects provides opportunities for public participation. Therefore, the extent to which stakeholder participate ensures people decision-making processes and decision-making capacity of the implementing the project and engage with other stakeholders in projects' policy decision- making and implementation, existence and effectiveness of conflict resolution and grievance mechanisms is important. The findings on stakeholder's participation are discussed in Table 4.8.

Table 4.8 Stakeholders participation

STAKEHOLDER PARTICIPATION	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Mean
Stakeholders engagement is key in ensuring timely completion of construction projects	0.00%	6.74%	17.98%	53.93%	21.35%	3.90
Stakeholders participation ensures projects serve intended purpose	0.00%	3.37%	6.74%	37.08%	52.81%	4.39
Purpose and scope of projects construction is clearly communicated to all stakeholders	1.12%	2.25%	15.73%	40.45%	40.45%	4.17
Stakeholder involvement is key in ensuring timelines are achieved in projects	1.12%	5.62%	15.73%	52.81%	24.72%	3.94
Overall Index	**0.56%**	**4.49%**	**14.04%**	**46.07%**	**34.83%**	**4.10**

The findings in Table 4.8 indicate that the overall mean for stakeholder's participation was 4.10 meaning it fell within the agree zone. This mean was strongly supported by "Stakeholders participation ensures projects serve intended purpose" at a mean index of 4.39 followed by "Purpose and scope of projects construction is clearly communicated to all stakeholders" at 4.17, "Stakeholder involvement is key in ensuring timelines are achieved in projects" at a mean of 3.94 and the least mean index was obtained from "Stakeholders engagement is key in ensuring

timely completion of construction projects" at 3.90. This implies that more needs to be done in terms of engagement of key stakeholders.

Further when the levels of agreement were considered 46.07% of the respondents agreed that stakeholder participation affects completion of construction projects, a further 34.83% strongly agreed, the two combined account for 80.90% of the respondents, 14.04% of the respondents were neutral 4.49% were in a disagreement only 0.56% strongly disagreed.

4.6.1 Stakeholder participation and its influence on completion of construction projects

The study also sought to find out whether stakeholder participation affects completion of construction projects. The study established that 94.38% of the respondents agreed that stakeholder participation does affect completion of construction projects while 5.62% indicated that stakeholders' participation does not affect completion of construction projects.

4.6.2 Extent to which stakeholder involvement influence completion of construction projects

Respondents were asked to indicate to what extent market culture affects organization performance. The findings indicate that 48.3% of the respondents indicated that stakeholders participation does affect completion of projects to a great extent, 29.2% further said that stakeholder participation does affect completion of projects to a very great extent. 16.9% were for moderate extent, 5.6% to a little extent and none of the respondents selected to no extent at all.

4.7 Completion of construction projects

The study sought to find out whether the respondent agree on completion of court projects within the agreed time, projects conformed to the scope of works and within the agreed budgets and whether they are of good quality. The results are depicted in Table 4.9

Table 4.9 Completion of construction project

PROJECT COMPLETION	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Mean
Projects are completed within agreed timelines	32.58	44.94	19.10	2.25	1.12	1.95
Completed projects conform to the scope of works	3.37	21.35	44.94	26.97	3.37	3.06
All projects are completed within agreed budget allocations	1.12	16.85	50.56	25.84	5.62	3.16
Completed projects are of good quality	2.25	32.58	33.71	26.97	4.49	2.95
Overall Mean	**9.83%**	**28.93%**	**37.08%**	**20.51%**	**3.65%**	**2.78%**

The Project Completion had a mean index of 2.78 meaning it fell within the disagree zone on a five point likert scale. This mean is as a result of indexes achieved from factors that performed as follows, "All projects are completed within agreed budget allocations" had the highest mean at 3.16, this was followed by "Completed projects conform to the scope of works" at a mean of 3.06, "Completed projects are of good quality" had an index of 2.95 however it was noted that projects were hardly completed on time going by the index posted of 1.95.

Further the levels of agreement were analyzed and it was established that 24.16% either agreed or strongly agreed that projects were completed on time, 37.08% were neutral not committing to either that projects were completed on time and 38.76 disagreed that projects were hardly completed on time.

4.8 Intervening variable

The intervening variable in this study was National Environmental Management Authority (NEMA) regulations and procurement regulation. This was used to establish what effect they had on completion of project. The study established that the mean index for the intervening variable was 3.28, this was supported by "There are projects that have stalled due to non-compliance to procurement regulations" with a mean index of 3.90 followed by "Some projects have been stalled due to non-compliance to NEMA requirements" at 3.53, "Our projects conform to NEMA requirements" at 3.15 and the least was "Laid down procurement requirements are followed for all our projects" at 2.53. The findings are as depicted in Table 4.10.

