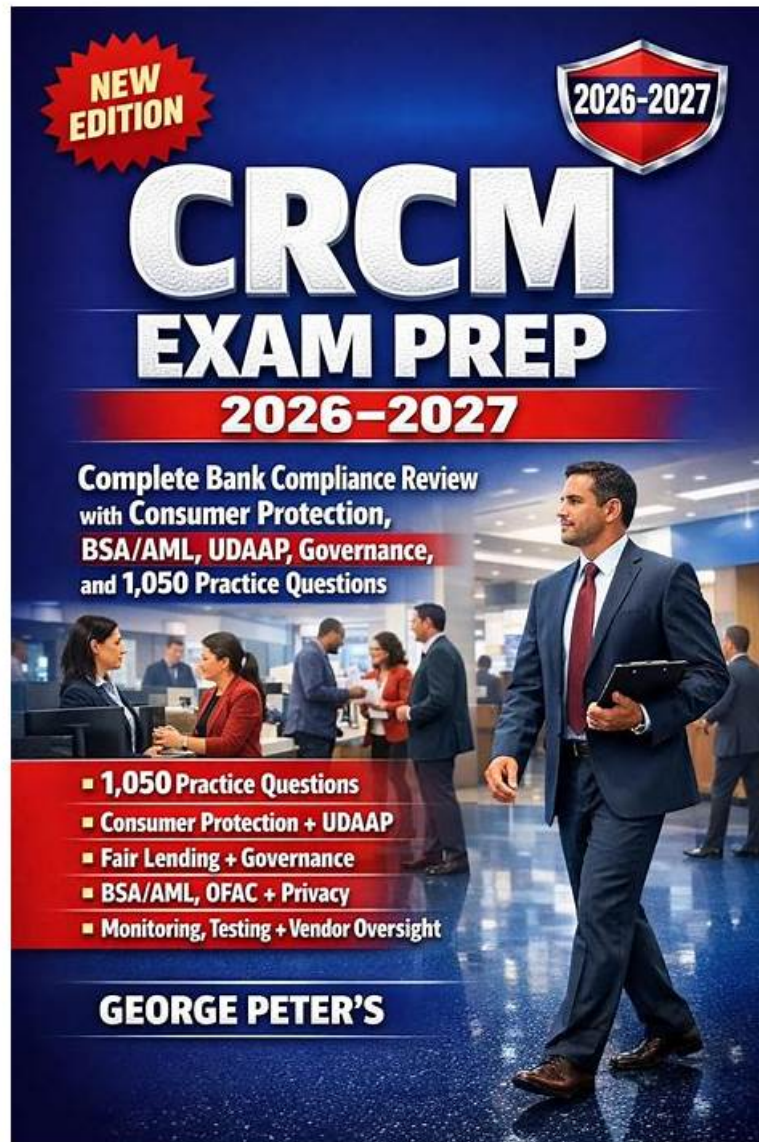


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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q44-Q49):

NEW QUESTION # 44

Which one of the following documents constitutes a contract and is considered binding on both parties, when the Employer wants to award the Contract to the tenderer?

- A. Memorandum of understanding
- **B. Letter of Acceptance**
- C. Letter of Intent
- D. Letter of Intent & Memorandum of understanding

Answer: B

NEW QUESTION # 45

(Under the FIDIC Yellow Book (edition 1999), any delay caused by Authorities will be considered as a cause of Delay under sub paragraph (b) of Sub-Clause 8.5 under the only condition that the Contractor has diligently followed the procedures laid down by the public authorities in the Country. Is this statement true or false?)

- **A. True**
- B. False

Answer: A

Explanation:

Under FIDIC Yellow Book 1999, Sub-Clause 8.5 [Delays Caused by Authorities] addresses situations where delays arise due to actions or inactions of public authorities. Sub-paragraph (b) specifically provides that delays caused by authorities may entitle the Contractor to an extension of time, provided certain conditions are satisfied.

A critical condition clearly stated in this clause is that the Contractor must have "diligently followed the procedures laid down by the relevant legally constituted public authorities in the Country." This requirement reflects an important FIDIC contract management principle: entitlement to relief is conditional upon proper Contractor performance. If the Contractor fails to comply with statutory procedures, permit processes, or administrative requirements, then delays cannot be attributed to the authorities for the purpose of claiming time extension.

