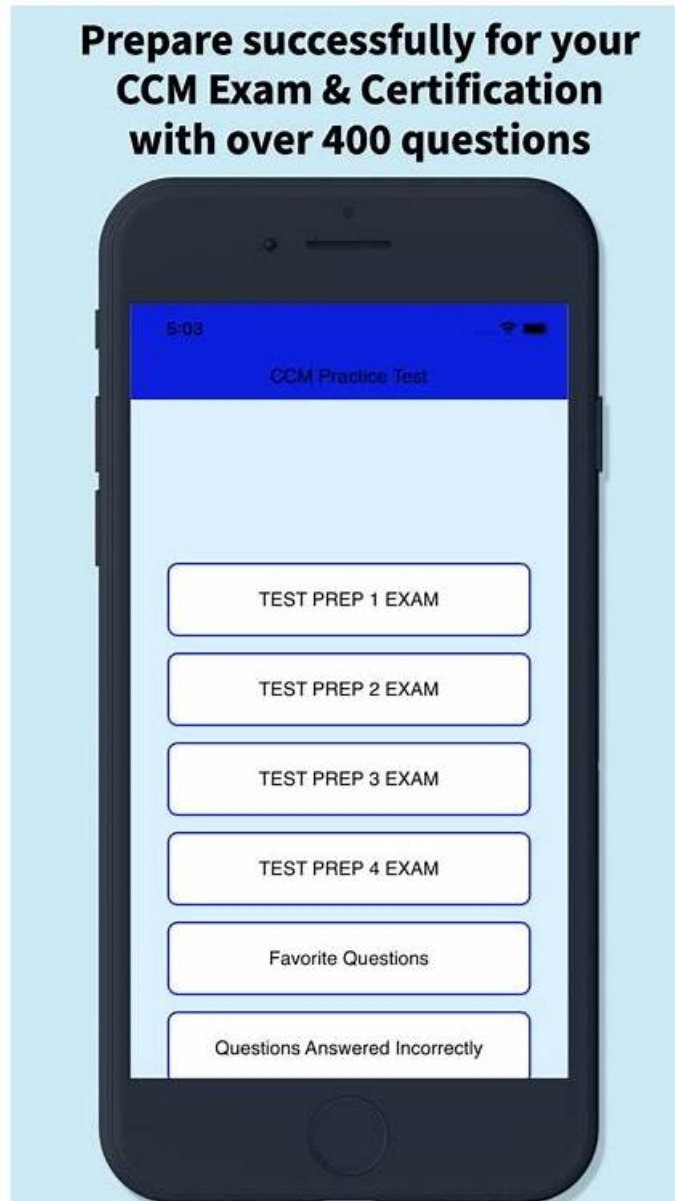


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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q14-Q19):

NEW QUESTION # 14

(Which two of the following statements are correct regarding the dayworks under FIDIC Red, Yellow, and Silver Books (both editions)? Choose all correct answers.)

- A. The dayworks related Sub-Clause is also applicable to other types of works.
- B. The dayworks related Sub-Clause is only used for remeasurement in the FIDIC Red Book (both editions) only.
- C. If a Daywork Schedule is not included in the Contract, the Sub-Clause related to dayworks shall not apply.
- D. The Engineer (or the Employer in case of FIDIC Silver Book) may instruct that a Variation shall be executed on a daywork basis.

Answer: C,D

Explanation:

Under FIDIC 1999 and 2017 (Red, Yellow, and Silver Books), dayworks are governed under Clause 13 [Variations and Adjustments], specifically provisions dealing with valuation of Variations.

Option A is correct because dayworks require a predefined Daywork Schedule included in the Contract (usually within the Bill of Materials or schedules). If such a schedule is not included, the contractual mechanism for valuation using dayworks cannot practically operate. Therefore, the Sub-Clause related to dayworks becomes inapplicable unless such rates are otherwise agreed. Option D is also correct. The Engineer (or Employer in the Silver Book where no Engineer role exists) has the authority to instruct that certain Variations be executed on a daywork basis. This is typically used where the nature or extent of the work cannot be quantified in advance, making standard measurement or lump-sum pricing inappropriate.

Option B is incorrect because dayworks are specifically intended for valuation of Variations and not for general application to other types of works outside this context.

Option C is incorrect because dayworks are not limited to remeasurement contracts (Red Book); they are also applicable in Yellow and Silver Books for valuation of Variations when instructed.

Thus, Options A and D correctly reflect FIDIC principles regarding dayworks.