Table 4.10 Intervening variable

INTERVENING VARIABLE	Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	Mean
Our projects conform to NEMA requirements	2.25	22.47	41.57	25.84	7.87	3.15
Some projects have been stalled due to non-compliance to NEMA requirements	1.12	11.24	33.71	41.57	12.36	3.53
Laid down procurement requirements are followed for all our projects	15.73	35.96	30.34	15.73	2.25	2.53
There are projects that have stalled due to non-compliance to procurement regulations	1.12	7.87	13.48	55.06	22.47	3.90
Overall Index	**5.06%**	**19.38%**	**29.78%**	**34.55%**	**11.24%**	**3.28**

Further the levels of agreement were considered and the results indicate that 34.55% of the respondents agreed that intervening variable affects projects completion, this was further supported by 11.24% who strongly agreed, 29.78% were neutral, 19.38% disagreed that intervening variable affects and 5.06% strongly disagreed with the statements.

4.9 Combined mode

4.9.1 Multiple linear regression results for all variables- without intervening variable

Table 4.11 aimed at finding out the overall effect of the independent variables that is, Resource Availability, Staff Competency, Monitoring and Evaluation and Stakeholders Participation) on completion of construction projects in the Judiciary.

Table 4.11 Multiple linear regression model summaries

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.390[a]	.152	.112	2.43736

a. Predictors: (Constant), Stakeholder, Resource, Competency, Monitoring

The model $Y = \beta_1X_1 + \beta_2X_2 + \beta_3X_3 + \beta_4 X_4 + \varepsilon$ explained the variation in completion of construction projects. This shows that Resource Availability, Staff Competency, Monitoring and Evaluation and Stakeholders Participation explain 15.2% of the variation in completion of construction projects.

The analysis of variance results Table 4.12 indicates that the model fit is significant at p=0.007, F=3.764 with 88 degrees of freedom.

Table 4.12 Analysis of variance (ANOVA)a,b

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	89.449	4	22.362	3.764	.007[b]
	Residual	499.023	84	5.941		
	Total	588.472	88			

a. Dependent Variable: Completion

b. Predictors: (Constant), Stakeholder, Resource, Competency, Monitoring

This implies that Resource Availability, Staff Competency, Monitoring and Evaluation and Stakeholders Participation have significant and positive combined effect on completion of

construction of court projects in the Judiciary. The F higher factor could be as a results of some of these courts being in far flung areas where monitoring and evaluation as well as getting skilled staff to oversee such projects thus becoming a challenge.

Table 4.13 displays the regression coefficients of the independent variables. The overall model as shown indicated that resource availability was highly significant at p=0.074. However Staff Competency, Monitoring and Evaluation and Stakeholders Participation were somewhat significant at p=0.448, p= 0.569 and p=0.617. The fitted model was: $Y= 6.981 +0. 193X_1+0. 071X_2+0. 064X_3 -0.063X_4$.

Table 4.13 Relationship between factors and completion of projects: Coefficients

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	6.981	1.854		3.765	.000
	Resource	.193	.107	.251	1.807	.074
	Competency	.071	.093	.119	.762	.448
	Monitoring	.064	.111	.098	.572	.569
	Stakeholder	-.063	.126	-.062	-.502	.617

a. Dependent Variable: Completion

The results reveal that resource availability is statistically significant in explaining project completion (beta=0.193, p value 0.074). The findings imply that an increase in management of resource availability by one unit leads to an increased project completion by effectiveness by 0.193 units. Regression results indicate that competency of staff and project completion had a positive and significant relationship (beta=0.071, p value 0.448). The findings imply that an increase in management of competency of staff by one unit leads to an increased project performance effectiveness by 0.071 units. Results further indicate that stakeholders participation and project completion was negative and significant (beta=-0.063, p value 0.617). The findings imply that in management of stakeholder participation by one unit leads to a decrease of project completion effectiveness by 6.3%. Finally, the results indicated that monitoring and evaluation and project completion (beta=0.064, p value 0.569) had a positive and significant relationship.

The findings imply that management of monitoring and evaluation was statistically significant in explaining increased project completion.

4.9.2 Multiple linear regression results for all variables- intervening variable included

The study aimed at finding out the overall effect of the independent variables (that is, Resource Availability, Staff Competency, Monitoring and Evaluation and Stakeholders Participation) on completion of construction projects in the Judiciary.

Table 4.14 Multiple linear regression model summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.483[a]	.233	.187	2.33192

a. Predictors: (Constant), Intervening, Stakeholder, Resource, Competency, Monitoring

The model $Y = \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \beta_5 X_5 + \varepsilon$ explained the variation in completion of construction projects. This shows that Resource Availability, Staff Competency, Monitoring and Evaluation, Stakeholders Participation and Intervening Variable explain 23.3% of the variation in completion of construction projects.

