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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q50-Q55):

NEW QUESTION # 50

In a construction project using the FIDIC Silver Book (edition 1999), if the Parties prefer the dispute board to be appointed on an "ad-hoc" basis instead of as a standing Dispute Avoidance and Adjudication Board (DAAB), what is it called? (1 correct answer applies)

- A. Ad-hoc DAAB
- **B. DAB**
- C. Ad-hoc DB
- D. Ad-hoc arbitration

Answer: B

Explanation:

Under FIDIC terminology, an ad-hoc Dispute Board is known as a DAB (Dispute Adjudication Board), which is appointed for specific disputes as they arise, rather than standing continuously.

The DAAB is a standing board appointed for the project duration, providing continuous dispute avoidance and adjudication.

Option D refers to arbitration, which is a different dispute resolution method.

References:

FIDIC Silver Book 1999 Edition, Clause 20 - Dispute Adjudication Board

FIDIC Contract Manager Study Guide, Module on Dispute Boards and Resolution

NEW QUESTION # 51

The details of all the matters that have been clarified and agreed between the Employer and tenderers during the tender stage are recorded by, for instance, a memorandum of understanding. The Employer may award the contract to the tenderer through a letter of formal acceptance, signed by the Employer. This process is in compliance with which one of the following Golden Principles (GP's)?

- A. GPA
- B. GP 2
- **C. GP 1**
- D. GP 3

Answer: C

Explanation:

FIDIC's Golden Principles (GPs) guide good contract management and administration. Golden Principle 1 (GP1) emphasizes "Clear communication and documentation" to avoid misunderstandings and disputes. It specifically promotes thorough documentation of all agreements and clarifications reached during the tender process. The use of a memorandum of understanding or similar record ensures transparency and mutual understanding. Furthermore, the formal award of the contract by a signed letter of acceptance aligns with the principle of clear and formal contract formation.

* GP1 ensures that all key matters, changes, and agreements are properly documented during the tender phase and contract award to form an unambiguous contractual basis.

* GP2 and GP3 relate more to ongoing contract administration, risk management, and dispute resolution rather than the contract formation process.

* GPA (Golden Principle A) is not a standard FIDIC term associated with contract formation or tender stage documentation.

Therefore, the described process aligns best with Golden Principle 1 (GP1).

References:

FIDIC Contract Manager Study Guide, Section on Golden Principles of Contract Management FIDIC Guidelines for Contract Managers

NEW QUESTION # 52

(If a Section or Part has been taken-over but the Taking-Over Certificate has not been issued for the Works, the Engineer has the right to instruct a Variation to that Section/Part. Is this statement true or false?)

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

Answer: A

Explanation:

Under FIDIC Red and Yellow Books (both 1999 and 2017), once a Section or Part of the Works has been taken over by the Employer, even if a formal Taking-Over Certificate has not yet been issued, the practical effect is that the Works (or relevant Section) are considered completed and under the Employer's control.

Clause 13 [Variations and Adjustments] allows the Engineer to instruct Variations only before the Works or a Section are taken over. After taking-over, the Contractor's obligations shift from execution to remedying defects under Clause 11 [Defects Notification Period]. At this stage, the Contractor is no longer required to carry out new work beyond rectification unless separately agreed. Therefore, once a Section/Part is taken over, the Engineer cannot instruct a Variation to that part of the Works. Any further work would require a separate agreement or contract, not a Variation under Clause 13.

This reflects a key FIDIC principle: Variations relate to the execution phase, not the post-completion (defects liability) phase. Thus, the statement is false.

NEW QUESTION # 53

Applying FIDIC Silver Book (edition 1999), which one of the following elements shall not form part of the time Programme/revised programme?

- A. The intended order of the works.
- B. The sequence and timing of inspections and tests.
- C. The remedial work (if any) instructed under Sub-Clause 7.6.
- D. Review periods under Sub-Clause 5.2.

Answer: C

Explanation:

Comprehensive and Detailed Explanation:

According to the FIDIC Silver Book, 1999 Edition (The Conditions of Contract for EPC/Turnkey Projects), the Contractor is required under Sub-Clause 8.3 ("Programme") to submit a time programme that illustrates the sequence and timing of the works, including milestones and key events. The intended order of the works (Option A), sequence and timing of inspections and tests (Option B), and review periods (Option D) related to contract management processes such as approval of design or submissions (Sub-Clause 5.2) are integral to effective scheduling and coordination.

However, remedial work instructed under Sub-Clause 7.6, which concerns remedying defects or damage, is generally not part of the initial or revised programme. Instead, remedial works are typically handled as separate tasks or incorporated into specific defect liability or rectification schedules after the main programme has been executed. Such remedial works arise from defects liability obligations and do not belong to the original or revised time programme used to plan the main construction phases.

This distinction is important because the programme reflects planned works execution, whereas remedial work is reactive and may be scheduled separately under defects liability clauses or final project close-out arrangements.

References:

FIDIC Silver Book 1999 Edition, Clause 8.3 - Programme

FIDIC Silver Book 1999 Edition, Clause 7.6 - Remedial Work

FIDIC Contract Manager Study Guide, Module on Time and Delay Management

NEW QUESTION # 54

The Contractor is entitled to an advance payment. Applying FIDIC Red Book (edition 1999), which two of the following statements are correct?

Choose all of the correct answers (multiple possibilities):

- A. Under the General Conditions, the advance payment will be repaid by deducting all amounts from invoices until the entire advance payment is repaid.
- B. The advance payment reflects the amount of works the Contractor has already performed up to the moment such advance payment is performed.
- C. The advance payment is to help the Contractor to finance some of its early cost and expenditure until it becomes entitled to first (non-interim) payment.
- D. Under the General Conditions, the amount of advance payment is to be paid in full by the Employer through one instalment.

Answer: A,C

Explanation:

Under FIDIC Red Book 1999, advance payment is intended to assist the Contractor in financing the mobilization and early works

costs before the Contractor begins receiving regular payments for work performed (Option A). It is not a payment for work already completed, so Option B is incorrect.

The General Conditions provide that the advance payment is usually made in a lump sum or agreed instalments and that the Employer makes the payment in advance (Option C is partially true but generally it can be one or multiple instalments, depending on contract terms).

Importantly, the advance payment must be repaid by the Contractor through deductions from subsequent interim payments (Option D), ensuring the Employer recovers the advanced funds as the work progresses.

References:

FIDIC Red Book 1999, Sub-Clause 14.2 - Advance Payment

FIDIC Contract Manager Study Guide, Module on Payment Procedures and Financial Management

NEW QUESTION # 55

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