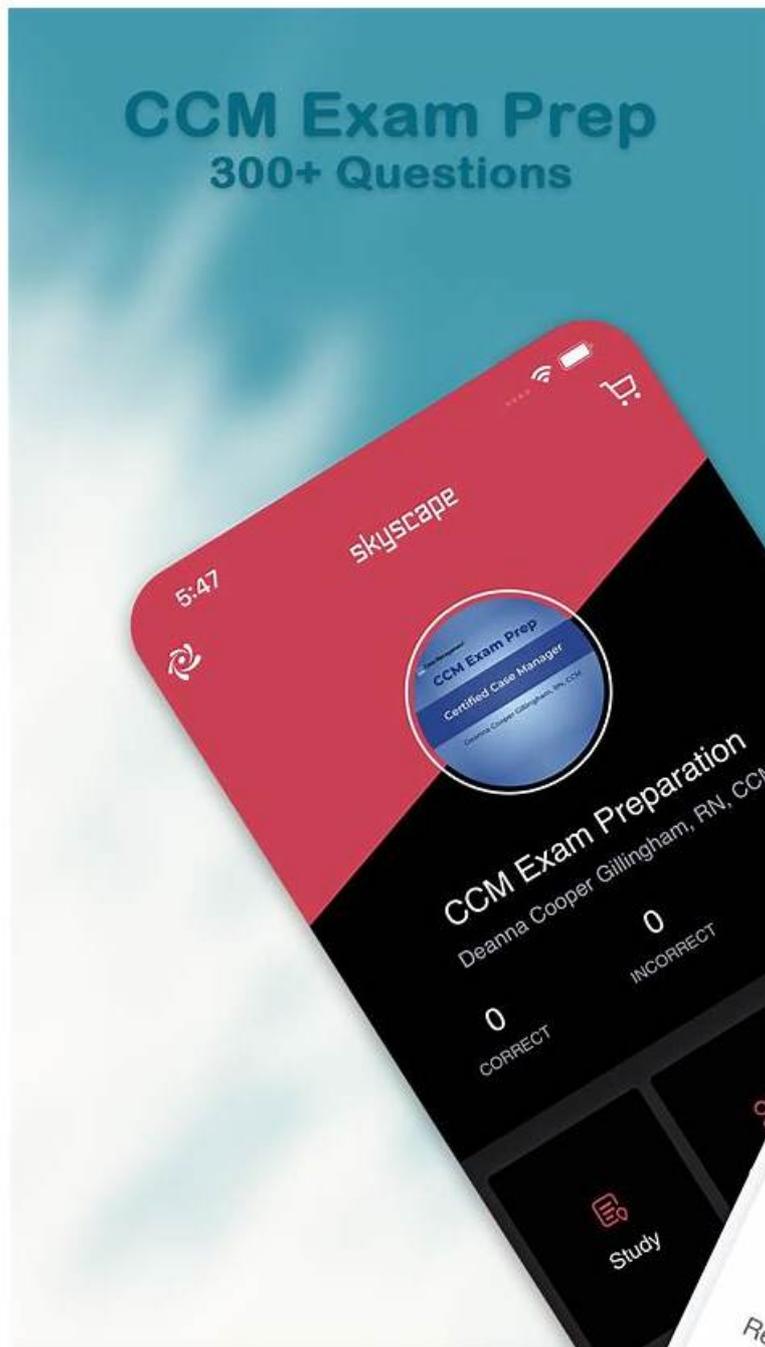


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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q11-Q16):

NEW QUESTION # 11

During the execution of certain Works under a FIDIC Yellow Book (edition 1999), a Contract in a historical area along the silk route, one of the workers on the excavator shouts out to the supervisor of the Contractor it has discovered something on the Site. The supervisor inspects the finding and concludes this is possibly an ancient treasure in a wooden box. The supervisor sees some golden coins through the cracked lid of the box.

