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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q65-Q70):

NEW QUESTION # 65

The FIDIC Red Book (edition 1999) deals with Value Engineering Clause. It follows from this clause that the Contractor shall give notice to the Engineer with supporting particulars. Upon receiving this notice, the Engineer shall proceed in accordance with Sub-Clause 3.5 to agree or determine this Cost, which shall be included in the Contract Price.

- A. False
- B. True

Answer: B

Explanation:

Under FIDIC Red Book (1999), the Value Engineering Clause requires the Contractor to notify the Engineer with full details and cost implications when proposing Value Engineering changes. The Engineer then follows the Variation procedure in Sub-Clause 3.5 to agree or determine the cost adjustment, which will be reflected in the Contract Price.

This ensures transparent handling of Value Engineering proposals and proper contractual adjustments.

References:

FIDIC Red Book 1999 Edition, Sub-Clause 13.1 - Value Engineering

FIDIC Contract Manager Study Guide, Module on Variations and Value Engineering

NEW QUESTION # 66

Through which two of the following documents may the Employer give information to the Contractor of a planned timetable of meetings such as management meetings, site meetings, technical meetings, and progress meetings?

Choose all of the correct answers (multiple possibilities).

- A. Specification
- B. Special Conditions
- C. General Conditions of Contract
- D. Employer's Requirements

Answer: B,D

Explanation:

The timetable for meetings is usually set out in the Special Conditions (Particular Conditions) and/or the Employer's Requirements, which define project-specific administrative and management arrangements.

Special Conditions customize the General Conditions to the project and often specify meeting schedules.

Employer's Requirements detail the Employer's expectations, including communication protocols and meeting timetables.

The General Conditions (Option A) are standard and do not include project-specific meeting schedules.

The Specification (Option B) mainly covers technical requirements, not administrative matters like meetings.

References:

FIDIC Red and Yellow Books 1999 and 2017 Editions, Special Conditions and Employer's Requirements Sections FIDIC Contract Manager Study Guide, Module on Communication and Reporting

NEW QUESTION # 67

Under the FIDIC Construction Contract, which one of the following statements is correct?

- A. A DAB must give its decision in writing on any dispute when requested by one of the Parties.
- B. Payments of a DAB Member's retainer fee is the sole responsibility of the Contractor.
- C. Payment to DAB Members must be certified by the Employer.
- D. If all persons nominated to serve as members of an ad hoc DAB do not sign a DAB Agreement, an appointing entity can make appointments.
- E. For an ad-hoc DAB, a retainer fee for each DAB Member must be paid to the Member on the first day of each calendar month.

Answer: A

Explanation:

Under the FIDIC Conditions of Contract (particularly 2017 editions), the Dispute Adjudication Board (DAB) is a standing or ad hoc body that provides binding decisions on disputes. One key requirement is that the DAB must give its decisions in writing upon request by either Party, ensuring clarity and enforceability.

Option E is correct as the DAB's decision must be documented formally.

Option A is incorrect; the cost of the DAB is generally shared by Employer and Contractor as per the contract.

Option B is incorrect because retainer fees can be paid on different schedules, not necessarily monthly on the first day.

Option C is incorrect; payments to DAB members do not require Employer's certification but are agreed as part of the DAB contract.

Option D is partially true but not a standalone correct statement without additional context.

References:

FIDIC Red, Yellow, Silver Books 2017 Edition, Clause 21 - Disputes and DAB Procedures FIDIC Contract Manager Study Guide, Module on Claims and Dispute Resolution

NEW QUESTION # 68

Under the FIDIC Red Book, which one of the following statements is correct for a claim by the Contractor?

- A. The Engineer's response to a claim by the Contractor is final and binding upon the Employer.
- B. The Engineer's response to the Contractor's submission of detailed particulars that are required by the procedure for claims by the Contractor must include the Engineer's final decision on the quantum.
- C. It is the Employer's Representative who must first respond to the claim by the Contractor.
- D. **If the Engineer does not make a determination, the Employer and the Contractor are unable to agree to settle an issue that gave rise to a claim**
- E. The Employer has the authority to accept a claim by the Contractor, even in the case of the Contractor's failure to comply with the notice requirements.

Answer: D

Explanation:

Under FIDIC Red Book 1999, the Engineer plays a key role in determining claims submitted by the Contractor (Clause 20). If the Engineer fails to make a determination within the prescribed time, the Parties may be unable to resolve the dispute and thus the matter may proceed to dispute resolution mechanisms.

Option B is correct because if the Engineer does not decide, the claim remains unsettled, and the Parties are left to resolve the dispute, often via Dispute Adjudication Board or arbitration.

Option A is incorrect; claims must comply with notice requirements to be valid.

Option C is incorrect because the Engineer may request further particulars but is not obligated to give a final decision on quantum immediately.

Option D is incorrect as the Engineer, not the Employer's Representative, first responds to claims.

Option E is incorrect since the Engineer's decision is not final and binding if disputed; it may be challenged.

References:

FIDIC Red Book 1999 Edition, Clause 20 - Claims, Disputes and Arbitration FIDIC Contract Manager Study Guide, Module on Claims and Dispute Resolution

NEW QUESTION # 69

You are the Contract Manager of the Engineer for a contract using FIDIC Yellow Book (edition 2017). You are drafting a notice holding the Commencement Date. Which one of the following approaches has the most clear and unambiguous drafting?

- A. The Contractor is kindly notified that the project shall be started by 17 April 2023.
- B. **I hereby give notice, in accordance with Sub-Clause 8.1 of the Conditions of Contract, the Commencement Date shall be 17 April 2023.**
- C. The commencement date of this project under Sub-Clause 8.1 of the Conditions of Contract will be 10 days from 7 April 2023.
- D. I hereby give notice, in accordance with Sub-Clause 1.1.84 and 8.2 of the Conditions of Contract, that the Time for Completion shall commence from 17 April 2023.

Answer: B

Explanation:

Option A provides the clearest and most unambiguous notice because:

It explicitly references the relevant Sub-Clause (8.1) that governs Commencement Date notification.

It uses precise language "I hereby give notice" indicating formal notification.

It clearly states the Commencement Date with a specific date (17 April 2023).

Options B and C are less formal or ambiguous and do not refer to the proper contract clause, which could lead to disputes. Option D incorrectly refers to the Time for Completion start rather than the Commencement Date specifically.

Clear and formal notices help prevent contractual disputes by explicitly identifying the contractual clause and key date.

References:

FIDIC Yellow Book 2017 Edition, Sub-Clause 8.1 - Commencement of Works

FIDIC Contract Manager Study Guide, Module on Contract Formation and Execution

NEW QUESTION # 70

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