The analysis of variance results Table 4.15 indicates that the model fit is significant at p=0.000, F=5.044 with 88 degrees of freedom.

Table 4.15 Analysis of variance (ANOVA)a,b

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	137.131	5	27.426	5.044	.000[b]
	Residual	451.341	83	5.438		
	Total	588.472	88			

a. Dependent Variable: Completion

b. Predictors: (Constant), Intervening, Stakeholder, Resource, Competency, Monitoring

This implies that Resource Availability, Staff Competency, Monitoring and Evaluation, Stakeholders Participation and the Intervening Variable have significant and positive combined effect on completion of construction of court projects in the Judiciary. The higher F factor could be as a results of some of these courts being in far flung areas where monitoring and evaluation as well as getting skilled staff to oversee such projects thus becoming a challenge.

Table 4.16 displays the regression coefficients of the independent variables. The results reveal that resource availability is statistically significant in explaining project completion (beta=0.165, p value 0.110).

Table 4.16 Relationship between factors and completion of projects: Coefficients

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	5.667	1.829		3.099	.003
	Resource	.165	.102	.215	1.614	.110
	Competency	-.009	.093	-.014	-.091	.927
	Monitoring	.001	.108	.002	.010	.992
	Stakeholder	-.051	.121	-.050	-.418	.677
	Intervening	.330	.111	.368	2.961	.004

a. Dependent Variable: Completion

The overall model as shown in Table 4.16 indicated that intervening variables was highly significant at p=0.004. However Resource Availability, Staff Competency, Monitoring and Evaluation and Stakeholders Participation were somewhat significant at p=0.110, p= 0.927, p=0.992 and 0.677 respectively. The fitted model was: $Y= 5.667 + 0.165X_1 - 0.009X_2 + 0.001X_3 - 0.051X_4 + 0.330X_5$.

The findings imply that an increase in management of resource availability by one unit leads to an increased project completion by effectiveness by 0.165 units. Regression results indicate that competency of staff and project completion had a negative and significant relationship (beta=-0.009, p value 0.927). The findings imply that a decrease in management of competency of staff

by one unit leads to an increased project delay by 0.009 units. Results further indicate that stakeholders participation and project completion was negative and significant (beta=-0.051, p value 0.677). The findings imply that in management of stakeholder participation by one unit leads to a decrease of project completion effectiveness by 5.1%. Finally, the results indicated that monitoring and evaluation and project completion (beta=0.001, p value 0.992) had a positive and significant relationship. The findings imply that management of monitoring and evaluation was statistically significant in explaining increased project completion.

CHAPTER FIVE
SUMMARY OF FINDINGS, DISCUSSION, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter presents the summary of the key findings, the discussion, conclusion, recommendations, and suggestions for further research for contribution to the body of knowledge. The research sought to establish the feasibility of the select factors affecting completion of construction of court projects.

5.2 Summary of the findings

The first objective of the study was to establish how resources availability influences the completion of a court project. All respondents were aware of the objectives of the study. The overall mean index posted by resource availability and its influence on completion of construction projects was 3.3 on a likert scale. 40.2% agreed that indeed resource availability affects completion of construction projects while another 8.4% strongly agreed to it, 27.5% were neutral who are crucial to swing the tide either in favour or against and this is the group that need to be worked on 19.7% disagreed and 4.2% strongly disagreed that resource availability does not influence completion of construction project. Further it was established that 95.51% agreed that indeed resource availability affects completion of construction projects while 4.41% were of a contrary opinion. The findings also established that 55.29% of the respondents indicated that resource availability affects completion of construction projects to a great extent, 20.00% indicated to a very great extent. 18.82% were indifferent while less 6% indicated to a little extent or to no extent at all.

The second objective assessed effect of staff competence on the implementation of a project. The overall mean for competency of staff was 3.60 on a likert scale, the levels of agreement were also analyzed the findings establish that more half (60.30%) either agreed or strongly agreed that competency affects completion of construction projects, 23.97% were neutral 11.24% disagreed and only 1.50% strongly disagreed. From the study it was also established that 92.13% of the respondents were in agreement that competency of staff does affect completion of construction projects. However on the down side 7.87% responded in the negative that staff competency did

not affect completion of construction projects. Further the study sought to find out to what extent does competency of staff affects completion of projects. The findings indicate that (49.44.6%) of the respondents indicated that indeed competency of staff affects completion of projects to a great extent; a further 11.24% affirmed to a very great extent competency of staff affects completion of projects. 32.58% indicated that competency of staff affects completion of projects to a moderate extent while 5.62% and 1.12% indicated little extent and to No extent at all respectively.

