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## CIPS Commercial Contracting Sample Questions (Q93-Q98):

### NEW QUESTION # 93

Blakenall District Hospital (BDH) is a large hospital that is a major part of the government's health service. Purchasing staff are in the habit of placing many long-term contracts with suppliers and sub-contractors. Whilst these contracts are usually carried out successfully, prices are often paid that are well over budget. The purchasing manager is concerned to find that, in some cases, members of staff are forcing suppliers to accept fixed price contracts. The policy has caused several problems such as some suppliers refusing to deal with BDH and a few going out of business mid-way through performing a contract with BDH. This is due to fluctuating market prices of materials. The procurement manager suggests supplier to adopt variable pricing arrangement with price index. Is this a right course of action?

- A. Yes, this type of arrangement would provide absolute certainty when budgeting
- B. Yes, this pricing arrangement would reimburse the fluctuation of material prices
- C. No, variable pricing would only benefit the suppliers
- D. No, price adjustment should be applied to short-term supply contract only (3-month duration or less)

**Answer: B**

Explanation:

Procurement staff in the Hospital is forcing suppliers into fixed price contract. If the costs generally rise, supplier may operate at a loss. This situation can disrupt the relationship, that is the reason why some suppliers refusing to deal with BDH and a few going out of business mid-way.

Alternative methods could be variable pricing arrangement. This method would reimburse the fluctuation of market price. It will also benefit buyer if the market price drops. This type of arrangement should be applied to long-term contracts (i.e. 18 months or more).

Reference:

LO 3, AC 3.3

**NEW QUESTION # 94**

Bandpro is a reseller of branded computer products to the private and public sector. The procurement team must purchase 500 items each day solely by multiple phone calls and emails to suppliers. Due to this practice, it takes a lot of time to track and collect relevant documents. Some important documents even get lost, which makes procurement audit more burdensome. Which of the following would increase the robustness of audit trails in procurement activities?

- A. Every evidence must be recorded by paper
- **B. Adopt e-procurement**
- C. Spend less time on auditing procurement procedures
- D. Rectify non-compliant activities

**Answer: B**

Explanation:

Audit trail is a chronological record the sequence of events connected to a given transaction, such as a purchase of raw materials, payroll disbursements, or a detailed financial statement. The record includes all the source documents connected to the transaction, providing context and clarity in the event a review is required. The more comprehensive the documentation, the more effective the audit trail is when used to create financial reports, verify information, and ensure compliance while eliminating fraud.

In the scenario, the procurement team gets the quotation from phone calls and emails which have weak audit trails and lack of transparency. One solution may be increasing the use of e-procurement system.

Reference:

- What is an audit trail?
- CIPS study guide page 6-7

LO 1, AC 1.1

**NEW QUESTION # 95**

Foodstuffs may arrive from an overseas supplier in a deteriorated state. Is this covered under the implied term of 'satisfactory quality'?

- **A. Yes, the food is not of a reasonable standard**
- B. No, it is sale by sample
- C. No, it is sale by description
- D. Yes, as the title has not passed yet

**Answer: A**

Explanation:

Under the Sale of Goods Act and other applicable legislation, goods must be of satisfactory quality, fit for purpose, and as described. Perishable goods arriving in a spoiled state would not meet the standard of satisfactory quality, even if sold by sample or description. This is an implied term that protects the buyer.

Reference:CIPS L4M3 Commercial Contracting Study Guide, Chapter 3, Section 3.1.1 - Implied terms and quality standards.

**NEW QUESTION # 96**

Which of the following statements is FALSE on contracts for the leasing of assets?

- **A. The ownership of leased asset is transferred to the lessee at the end of the period**
- B. The lessee may bear some risks of ownership, such as the liability to insure the asset

- C. The party responsible for maintenance, insurance and taxes is subject to negotiation
- D. In lease agreement, the possession and right of use of an asset are transferred to the lessee

**Answer: A**

Explanation:

A lease is a contractual arrangement calling for the lessee (user) to pay the lessor (owner) for use of an asset. Some characteristics of Leases are:

- The right to use the lessor's asset is granted in exchange for a fee called the lease payment.
- The lease payments are usually paid in installments.
- Leases may be long- or short-term.
- At its inception a lease agreement constitutes a mutually unperformed contract. Though the ownership of the asset is not transferred to the lessee, some responsibilities and risks do. The lessor and lessee may negotiate on who is responsible for maintenance, insurance, etc.

Reference:

LO 1, AC 1.3

**NEW QUESTION # 97**

Maria is working on a new one-off construction project and is looking to expand a factory. A requisition comes through for an outright purchase of a digger. Maria changes this to a lease order instead. Is she right to do so?

- A. No, buyers should not challenge or change a requisition
- B. No, diggers are not allowed to be leased
- **C. Yes, this saves money and the business will not end up with an unwanted asset**
- D. Yes, equipment should always be leased and never purchased

**Answer: C**

Explanation:

For short-term or one-off projects, leasing equipment is often more cost-effective than purchasing. It reduces the financial burden of asset ownership, such as depreciation and maintenance, especially if the equipment is not needed beyond the project's scope.

Maria's decision aligns with sound procurement and asset management practices.

Reference: CIPS L4M3 Commercial Contracting Study Guide, Chapter 4, Section 4.1.1 - Fixed, unit rate, cost plus and leasing arrangements.

**NEW QUESTION # 98**

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