NEW QUESTION # 15

Under the FIDIC Red, Yellow, and Silver Books (both editions), the Contractor has a contractual obligation to submit a Value Engineering Proposal. Such proposal shall be prepared at the cost of the Employer. Are both these statements true or false?

- A. False
- B. True

Answer: A

Explanation:

Comprehensive and Detailed Explanation:

The Contractor may submit Value Engineering proposals to improve efficiency or reduce costs; however, it is not an absolute contractual obligation to submit such proposals. Also, the preparation of these proposals is generally at the Contractor's own cost initially. If the proposal is accepted and results in a Variation, then adjustments to the Contract Price may occur, potentially reimbursing the Contractor.

Thus, both statements are false.

References:

FIDIC Red, Yellow, Silver Books 1999 & 2017 Editions, Sub-Clause 13.1 - Value Engineering FIDIC Contract Manager Study

NEW QUESTION # 16

Which one statement is correct regarding the FIDIC Red Book (edition 2017)?

- A. Instructions to Tenderers are part of the Employer's Requirements.
- **B. Instructions to Tenderers may require the tenderer to provide information on matters in Sub-Clause 4.3 on Contractor's Representative and Sub-Clause 6.12 on Key Personnel.**
- C. General Conditions of Contract cannot be amended as it may imbalance the obligations and rights of the Parties.
- D. No Data other than required by the General Conditions of Contract may be entered in the Contract Data.

Answer: B

Explanation:

Comprehensive and Detailed Explanation:

In the FIDIC Red Book 2017, Instructions to Tenderers are part of the tender documents but are distinct from the Employer's Requirements. They guide tenderers on how to prepare and submit their tenders. Specifically, Instructions to Tenderers may require tenderers to provide detailed information about their organization, key personnel, and the Contractor's Representative (see Sub-Clause 4.3 on Contractor's Representative and Sub-Clause 6.12 on Key Personnel), which is essential for evaluating the capability and resources of the tenderer.

Option A is incorrect because Instructions to Tenderers are separate from Employer's Requirements; the latter define the scope and technical needs of the project.

Option B is incorrect; Contract Data may include specific data relevant to the particular project beyond just the General Conditions, including amendments and project-specific information.

Option D is incorrect because the General Conditions can be amended through the Particular Conditions (within limits), provided the amendments are balanced and agreed upon by both Parties.

References:

FIDIC Red Book 2017, Guide to Tendering Documents

FIDIC Red Book 2017, Sub-Clause 4.3 - Contractor's Representative

FIDIC Red Book 2017, Sub-Clause 6.12 - Key Personnel

FIDIC Contract Manager Study Guide, Module on Introduction to FIDIC Contracts

NEW QUESTION # 17

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

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

Answer: A

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

NEW QUESTION # 18

You are the Contract Manager for the Engineer in a hospital project using FIDIC Yellow Book (edition 2017). The Employer demands perfection in the project's design and construction quality. There are many Variations initiated by the Employer during design and construction. Which one of the following is considered to be a valid Variation?

- A. The Employer verbally instructs a change in the type of doors. The Engineer issued a Notice describing the required change and denying any costs for the Contractor.
- B. The Engineer requests a proposal regarding a change in type of windows and doors. The Contractor submitted the proposal accordingly to the Engineer. The Engineer instructs the Variation.
- **C. The Engineer instructs a change in slopes of the access road to the intensive care unit to meet the Employer's Requirement. The Engineer does so with a Notice in accordance with Sub-Clause 3.5.**
- D. The Contractor submits a Value Engineering proposal regarding the lighting system for the operation rooms. The Engineer is positive about the proposal and tells the Contractor they need to look into it.

Answer: C

Explanation:

Comprehensive and Detailed Explanation:

Option B is correct: A Variation is a formal change to the Works instructed by the Engineer via a Notice (Sub- Clause 3.5). This includes changes to design or execution such as slopes on a road.

Option A is a proposal, not yet a Variation. Positive interest does not constitute a Variation.

Option C is partially correct but depends on formal instruction after proposal acceptance; the question specifies the Engineer instructs the Variation, but since it was a request for proposal first, the Variation instruction comes later. Without explicit instruction, this is not yet a Variation.

Option D is invalid as verbal instruction plus a Notice denying cost claims does not constitute a proper Variation.

References:

FIDIC Yellow Book 2017 Edition, Sub-Clause 3.5 - Variation Procedure

FIDIC Contract Manager Study Guide, Module on Variations and Change Management

NEW QUESTION # 19

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