The third objective assessed to what extent monitoring and evaluation influenced the implementation of the project. The overall mean for monitoring and evaluation was found to be 3.65 on a likert scale. The study also looked into how the levels of agreement performed, 44.04% of the respondents indicated that they agreed M&E influences completion of construction projects, a further 19.78% strongly agreed, 20.90% of the respondents were indifferent, 12.12% disagreed while those who strongly disagreed comprised 3.15% of the respondents. Further the response obtained indicated that 95.51% were in agreement that M&E indeed does affect completion of construction projects while only 4.49% were of a contrary opinion that M&E does not affect completion of projects. When asked to indicate what extent M&E affect completion of projects 56.18% were in agreement that M&E does affect completion of projects to a great extent, a further 21.35% indicated to a very great extent, moderate extent accounted for 17.98%, 4.49% indicated to a little extent and there was none who indicated no extent at all.

The final objective was to establish in what ways the stakeholder participation influences the implementation of a project. The findings indicate that the overall mean for stakeholder's participation was 4.10 on a likert scale. Further when the levels of agreement were considered 46.07% of the respondents agreed that stakeholder participation affects completion of construction projects, a further 34.83% strongly agreed, the two combined account for 80.90% of the respondents, 14.04% of the respondents were neutral 4.49% were in a disagreement only 0.56% strongly disagreed. The study also established that 94.38% of the respondents agreed that stakeholder participation does affect completion of construction projects while 5.62% indicated that stakeholder's participation does not affect completion of construction projects. Finally when asked what extent stakeholder participation affects completion of projects the study's findings indicated that 48.3% of the respondents indicated that stakeholders participation does affect

completion of projects to a great extent, 29.2% further said that stakeholder participation does affect completion of projects to a very great extent. 16.9% were for moderate extent, 5.6% to a little extent and none of the respondents selected to no extent at all.

A combined model was also considered whereby it was established that Resource Availability, Staff Competency, Monitoring and Evaluation and Stakeholders Participation explains 15.2% of the variation in completion of construction projects a Pearson product moment correlation was computed it was established that competency of staff is leading with the highest influence on intervening variable with a correlation of 0.601, followed by monitoring and evaluation at 0.565, then stakeholder participation with monitoring and evaluation with a correlation of 0.583 and finally monitoring and evaluation with competency of staff had the highest correlation coefficient (r)= 0.725. Therefore, the research can concludes that based on the study variables, the hierarchy flows from monitoring and evaluation, followed by competency of staff, resource availability and stakeholder participation.

5.3 Discussions

This section n discusses the findings of the study and relates them to relevant empirical literature.

5.3.1 Resource availability

The first objective of the study was to establish the influence of resource availability on completion of construction projects. Feuerstein (1986) argues that adequate resources ensure effective, quality construction projects. Gorgen (2001) further notes that the availability and accessibility of construction materials influence the cost of the project exercise. In the absence of these construction materials, the contractor needs to spend more time and resources to locate them.

5.3.2 Competence of judiciary staff

The analysis of establishing how the competence of construction staff implementation of a project provided interesting results. As team players, all the respondents were on the same page in their awareness of the objectives, they were all often involved in the decision making process on activities on implementing the construction projects. Additionally, they used factors such as accuracy levels, turnaround time, staff experience, academic qualifications and accuracy levels.

A well-structured team will aid the effective services through the integration of activities involved in the process of production. Dale et al (1994) noted that team work is a key feature of involvement. To him, team work aids the commitment of the workforce to the organisational goals and objectives. The researcher believes it is essential to have a team made of people with right attitudinal disposition to working in groups so as to realize the gains of quality management. Team work is a way of stimulating positive work attitude, which includes loyalty to the organisation and a focus on organisational goals. Martinez et al, (1999) noted that teamwork contributes to the generation of improvements that are proposed by employees. To them, the proposed improvements have a way of changing the attitudes of employees that are resistance to change.

The assessment of the extent to which competence of staff influence the implementation of the magistrates' court projects yielded interesting results. Majority of the respondents agreed that the increased employment of staff within the past two years was sufficient to implement the magistrates court projects, also, majority of the respondents reported that the competence of the staff would be important. This indicates that the respondents did not think that further increment of numbers would be necessary.

In the case of the sufficiency of the projected facilities to be used by the increased numbers of employees within the project duration, majority of respondents agreed that the projected facilities will be sufficient. However, some of the respondents who reported that regardless of the sufficiency and thus the minimal access to facilities, this would contribute to a delay in the completion of the magistrates court. The respondents therefore saw facilities as an added advantage as well as a necessity to the implementation of the project.

