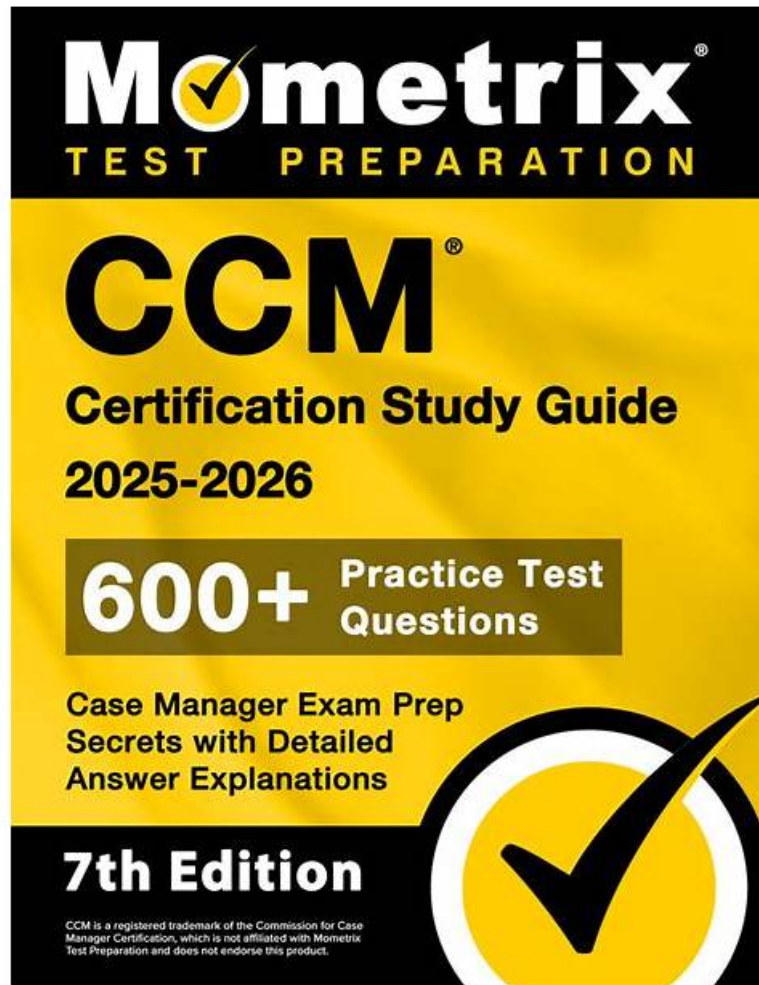


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## Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q23-Q28):

### NEW QUESTION # 23

Which one of the following statements regarding drafting contracts based on FIDIC Books is correct?

- A. The FIDIC Books provide people who draft contracts with great examples on how to draft a good contract model. Furthermore, arrangements from Red, Yellow and Silver Books can be easily mixed to get a good fit for a specific project.
- B. Amending clauses, supposedly in the interest of the Employer, immediately nullifies all the advantages of standardization, and almost invariably introduces conflicting or ambiguous requirements on the parties, and often causes mistrust between them.
- C. People who draft contracts should, when preparing a new contract, always start with the question: where do I want to lay the most risks between Employer and Contractor, and does the Employer has the budget to reward Contractors with a high risk appetite?
- D. The Form of Contract is chosen by the Contractor and imposed by him on the Employer, who tenders on that basis.

**Answer: C**

Explanation:

Option D is correct because contract drafting should strategically allocate risks between parties based on who can best manage them and the Employer's budget for risk and reward. Understanding risk appetite is key to tailoring FIDIC contracts appropriately.

Option A is exaggerated; while amendments can introduce issues, careful drafting can preserve benefits of standardization.

Option B is partly true but mixing arrangements is complex and not always straightforward.

Option C is incorrect; the Employer usually chooses the contract form.

