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CIPS Commercial Contracting Sample Questions (Q217-Q222):

NEW QUESTION # 217

Maximum Score 1

Drafting a specification is important because these documents become embedded within the contract and therefore, are legally binding. Is this statement true?

- A. Yes, care needs to be taken because the specification should be part of the contract
- B. No, because legally binding contracts only contain terms and conditions
- C. Yes, because all specifications must be approved by the organisation's board according to legislation
- D. No, as the specification is separate to the contract and has no legal standing

Answer: A

Explanation:

Specifications are normally attached as schedules and form part of the contract; they define deliverables and performance standards. Therefore, once signed, they become legally binding - errors or ambiguity can create disputes.

Reference: CIPS L4M3 Commercial Contracting - "Specifications and schedules as binding documents."

NEW QUESTION # 218

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. Yes, equipment should always be leased and never purchased
- C. Yes, this saves money and the business will not end up with an unwanted asset
- D. No, diggers are not allowed to be leased

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 # 219

Maximum Score 1

Procurement professionals must have an awareness of labour standards and environmental, social and governance issues when contracting with suppliers. Which TWO of the following are relevant for consideration?

- A. Sustainability
- B. Modern Slavery
- C. ISO 9000 accreditation
- D. Warranty
- E. Indemnity

Answer: A,B

Explanation:

Modern Slavery (C) and Sustainability (D) are core social and environmental issues under ESG and ethical procurement policies. Indemnity and warranty are legal clauses, not social or environmental considerations.

Reference: CIPS L4M3 Commercial Contracting - "Ethical and responsible contracting (CSR, ESG, Modern Slavery)."

NEW QUESTION # 220

Which of the following is an invitation to treat?

- A. Tender bid
- **B. Price list**
- C. Invoice
- D. Purchase order

Answer: B

Explanation:

An invitation to treat is an action inviting other parties to make an offer to form a contract. These actions may sometimes appear to be offers themselves, and the difference can sometimes be difficult to determine. The distinction is important because accepting an offer creates a binding contract while "accepting" an invitation to treat is actually making an offer.

One simple test to distinguish an offer and an invitation to treat is to ask what this statement will become when it is accepted. Now we apply this test to four options:

- Tender bid: Tender bid is submitted by a supplier to an invitation to tender from the buyer. It states the specific quantity, price and other elements. If buyer accepts the bid, there will be a contract between them.

Therefore, a tender bid is an offer.

- Purchase order: Purchase order which is sent by a buyer will state the items, the quantity, the price and terms and conditions. If supplier accepts the purchase order, there will also be a contract between two parties. It is also an offer.

- Price list: Price list is prepared by a supplier. The price list often states the items and unit price. If a buyer accepts it, the contract has not yet been formed since the contract scope has not yet been decided. It is an invitation to treat.

- Invoice: Invoice is often sent after a contract is formed. It is in fact a request for payment, neither offer nor invitation to treat.

Reference:

- CIPS study guide page 29-32

- What Is an Invitation to Treat?

LO 1, AC 1.1

NEW QUESTION # 221

A supermarket purchases a new batch of house cleaner from new supplier. The supermarket is concerned about possible damage that the house cleaner may cause to consumers' floor. What type of insurance must they cover?

- A. Public liability insurance
- B. Fire and explosion insurance
- **C. Product liability insurance**
- D. Professional indemnity insurance

Answer: C

Explanation:

Product Liability Insurance is a form of general liability insurance meant to protect a business from financial and legal consequences as a result of bodily injury or property damage due to the use of the business's sold goods or products. Situations that are typically covered by Product Liability Insurance may include:

- A customer harms herself because of the faulty packaging on one of your products

- A drapery set that a customer purchased from your business was highly flammable and caught on fire, eventually damaging her entire kitchen

- A customer with a severe allergy finds trace amounts of tree nuts in your homemade gourmet muffins

- A homemade house cleaner that you sell damaged one of your customer's entire hardwood floor

- A customer becomes sick with food poisoning after eating old shellfish at your restaurant, goes to the hospital, and incurs medical costs caused by your contaminated food products

- A customer's pet becomes ill from ingesting some lining in a pet toy product that you sell In the scenario above, the supermarket is purchasing and reselling house cleaner, which can be covered by product liability insurance.

Public liability insurance is a type of business insurance that covers the cost of claims made by the public that happen in connection with the business activities.

Professional indemnity (PI) insurance is a commercial policy designed to protect business owners, freelancers and the self-employed if clients claim a service is inadequate.

Reference: CIPS study guide page 150-153

LO 3, AC 3.2

NEW QUESTION # 222

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