Training equips people with the necessary skills and techniques of quality improvement. It is argued to be a powerful building block of business in the achievement of its aims and objectives .Through training, employees are able to identify improvement opportunities as it is directed at providing necessary skills and knowledge for all employees to be able to contribute to on-going quality improvement process of production. Stahl (1995) argued that training and development programme should not be seen as a onetime event but a lifelong process.

The findings tally with Judiciary, (2012) whereby, the promulgation of the Constitution came about with shocking conditions that put the Judiciary on the spot. The people of Kenya felt that the Judiciary had been operating with incompetent personnel and as far as they were concerned, there should have been a complete overhaul of the existing staff and a new recruitment exercise should have taken place. However, upon reasonable consideration, the Judicial staff were left out and the Judicial officers who were employed prior the constitution have been subjected to a vetting process where they are undergoing a technical process of assessing their competence levels. This to a great extent has improved the competency of the staff.

5.3.3 Monitoring and evaluation

The assessment of the influence of monitoring and evaluation on the completion of court construction project was primarily positive. In this regard it would be prudent that M & E be part of courts strategic plan. Strategic plans further should have clear guidelines on completion timelines, funding and cost structures. Previous studies such as Rakotononahary (2002) who posits that the challenges unless mitigated mean that the monitoring and evaluation is not effectively done, translating into inability of projects to optimally benefit from this monitoring and evaluation aspect. Magistrates' court construction projects were primarily funded by government funds of which have been higher than the projected and requested amount, thus (mean 3.65), the respondents stated that if the funds were low than anticipated then this affect the implementation of the court projects. It was emphasized that budget should be realistic and address actual needs. It should reflect all the components of the expected outcomes for example laboratory should include electrical installations, plumbing, sewage system and other important facilities. It should be free from external influence for example political interference.

It was also preferred that Judiciary construction supervisors should have at least a form four level education and their roles must be clearly defined. In details, consider the interest of; the community and relevant institution. That should be in harmony with the government development policy. The study established that evidently the financial capacity of the project will influence the implementation of the magistrate's court projects. The respondents suggested precautions that would ensure that the magistrates court doesn't incur exorbitant costs in order to operate within available funds, such as exercising open and accurate organization, smart costing of budget, results based budgeting, proper planning by setting clear goals and activities,

performance management, prudent financial management, ensuring efficiency, transparent and accountable procurement procedures and ensuring value for money. This would enable them to achieve the project's goals within cost, otherwise, as majority of the respondents cited that it would not be possible to implement the Magistrates Court activities within budget by 2016. Not even one of the respondents saw it possible for the Magistrates Court activities to be implemented within the budget by 2016.

The findings go in hand with accordance with Judiciary JTF, (2012) which argues that the Judiciary seeks to operationalize the Judiciary Fund and internal capacity to manage it completely. The aim is to institutionalise result-based budgeting, and to establish a financial management and accountability system that was previously not in existence. It will also strengthen its procurement and accounting capacity in order to meet regulatory standards and customer needs by developing and operationalizing value-for-money standards, trails and indicators for forensic audits; training of procurement committees at the devolved units; and develop an annual procurement plan. (Judiciary JTF 2012).

5.3.4 Stakeholder participation

The establishment of the ways that stakeholder participation influences the implementation of the magistrate's court projects looked at the various aspects that the magistrates court projects had as goals. One of these aspects was the norms of the Judiciary that had brought about a negative disposition to the institution. The culture of communication had been minimal prior the Magistrates Court and as the implementation proceeded therefore the respondents communicated that the culture had improved which and would commensurate well in the implementation process. Another culture that would contribute to the implementation of the project is the culture of planning that was not favourable in the past. All respondents were positive that the spirit of transformation would live past the project period.

The findings are also validated by Ugboro and Obeng, (2000), whom in their research they found out that the half-hearted implementation of a project is a major reason for its failure in most organizations. According to them, organizations are only willing to implement just those aspects of projects which are supported by existing organisational culture. Their findings revealed that employees did not feel as part of the decision making process and their ability to make

contributions to quality improvement were restricted due to the limited authority granted them to carry out their activities. Smith, (2004) explained that quality management programs have failed because they were 'programs of the month'. According to him, implementing a project throughout an organization is not the result of a formalized programme but requires a cultural change in the way activities is conducted.

5.4 Conclusion

The study looked into the factors that influence the construction of magistrate court in Western Nyanza and Rift Valley; the case of the magistrate courts, which are currently on-going. The study involved establishing how the resources allocation influences the implementation, to assess competence of staff influences the implementation, to assess to what extent the monitoring and evaluation influences the implementation and to establish in what ways the stakeholder participation influences the construction of court projects. The study established that resource allocation was a key factor that influences the implementation of the project. The assessment of the resource allocation influence on the court projects, involved the funds availability and the financial system being used. The results showed that the projects were already experiencing financial challenges where both the available funds and the existing system were not sufficient and need to be addressed. Lack of funds and functional operational systems are dire to the implementation of the project to proceed smoothly.