The supervisor immediately stops the execution of the Works, sends the workers away and blocks access to the Site for all persons. Given the sensitive nature of the findings, the supervisor informs you as Engineer.

How do you react?

- A. You inform the supervisor that given the sensitive nature of the findings, you need a formal and written notice as mentioned in Sub-Clause 4.24 second paragraph, otherwise you cannot give further instructions. You ask them to send it to you as soon as possible, because otherwise you are not able to entitle the Contractor to any extension of time and payment of costs.
- B. You immediately take action and give the instruction to the supervisor to make sure to cover this finding and till the excavation with material. You then redesign and make a determination (Sub-Clause 3.5) on a change of the Works - if needed - to make sure the execution can restart within days because of the need to finish this project.
- C. You compliment the supervisor for their swift and decisive action. However, the Works should advance as soon as possible. You ask the supervisor to excavate the box further, and place it in the back of your truck. You promise the supervisor you will drive the box yourself to the University in the city nearby, because it is very important to preserve found treasures like this. The Contractor is not entitled to an extension of time, as no delay has been incurred.
- **D. You thank the supervisor for their action. You make sure the Site is secured and ask the Contractor to make an improvised barrier around the Site. You ask the Contractor to appoint its most trustworthy guards to set a perimeter. You inform the Employer and local authorities and you ask the Contractor to send you a notice in writing whereby it requests for a Variation (as this is needed for you to instruct the Contractor), thereby already including a fixed proposal for the costs of the guards and barrier, all in accordance with Sub-Clause 4.24.**

Answer: D

Explanation:

Comprehensive and Detailed Explanation:

Under FIDIC Yellow Book 1999, Sub-Clause 4.24 ("Unforeseeable Physical Conditions") deals with unexpected discoveries such as archaeological finds. The Engineer's role includes ensuring site safety, notifying the Employer and relevant authorities, and managing the implications through variations.

Option B reflects best practice: securing the site, appointing guards, notifying Employer and authorities, and requesting a formal Variation Notice to cover costs and entitlement to extension of time.

Options A and D are unsafe or legally risky actions that could damage the find and breach legal obligations.

Option C delays the necessary immediate protective actions.

References:

FIDIC Yellow Book 1999 Edition, Sub-Clause 4.24 - Unforeseeable Physical Conditions FIDIC Contract Manager Study Guide, Module on Claims and Variation Management

NEW QUESTION # 12

Under the FIDIC Red, Yellow, and Silver Books (both editions), the Contractor has a contractual obligation to submit a Value Engineering Proposal. Such proposal shall be prepared at the cost of the Employer. Are both these statements true or false?

- A. True
- B. False

Answer: B

Explanation:

Comprehensive and Detailed Explanation:

The Contractor may submit Value Engineering proposals to improve efficiency or reduce costs; however, it is not an absolute contractual obligation to submit such proposals. Also, the preparation of these proposals is generally at the Contractor's own cost initially. If the proposal is accepted and results in a Variation, then adjustments to the Contract Price may occur, potentially reimbursing the Contractor.

Thus, both statements are false.

References:

FIDIC Red, Yellow, Silver Books 1999 & 2017 Editions, Sub-Clause 13.1 - Value Engineering FIDIC Contract Manager Study Guide, Module on Variations and Value Engineering

NEW QUESTION # 13

Regarding the FIDIC Red Book (edition 1999): which two statements are true in respect of Building Information Modelling (BIM)? Choose all of the correct answers (multiple possibilities).

- A. BIM is one of the digital data technologies used in all aspects of project planning, investigation, design, construction and operation.
- B. BIM is not related to the improvement of quality, accuracy, delivery times and cost savings.
- C. For construction or building projects involving BIM, many Sub-Clauses of FIDIC Red Book (edition 2017) should be thoroughly reviewed when drafting the Particular Conditions.
- D. General Conditions of Contract require the use of BIM.

Answer: A,C

Explanation:

Option B is correct: BIM is indeed a digital data technology applicable throughout the project lifecycle.

