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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q31-Q36):

NEW QUESTION # 31

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

- A. A notice is to be signed by the Engineer, Contractor's Representative or Employer's Authorised Representative.
- B. Notices and other communications may be sent in hand written, type written, in print or through an electronic original transmission system.
- C. In emergency situations notices can also be submitted verbally (rather than (also) in writing).
- 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.

Answer: B,C

Explanation:

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

NEW QUESTION # 32

Which one of the following statements is correct regarding the Provisional Sum under the FIDIC Red, Yellow, and Silver Books (edition 1999)?

- A. The Contractor shall, when required by the Engineer, produce proof to substantiate how it has used the Provisional Sum.
- B. The Provisional Sum cannot be issued by instruction either by the Engineer (or Employer in case of FIDIC Silver Book).
- C. Each Provisional Sum shall not be used, in whole or in part, in accordance with instructions from the Engineer.

Answer: A

Explanation:

Comprehensive and Detailed Explanation:

Option B is correct. Under FIDIC contracts, the Contractor must provide proof of how the Provisional Sum has been expended when requested by the Engineer. This ensures transparency and proper use of funds allocated as Provisional Sums.

Option A is incorrect; Provisional Sums are often used based on instructions from the Engineer or Employer.

Option C is incorrect because Provisional Sums are precisely intended to be used, in whole or in part, according to Engineer's or Employer's instructions.

References:

FIDIC Red, Yellow, and Silver Books 1999 Edition, Sub-Clause 13.2 - Provisional Sums FIDIC Contract Manager Study Guide, Module on Payment Procedures

NEW QUESTION # 33

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

- A. Instructions to Tenderers are part of the Employer's Requirements.
- B. General Conditions of Contract cannot be amended as it may imbalance the obligations and rights of the Parties.
- C. No Data other than required by the General Conditions of Contract may be entered in the Contract Data.
- D. 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.

Answer: D

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

NEW QUESTION # 34

Which FIDIC Book (edition 2017) should be considered first by an Employer that is an experienced employer who knows exactly what they want from a design & engineering perspective?

- A. Silver Book
- **B. Red Book**
- C. Yellow Book
- D. Yellow or Silver Book

Answer: B

Explanation:

The FIDIC Red Book (2017 edition) is traditionally used for construction contracts where the Employer provides the design, and the Contractor primarily executes the construction works. This form is suitable for Employers who have detailed and well-defined design and engineering requirements and want to retain control over the design.

* The Red Book is ideal for experienced Employers who have a clear and fixed design and require the Contractor to build accordingly.

* The Yellow Book is typically used where the Contractor is responsible for both design and construction (design & build). It suits Employers who want to delegate design responsibility to the Contractor.

* The Silver Book is used for turnkey or EPC contracts where the Contractor takes full responsibility for design, procurement, construction, and commissioning, suitable for Employers seeking minimal involvement in design and execution details.

* Hence, for an Employer who knows exactly what they want from a design and engineering perspective and wants to maintain control, the Red Book is the first and most appropriate choice.

References:

FIDIC Red Book 2017 Edition - Conditions of Contract for Construction

FIDIC Yellow Book 2017 Edition - Conditions of Contract for Plant and Design-Build FIDIC Silver Book 2017 Edition - Conditions of Contract for EPC/Turnkey Projects FIDIC Contract Manager Study Guide, Module on Contract Selection

NEW QUESTION # 35

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

Answer: D

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

NEW QUESTION # 36

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