To assess to what extent the competence of staff influence the implementation of the court projects, the variables concerned were the competence of the employees, their enhancement of skills and the facilities availed in order for them to conduct their service. The outcome of the study shows that the numbers of staff were sufficient to implement the project. Although turnaround time should be considered to ensure projects are done within the agreed time-lines. Staff experience is key towards ensuring completion of construction projects and Judiciary construction staff should have the requisite skills to ensure construction projects are completed on time.

5.5 Recommendations

Drawing on the findings of this study and the conclusions made, a series of recommendations are as follows:

1. The magistrates courts needs to urgently address the issue of completion of projects as an equal arm of government. In the previous constitution, the Judiciary was recognised as a department under the Ministry of Justice. The Judiciary should reinforce its new position to avoid the political interference that condones for the Judiciary not to enjoy the benefits of its current status.

2. The availability of funds is tied to proper procurement procedures put in place that is, every court in every county to have a procurement officer to hasten the procedure. Also the completion of magistrate courts will depend on the approval and proper allocation of the approved budgets therefore, all key players from all the regions and the entire judiciary system need to be trained on procurement as per the Public procurement oversight authority guidelines and further training in financial management will see the players being better stewards in managing the scare resources available for construction of court projects.

3. The code of conduct needs to be launched as early as possible. This will contribute towards elimination in delay in the implementation of court projects for example Procurement procedures and fund approvals. This is where practices that could be eliminated earlier, dominate a huge duration of the project, when it could have been less.

5.6 Suggestions for further research

1. It was clear that lack of involvement of all stakeholders played a major part in determining the direction of the project by the Judiciary, which is an equal arm of government. For clearer visions on how future projects can be handled, strategies of involving all the stakeholders should be given a priority where projects are able to proceed without unprecedented challenges that affect the positive outcome of the projects.

2. Where the staffs are concerned, the monitoring of their performance is a relatively new practice in the Judiciary, where a performance management directorate was introduced. The

effects of the existence of this directorate could be analysed to gage if the performance of the Judiciary was improving or maintaining status quo.

3. Introduction of Building Unit which will have the qualified professionals in the Judiciary would be important so that they work hand in hand with The performance management directorate in order to ensure that the two intervening variables namely: NEMA and Procurement procedures are followed and adhered to before any Project is undertaken in the Judiciary

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APPENDICES

APPENDIX I: MAGISTRATE COURTS IN WESTERN, NYANZA AND RIFT VALLEY REGIONS OF KENYA

NO.	NAME OF COURT
1	Bungoma High Court
2	Webuye Law Court
3	Kimilili Law Court
4	Sirisia Law Court
5	Kakamega High court
6	Mumias Law Court
7	Butere Law Court
8	Butali Law Court
9	Busia Law Court
10	Vihiga High Court
11	Hamisi Law court
12	Kisumu High Court
13	Tamu Law Court
14	Maseno Law Court
15	Winam Law Court
16	Nyando Law Court
17	Kisii High Court
18	Nyamira Law Court
19	Migori Law Court
20	Homabay Law Court
21	Ukwala Law Court
22	Siaya Law Court
23	Kitale High Court
24	Eldoret High Court
25	Kabsabet Law Courts
26	Eldama Ravine Law Court
27	Kabarnet Law Court
28	Molo Law Courts
29	Nakuru Law Courts
30	Nyahururu Law Courts
31	Naivasha High Court
32	Narok Law Courts
33	Maralal Law Courts
34	Bomet Law Courts
35	Kericho Law courts
36	Kajiado Law courts
37	Loitoktok Law court
38	Engineer Law Court

APPENDIX II: STALLED AND COMPLETED MAGISTRATE COURTS PROJECTS BY JUDICIARY IN WESTERN, NYANZA AND RIFT VALLEY REGIONS OF KENYA