Option D is correct: Use of BIM requires careful consideration of contract clauses and appropriate adjustments in Particular Conditions.

Option A is incorrect; the 1999 edition does not mandate BIM use.

Option C is false; BIM improves quality, accuracy, delivery times, and cost efficiency.

References:

FIDIC Red Book 1999 & 2017 Editions - BIM and Contract Amendments

FIDIC Contract Manager Study Guide, Module on BIM and Digital Technologies

NEW QUESTION # 14

There are four reasons that the Employer/Contractor shall advise in advance each other and the Engineer of any known or future events or circumstances.

Which two of the following statements are NOT applicable reasons?

(Choose all correct answers - multiple possibilities)

- A. Delay the execution of the Works or a Section.
- B. Adversely affect the work of the Contractor's Personnel.
- C. Increase the performance of the Works when completed.
- D. Decrease the Contract Price.

Answer: C,D

Explanation:

Comprehensive and Detailed Explanation:

Under the FIDIC Red Book 2017 (similar principles apply in other editions), Sub-Clause 4.1 ("Contractor's General Obligations") and Sub-Clause 3.4 ("Delay Damages") require both Employer and Contractor to notify the Engineer in advance about any events

or circumstances which may delay the works or adversely affect the Contractor's personnel or progress. This early notification ensures proper management and mitigation of risks that could impact the project timeline or quality.

* Option A (Delay the execution of the Works or a Section) is a core reason for notification since delays affect the critical path and programme, requiring possible extensions or adjustments.

* Option C (Adversely affect the work of the Contractor's Personnel) is also a valid reason because issues affecting workforce productivity or availability can impact project delivery.

On the other hand:

* Option B (Decrease the Contract Price) is not a reason to notify. Changes in contract price usually arise from variations or claims but are not a "known or future event" requiring prior notification unless linked to a variation or compensation event.

* Option D (Increase the performance of the Works when completed) is positive and does not negatively affect project progress or cost; therefore, it is not a reason for advance notification under these contract provisions.

Thus, the two not applicable reasons are B and D.

References:

FIDIC Conditions of Contract for Construction, 2017 Edition, Sub-Clause 4.1 - Contractor's General Obligations FIDIC

Conditions of Contract for Construction, 2017 Edition, Sub-Clause 3.4 - Delay Damages FIDIC Contract Manager Study Guide, Module on Communication and Reporting

NEW QUESTION # 15

Which of the following cases will allow the Employer to claim under the Performance Security? [2017 Edition] (2 correct answers apply) Choose all of the correct answers (multiple possibilities).

- A. The Contractor abandons the Works and the Employer did not issue Notice of termination.
- B. The Employer had submitted a claim under Sub-Clause 20.2.
- C. The Contractor failed to extend the validity of the Performance Security.
- D. The Contractor failed to renew the Tender Security.
- E. The Engineer had issued instruction to replace part of the Works.

Answer: C,D

Explanation:

Under FIDIC 2017 editions, the Performance Security protects the Employer against failure by the Contractor to fulfill contractual obligations. The Employer may claim under the Performance Security in the following cases:

Option A: Failure to renew the Tender Security as required during the tendering or contract formation phase can allow Employer to make a claim, since the security guarantees the Contractor's commitments at this stage.

Option E: Failure to extend the validity of the Performance Security when requested or required breaches contractual obligations and enables the Employer to claim under the security.

Option B is incorrect because abandonment without termination notice does not immediately entitle the Employer to claim under Performance Security; formal termination is usually required first.

Option C is incorrect because submitting a claim under Sub-Clause 20.2 (Employer's claims) does not directly correlate with claiming under Performance Security.

Option D is irrelevant; instructions to replace works do not relate to Performance Security claims.

References:

FIDIC Red, Yellow, and Silver Books 2017 Edition, Sub-Clause 4.2 - Performance Security FIDIC Contract Manager Study Guide, Module on Risk Management and Securities

NEW QUESTION # 16

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