From a practical perspective, this clause ensures a balanced allocation of risk. While the Employer bears the risk of delays caused by external authorities, the Contractor retains responsibility for proper compliance with all legal and procedural obligations. The Engineer will typically assess whether the Contractor acted diligently before granting any extension of time under Clause 8.4 in conjunction with Sub-Clause 8.5.

Therefore, the statement is correct, as diligence in following authority procedures is a prerequisite for claiming delay under this provision.

NEW QUESTION # 46

The FIDIC Books are evolutions of earlier contract models, and although the different versions of a specific model are not the same, familiarity in definitions and structure makes it easier to work with different FIDIC books as well as with their different editions. Is this statement true or false?

- **A. True**
- B. False

Answer: A

Explanation:

This statement is true. The FIDIC suite of contracts, including Red, Yellow, and Silver Books, have evolved from earlier editions and contract models, but they retain a common structure, terminology, and approach to risk allocation. This familiarity allows professionals who know one FIDIC contract to adapt more easily to other FIDIC contracts or updated editions. For example, common terms like Engineer, Employer, Contractor, Variation, and Claims exist across editions with consistent meaning. The modular and familiar structure supports easier contract administration, negotiation, and interpretation. However, differences in clauses, obligations, and procedures between editions (e.g., 1999 vs. 2017) require careful review. Nevertheless, the shared foundations mean prior experience provides valuable understanding, streamlining learning and application.

References:

FIDIC Contracts Guide, General Introduction and History

FIDIC Contract Manager Study Guide, Module on Introduction to FIDIC Contracts

NEW QUESTION # 47

Which of the following statements are relevant to continuing effect claims? [FIDIC 2017 Edition] (2 correct answers apply)

- A. Continuing effect claims shall be noticed in the same way as "normal" claims, within 28 days after the Claiming Party became aware of the event or circumstance.
- B. In case the Employer is the Claiming Party, then he/she is not obliged to submit interim claims.
- C. In case the Contractor is the Claiming Party, when he/she misses to submit even just a single interim claim, then his/her entitlement is lost.
- D. In general, a fully detailed Claim has to be submitted within 84 days after becoming aware of the event giving rise to the claim.

Answer: A,D

Explanation:

Option A is correct: Continuing effect claims (claims where the event's impact continues over time) require notices like other claims, typically within 28 days of awareness.

Option D is correct: The fully detailed claim submission generally must be within 84 days of becoming aware of the event, allowing the Claiming Party to elaborate on the claim.

Option B is incorrect; Employer claims also require timely notification.

Option C is incorrect; missing a single interim claim does not necessarily result in losing entitlement if the contract allows for correction or continued claims.

References:

FIDIC Red, Yellow, and Silver Books 2017 Edition, Sub-Clause 20.1 - Claims and Notices FIDIC Contract Manager Study Guide, Module on Claims and Continuing Effects

NEW QUESTION # 48

(In the FIDIC Yellow Book (edition 1999), the Contractor has to provide the Engineer with documents as stated in Sub-Clause 5.2. Who is responsible for ensuring there is sufficient time allocated for reviewing these documents in relation to the Schedule of the Works?)

- A. Engineer
- B. Employer
- C. Contractor

Answer: C

Explanation:

Under FIDIC Yellow Book 1999, Sub-Clause 5.2 [Contractor's Documents] requires the Contractor to submit design documents to the Engineer for review. Importantly, the responsibility for planning and coordinating these submissions lies with the Contractor. The Contractor must ensure that the programme (Clause 8.3) allows sufficient time for the Engineer's review process, including any resubmissions that may be required if documents are not approved initially. This reflects the design responsibility placed on the Contractor in the Yellow Book, where the Contractor controls both design and execution.

The Engineer's role is to review and respond within the time stated in the Contract, but the Engineer is not responsible for integrating this review time into the overall project schedule. Similarly, the Employer has no direct role in managing this timing.

From a contract management perspective, failure by the Contractor to allow adequate review time may lead to delays for which the Contractor bears responsibility, as such delays would not typically qualify for Extension of Time unless caused by the Engineer exceeding prescribed review periods.

Thus, proper programming and coordination of document submissions is a key Contractor obligation, making Option A correct.

NEW QUESTION # 49

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