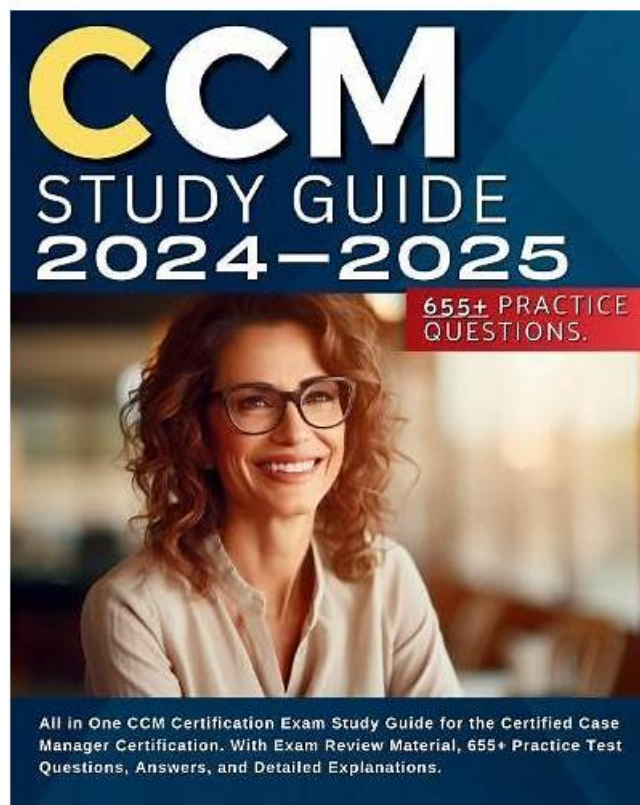


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素敵-更新するCCM日本語版参考書試験-試験の準備方法CCM基礎問題集

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Medical Professional Certified Case Manager Certification Exam (CCM) 認定 CCM 試験問題 (Q21-Q26):

質問 # 21

Which one of the following documents constitutes a contract and is considered binding on both parties, when the Employer wants to award the Contract to the tenderer?

- A. Letter of Acceptance
- B. Letter of Intent
- C. Letter of Intent & Memorandum of understanding
- D. Memorandum of understanding

正解: A

質問 # 22

You are the Contract Manager for the Engineer in a hotel project using FIDIC Red Book (edition 1999). The Employer demands perfection in the project's design and construction quality. There are many Variations initiated by the Employer during construction. Which one of the following is NOT considered as a Variation?

- A. The Engineer requests a proposal regarding a change in type of windows and doors of the business centre.
- B. The Engineer instructs a change in slopes of stairs to the parking lot with an Instruction in accordance with Sub-Clause 3.3.
- C. The Contractor submits a Value Engineering proposal, in which it proposed to change the colour of the outdoor paint. The Engineer approved the proposal.
- D. The Employer verbally instructs a change in the layout of the rooftop restaurant. The Engineer issued an Instruction describing the required change with revised design drawings.

正解: C

解説:

Comprehensive and Detailed Explanation:

Option A is NOT a Variation because it originates from a Value Engineering proposal by the Contractor, not from Employer or Engineer instruction or request.

Options B, C, and D are all variations initiated by the Employer or Engineer.

References:

FIDIC Red Book 1999 Edition, Clause 3 - Variations

FIDIC Contract Manager Study Guide, Module on Variations

質問 # 23

A new important feature of the FIDIC Yellow and Silver Books (edition 2017) is the inclusion of the default position that the Works or relevant part of the Works designed by the Contractor shall be fit for their ordinary purposes. Is this statement true or false?

- A. False
- B. True

正解: B

解説:

This statement is true. The FIDIC Yellow and Silver Books (2017 editions) include a clear provision that the Works, or the parts designed by the Contractor, must be fit for their ordinary purposes, reflecting the Contractor's responsibility for design and performance. This introduces an express fitness-for-purpose obligation, which was less explicit in earlier editions.

This provision clarifies risk allocation related to design liability, ensuring that the Contractor is accountable for the fitness of the designed works unless otherwise specified.

References:

FIDIC Yellow and Silver Books 2017 Edition, Sub-Clause 4.1 - Contractor's General Obligations FIDIC Contract Manager Study Guide, Module on Legal Obligations and Fitness for Purpose

質問 # 24

Regarding the FIDIC Red Book (edition 1999), which two statements are true?

- A. In emergency situations notices can also be submitted verbally (rather than (also) in writing).
- B. Notices and other communications may be sent in hand written, type written, in print or through an electronic original transmission system.
- C. A notice is to be signed by the Engineer, Contractor's Representative or Employer's Authorised Representative.
- D. A notice and other communications may be delivered by hand, courier and mail. In each case with proof of receipt is required to qualify as legally valid.

正解: A、B

解説:

Comprehensive and Detailed Explanation:

Option A is true: In emergencies, verbal notices are permitted with the requirement to follow up in writing.

Option D is true: Notices and communications may be sent in various formats including handwritten, typed, printed, or electronic systems.

Option B is incorrect; a notice does not necessarily have to be signed by all these representatives; it depends on the party issuing the notice.

Option C is incorrect; proof of receipt is ideal but not always strictly required for legal validity depending on contract provisions.

References:

FIDIC Red Book 1999 Edition, Sub-Clause 1.3 - Communications and Notices FIDIC Contract Manager Study Guide, Module on Contract Communication

質問 # 25

Under the FIDIC Construction Contract, which one of the following statements is correct?

- A. Payment to DAB Members must be certified by the Employer.
- B. For an ad-hoc DAB, a retainer fee for each DAB Member must be paid to the Member on the first day of each calendar month.
- C. A DAB must give its decision in writing on any dispute when requested by one of the Parties.
- D. If all persons nominated to serve as members of an ad hoc DAB do not sign a DAB Agreement, an appointing entity can make appointments.
- E. Payments of a DAB Member's retainer fee is the sole responsibility of the Contractor.

正解: C

解説:

Under the FIDIC Conditions of Contract (particularly 2017 editions), the Dispute Adjudication Board (DAB) is a standing or ad hoc body that provides binding decisions on disputes. One key requirement is that the DAB must give its decisions in writing upon request by either Party, ensuring clarity and enforceability.

Option E is correct as the DAB's decision must be documented formally.

Option A is incorrect; the cost of the DAB is generally shared by Employer and Contractor as per the contract.

Option B is incorrect because retainer fees can be paid on different schedules, not necessarily monthly on the first day.

Option C is incorrect; payments to DAB members do not require Employer's certification but are agreed as part of the DAB contract.

Option D is partially true but not a standalone correct statement without additional context.

References:

FIDIC Red, Yellow, Silver Books 2017 Edition, Clause 21 - Disputes and DAB Procedures FIDIC Contract Manager Study Guide, Module on Claims and Dispute Resolution

質問 # 26

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CCM試験の準備方法 | 一番優秀なCCM日本語版参考書試験 | 権威のある Certified Case Manager Certification Exam (CCM)基礎問題集

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- [illegible]