NO	NAME OF COURT	NAME OF PROJECT	START TIME	COMPLETION TIME
1	Bungoma High Court	Customer Care Desk	2010	2011
2	Kimilili Law Court	Registry offices	2007	stalled
3	Sirisia Law Court	Waiting bay	2011	stalled
4	Webuye Law Courts	Registry	2013	stalled
5	Kakamega High court	Additional offices	2012	2014
6	Butali Law Court	Perimeter Wall	2009	stalled
7	Butere Law Court	Perimeter wall	2006	stalled
8	Busia Law Court	Additional offices	2008	Stalled
9	Vhiga High Court	Additional offices	2011	Stalled
10	Hamisi Law Courts	Public Toilet	2009	2010
11	Mumias law courts	Registry store	2010	stalled
12	Kisumu High Court	Additional building	2004	2014
13	Engineer Law Court	Registry offices	2011	Stalled
14	Migori Law Court	Additional office	2005	Stalled
15	Homabay Law Court	Registry offices	2010	stalled
16	Eldoret High Court	Additional offices	2009	Stalled
17	Molo Law Courts	Public Toilets	2014	2015
18	Nakuru Law Courts	Parking slots	2013	2014
19	Naivasha High Court	Additional offices	2010	2014
20	Bomet Law Courts	Additional offices	2006	Stalled
21	Narok Law Court	Additional offices	2010	Stalled
22	Kajiado Law Courts	Perimeter walls	2009	Stalled
23	Winam Law Courts	Customer services desk	2014	2015
24	Ukwala Law Courts	Waiting Bay	2012	Stalled
25	Nyando Law courts	Perimeter Wall	2011	Stalled
26	Tamu Law Courts	Registry offices	2007	Stalled
27	Kisii Law Courts	Registry offices	2010	Stalled

Source: Supreme Court Library (2015)

APPENDIX III: LETTER OF INTRODUCTION

22nd February 2016

University of Nairobi
Department of Extra Mural Studies
P.O. Box 30197 00100
Nairobi

Dear Sir/Madam,

RE: CARRYING OUT RESEARCH STUDY

I am a Masters student at the University of Nairobi carrying out research on the **Factors influencing completion of construction of court projects in Judiciary in Western, Nyanza and Rift Valley regions.**

Since your court has been randomly selected for the purpose of participation in the study, it is my humble request that you assist me by filling the questionnaires as accurately as possible. The answers and opinions given will only be used for academic purposes.

I take this opportunity to thank you in advance for your co-operation and participation.

Yours faithfully,

Lily Mukoma Odundo

APPENDIX 1V: QUESTIONNAIRE

Instructions: Please tick (√) in the appropriate bracket or provided spaces.

SECTION A: DEMOGRAPHIC INFORMATION FOR ADMINISTRATORS, COURT CLERKS, PROCUREMENT OFFICERS AND STAKEHOLDERS (LAWYERS)

1) Kindly indicate your gender:

i. Male [ ]
ii. Female [ ]

2) How long have you been working with this court in Judiciary?

i. Less than 2 years [ ]
ii. 2-5 Years [ ]
iii. 5-10 Years [ ]
iv. More than 10 years [ ]

3) What is your section in this court?

i. Administrator [ ]
ii. Court clerk [ ]
iii. Stakeholders [ ]
iv. Procurement office [ ]

4) Are you aware of construction projects activities carried out in your court?

i. Yes [ ]
ii. No [ ]

SECTION B: INFLUENCE OF RESOURCE AVAILABILITY ON PROJECTS COMPLETION

5) To what extent do the following factors influence the completion of construction projects in this court? Use a scale of 1 to 5 where 5-Strongly Agree, 4-Agree, 3-Neutral, 2-Disagree, 1-strongly disagree 1.

Factors	**1**	**2**	**3**	**4**	**5**
Availability of Finances enables completion of projects on time					
Skilled personnel are critical for timely completion of projects					
Effective mode of transport needs to be provided for completion of projects					
Stationery need to be provided if projects are to be completed on time					

6. Based on the above mentioned attributes, does resource availability influence completion of construction projects?

i. Yes [ ]
ii. No [ ]

7. To what extent does the availability of resources influence completion of construction projects by Judiciary in this court?

i. Very great extent [ ]
ii. Great extent [ ]
iii. Moderate extent [ ]
iv. Little extent [ ]
v. No extent at all [ ]

SECTION C: COMPETENCY OF JUDICIARY STAFF

8) To what extent do the following factors influence the completion of construction projects in this court? Use a scale of 1 to 5 where 5-Strongly Agree, 4-Agree, 3-Neutral, 2-Disagree, 1-strongly disagree 1.

Factors	**1**	**2**	**3**	**4**	**5**
Accuracy levels of construction staff helps in timely completion of projects					
Turnaround time is considered to ensure projects are done within the agreed time-lines					
Staff experience is key towards ensuring completion of construction projects					
Academic Qualifications of staff makes decision making process easier					
Competency of staff enhances performance of construction projects					
Construction staff have the requisite skills to ensure construction projects are completed on time					

9. Based on the above mentioned attributes, does competency of construction staff influence completion of construction projects?

i. Yes [ ]
ii. No [ ]

10. To what extent does competency of construction staff influence completion of construction projects by Judiciary in this court?

i. Very great extent [ ]
ii. Great extent [ ]
iii. Moderate extent [ ]
iv. Little extent [ ]
v. No extent at all [ ]

SECTION D: MONITORING AND EVALUATION

11) To what extent do the following factors influence the completion of construction projects in this court? Use a scale of 1 to 5 where 5-Strongly Agree, 4-Agree, 3-Neutral, 2-Disagree, 1-strongly disagree 1.

