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continuous learning and development in the field of procurement and supply chain management, and improve their career prospects in this dynamic and challenging industry.

CIPS Commercial Contracting Sample Questions (Q133-Q138):

NEW QUESTION # 133

An organization has a normal tender process that often last 1 month from defining the needs to contract award. Manufacturing department suddenly required a new special part that they could not foresee within a month. Which of the following should be the priority actions of procurement manager in this urgent situation?

Select TWO that apply:

- A. Get high-level authority approval
- B. Design new specification
- C. Review contract performance
- **D. Submit full business justification**
- E. Develop relationships with potential suppliers

Answer: D

Explanation:

This urgent needs occasionally occur due to a sudden change in circumstances. The process for selecting a replacement supplier must still be controlled. If there is a reason for normal processes to be waived, this must be fully documented and approved at a high level.

Reference: CIPS study guide page 7

LO 1, AC 1.1

NEW QUESTION # 134

A large company supplies a lot of products. Their shipments are often delayed and customers are not satisfied. Which of the following KPIs is most likely to be applied to this situation?

- A. Delay damages
- B. Consignment stock availability
- **C. OTIF delivery**
- D. Technical support

Answer: C

Explanation:

If the deliveries often delay, buyer should use KPI to measure how many missed deliveries there are and the percentage of total missed deliveries on total number of deliveries for period. OTIF (one-time in-full) delivery might help.

Consignment stock availability means that the supplier holds adequate range/number of units of stock to offer a reliable service Delay damages are the consequences caused by delay of deliveries Technical support is the acceptable quality of technical information/support provided by supplier for goods supplied.

LO 2, AC 2.2

NEW QUESTION # 135

Under a framework agreement, which of the following are supplier selection mechanisms? Select TWO that apply:

- A. Rescission of contract
- **B. Mini competition**
- C. Call off contract
- **D. Direct call-off**
- E. Contract for lease

Answer: B,D

Explanation:

A framework agreement is an agreement with one or more suppliers/providers which sets out terms and conditions under which individual contracts (call-offs) can be made throughout the term of the agreement.

A framework agreement itself is not a contract, but the call-offs made from it are.

Framework arrangements create a streamlined and flexible process for procuring goods, works or services. Where a framework for the same goods, works or services is awarded to several suppliers, there are three possible options for awarding call-off contracts: direct award (or direct call-off), mini-competition or a combination of both.

Option 1 - Apply the terms of the framework agreement (direct award).

Where your requirements match the terms and/or specification of the framework agreement (in the event of any query, you should clarify the situation with the organisation that established the framework), a particular call-off should be awarded without re-opening competition. The call-off should be awarded to the provider who is identified as the most economically advantageous tender based on the award criteria used at the time that the framework was established (i.e. the supplier ranked no. 1). Randomly selecting a supplier off a framework is not permitted.

Option 2 - Hold a mini-competition between capable suppliers.

If your requirements do not match the terms and/or the specification of the framework, you should conduct a mini-competition exercise. Whilst it is not permitted to substantially change the basic terms or specification of the framework, in running a mini-competition it is possible to supplement or refine the basic terms of the framework prior to making a call-off. Examples of such terms are:

- The particular goods/services/works required;
- Particular delivery timescales;
- Particular invoicing arrangements and payment profiles;
- Associated services such as installation, maintenance and training;
- Quantity;
- Functional specification.

Under no circumstances should brand names or brand-specific descriptions of goods be used e.g. BIC Biro Pen, Hewlett-Packard Printer, Dell computer. Descriptions should give reference to the characteristics and outputs of the product or service. Where no other description is possible, any reference should be qualified by adding the words 'or equivalent'.

When a mini-competition exercise is held, all suppliers appointed to the framework that are capable of meeting the requirement must be invited to submit a tender. (This might just relate to suppliers within a particular 'lot'). You must not limit the mini-competition exercise to selected providers. A time limit for submitting the tender must be set and advised to competing suppliers. This time limit must be reasonable, taking account of the complexity of the requirement.

The call-off must be awarded on the basis of the framework award criteria and new criteria cannot be added, although, where permitted, the weightings may be varied to take account of a particular requirement. However, in adjusting the weightings, care must be taken to ensure that any such changes do not have an adverse effect on competition.

Option 3 - Combination of direct award and mini-competition

To use a combination approach, the procurement documents must state that this route may be used. The procurement documents will also specify which terms may be subject to the re-opening of competition.

Reference:

- Guidance on the Use of Framework Agreements
- CIPS study guide page 60-62

LO 1, AC 1.3

NEW QUESTION # 136

Esther Francis has recently changed job from a supply role at Shine Cleaning Services (SCS) to a purchasing role at Southern Commercial Property (SCP). Esther requires industry technical input to develop a cleaning services requirements specification for her new employer. Esther Francis wants to include her former employer SCS in a market engagement exercise to inform the specification. Which of the following would be the most appropriate way to deal with the conflict of interest?

- **A. Conduct market engagement with several capable suppliers, including SCS**
- B. Declare the potential conflict of interest to a senior manager of SCS
- C. Conduct the market engagement with SCS off the record
- D. Ask a colleague to conduct the market engagement with SCS

Answer: A

Explanation:

The best way to manage conflicts of interest is through transparency and fairness. Including multiple suppliers in the market engagement process ensures no single supplier, including the one with a perceived connection, gains an advantage. This protects the integrity of the procurement process.

Reference: CIPS L4M3 Commercial Contracting Study Guide, Chapter 2, Section 2.1.1 - Ethical and fair practice in early market engagement.

NEW QUESTION # 137

Which of the following is the procedure that makes no further competition under a framework agreement?

- A. Standing offer
- B. Blanket order
- **C. Direct call-off**
- D. Closed system

Answer: C

Explanation:

Direct call off is the act of placing an order under a framework agreement without having further competition.

Standing offer is an available offer.

Blanket order is another name of framework agreement

Closed system is a requirement of framework agreement. It is a system or process that, once started, does not allow new entrants.

Reference: CIPS study guide page 59-62

LO 1, AC 1.3

NEW QUESTION # 138

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