References:

FIDIC Contract Management Guidelines - Golden Principles

FIDIC Contract Manager Study Guide, Module on Contract Drafting and Risk Allocation

### NEW QUESTION # 24

(In a region experiencing civil unrest and armed conflict under a FIDIC Red Book 1999 Contract, violence escalates into an insurrection, forcing the Contractor to stop work and retreat to a secured compound. The Contractor issues a notice claiming this is an Employer's Risk under Sub-Clause 17.3 (a) and (b), requesting Extension of Time and Cost. What is the most appropriate position for the Engineer at this stage?)

- A. The Employer is in breach of its obligation to provide safe working conditions under Sub-Clause 2.1; therefore, the Contractor can claim on that basis.
- B. Violence is an Employer's Risk; however, the Contractor can only claim after the situation ends. The Engineer cannot determine EOT or Cost yet, and the Contractor must submit a fully detailed claim later.
- C. This is an Employer's Risk under Sub-Clause 17.3 (a)/(b), and the Contractor is entitled to EOT and Cost. The Engineer will assess actual entitlement after the event; no further notices are required.
- D. The Contractor should have foreseen such risks due to the region's history; therefore, Clause 19 is not applicable.

**Answer: C**

Explanation:

Under FIDIC Red Book 1999, Sub-Clause 17.3 defines Employer's Risks, which include war, hostilities, rebellion, revolution, insurrection, or military/usurped power. The scenario clearly falls within "insurrection," making it an Employer's Risk. Consequently, under Sub-Clause 17.4, the Contractor is entitled to both Extension of Time (EOT) and Cost if such risks affect execution of the Works.

At this stage, the Engineer must acknowledge that the event qualifies as an Employer's Risk and that entitlement in principle exists. However, the exact quantum of delay and Cost cannot yet be determined because the situation is ongoing. FIDIC practice allows for such claims to be assessed after the effects are known. Importantly, the Contractor has already provided notice, satisfying Sub-Clause 20.1 requirements.

Option B is incorrect because entitlement is not conditional upon the end of the event; only quantification is deferred. Option C is wrong because foreseeability does not negate Employer's Risks explicitly listed in Sub-Clause 17.3. Option D misapplies Sub-Clause 2.1, which relates to access to the Site, not political violence or insurrection.

Therefore, Option A correctly reflects FIDIC principles: recognition of entitlement with later assessment of time and cost.

### NEW QUESTION # 25

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

**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 # 26

Which of the following FIDIC contract forms require certification in the payment process? (2 correct answers apply) Choose all of the correct answers (multiple possibilities).

- A. FIDIC Conditions of Contract for EPC/Turnkey Projects ("Silver Book").
- B. FIDIC Conditions of Contract for Construction ("Red Book").
- C. FIDIC Conditions of Contract for Plant and Design Build ("Yellow Book").

**Answer: B,C**

Explanation:

Comprehensive and Detailed Explanation:

Options A and B are correct: Both the Red and Yellow Books require the Engineer to certify payments before the Employer pays the Contractor.

Option C (Silver Book) typically places the risk on the Contractor and often provides for payment without Engineer certification, reflecting the turnkey nature of the contract.

References:

FIDIC Red and Yellow Books 1999 & 2017 Editions, Clauses on Payment Certification FIDIC Silver Book 1999 & 2017 Editions - Payment Provisions FIDIC Contract Manager Study Guide, Module on Payment Procedures

### NEW QUESTION # 27

Under the FIDIC Red, Yellow, and Silver Books (both editions), the Employer has an obligation to give a detailed notice to the Contractor about intended changes that are material to its financial arrangements.

- A. True
- B. False

**Answer: A**

Explanation:

The Employer must provide detailed notice to the Contractor regarding intended changes material to financial arrangements, enabling transparency and allowing the Contractor to assess impacts and prepare claims or adjustments accordingly.

This obligation supports fair risk allocation and project control.

References:

FIDIC Red, Yellow, Silver Books 1999 & 2017 Editions - Various clauses on Notices and Variations FIDIC Contract Manager Study Guide, Module on Communication and Financial Notices

## NEW QUESTION # 28

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