Factors	**1**	**2**	**3**	**4**	**5**
Monitoring and Evaluation ensure projects are completed on time					
Construction Staff been using a monitoring and Evaluation targets to monitor progress					
effective implementation of monitoring and evaluation allows completion of quality projects					
Monitoring and evaluation allows to foresee challenges that may be encountered during project construction phase					
There are Monitoring and construction strategies in place to ensure timely completion of projects					

12. Based on the above mentioned attributes, does monitoring and evaluation influence completion of construction projects?

i. Yes [ ]
ii. No [ ]

13. To what extent does the monitoring and evaluation influence completion of construction projects by Judiciary in this court?

i. Very great extent [ ]
ii. Great extent [ ]
iii. Moderate extent [ ]
iv. Little extent [ ]
v. No extent at all [ ]

SECTION E: STAKEHOLDER PARTICIPATION

14) To what extent do the following factors influence the completion of construction projects in this court? Use a scale of 1 to 5 where 5-Strongly Agree, 4-Agree, 3-Neutral, 2-Disagree, 1-strongly disagree 1.

Factors	**1**	**2**	**3**	**4**	**5**
Stakeholders engagement is key in ensuring timely completion of construction projects					
Stakeholders participation ensures projects serve intended purpose					
Purpose and scope of projects construction is clearly communicated to all stakeholders					
Stakeholder involvement is key in ensuring timelines are achieved in projects					

15. Based on the above mentioned attributes, does stakeholder involvement influence completion of construction projects?

i. Yes [ ]
ii. No [ ]

16. To what extent does stakeholder involvement influence completion of construction projects by Judiciary in this court?

i. Very great extent [ ]
ii. Great extent [ ]
iii. Moderate extent [ ]
iv. Little extent [ ]
v. No extent at all [ ]

SECTION F: PROJECT COMPLETION

17) To what extent do the following factors influence the completion of construction projects in this court? Use a scale of 1 to 5 where 5-Strongly Agree, 4-Agree, 3-Neutral, 2-Disagree, 1-strongly disagree 1.

Factors	**1**	**2**	**3**	**4**	**5**
Projects are completed within agreed timelines					
Completed projects conform to the scope of works					
All projects are completed within agreed budged allocations					
Completed projects are of good quality					

Thank you for your participation

APPENDIX V: KREJCIE & MORGAN SAMPLE SIZE FORMULA TABLE

N-----n	N-----n	N-----n	N-----n	N-----n
10-----10	100-----80	280-----162	800-----260	2800-----338
15-----14	110-----86	290-----165	850-----265	3000-----341
20-----19	120-----92	300-----169	900-----269	3500-----346
25-----24	130-----97	320-----175	950-----274	4000-----351
30-----28	140-----103	340-----181	1000-----278	4500-----354
35-----32	150-----108	360-----186	1100-----285	5000-----357
40-----36	160-----113	380-----191	1200-----291	6000-----361
45-----40	170-----118	400-----196	1300-----297	7000-----364
50-----44	180-----123	420-----201	1400-----302	8000-----367
55-----48	190-----127	440-----205	1500-----306	9000-----368
60-----52	200-----132	460-----210	1600-----310	10000-----370
65-----56	210-----136	480-----214	1700-----313	15000-----375
70-----59	220-----140	500-----217	1800-----317	20000-----377
75-----63	230-----144	550-----226	1900-----320	30000-----379
80-----66	240-----148	600-----234	2000-----322	40000-----380
85-----70	250-----152	650-----242	2200-----327	50000-----381
90-----73	260-----155	700-----248	2400-----331	75000-----382
95-----76	270-----159	750-----254	2600-----335	100000-----384

Source: Krejcie and Morgan (1970:608) in Hill (1998).

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APPENDIX VI : RESEARCH CLEARANCE PERMIT

THIS IS TO CERTIFY THAT:
MS. LILY MUKOMA ODUNDO
of UNIVERSITY OF NAIROBI, 0-200
NAIROBI,has been permitted to conduct
research in *All Counties*

on the topic: *FACTORS INFLUENCING COMPLETION OF CONSTRUCTION OF COURT PROJECTS IN JUDICIARY: A CASE OF MAGISTRATE COURTS IN WESTERN, NYANZA AND RIFT VALLEY REGIONS OF KENYA*

for the period ending:
29th April,2017

.....
Applicant's Signature

Permit No : NACOSTI/P/16/48438/10780
Date Of Issue : 4th May,2016
Fee Recieved :Ksh 1000

.....
Director General
National Commission for Science, Technology & Innovation