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### NEW QUESTION 32

In which of the following section of a specification, requirements for training to use the equipment will be set out?

- A. Implementation
- B. Issue reference
- C. Performance
- D. Consultation requirements

**Answer: A**

Explanation:

Implementation is a substantive requirement which covers the following areas:

- Will there be a need to train the staff to use the equipment?
- Are there integration requirements with other systems or processes?
- How will this work?
- What are the timescales?
- Are detailed method statements required?

Consultation requirements regards to explicitness of compliance with any national or local legal requirements Reference:

LO 2, AC 2.1

### NEW QUESTION 33

Which of the following is regulated by standard ISO 14001?

- A. Information security management
- B. Environmental management
- C. Quality management systems
- D. Energy management

**Answer: B**

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## CIPS Commercial Contracting Sample Questions (Q106-Q111):

### NEW QUESTION # 106

Maximum Score 1

The Bravo Engineering Company is negotiating a maintenance contract with Express Deliveries Ltd. This large logistics company uses modern robotic storage and picking warehouse machinery to identify, sort, and facilitate over 200,000 orders each day. The volatile nature of the business means that the parties should build maximum flexibility into the performance management aspects of the contract.

Which of the following would be most appropriate to set out the parties' obligations under the maintenance contract?

- A. A Service Level Agreement issued after the maintenance contract
- B. A non-binding side-agreement to the maintenance contract
- C. A clause that disclaims all accountability for the contract for the buyer
- **D. A formal appendix to the maintenance contract**

**Answer: D**

Explanation:

Performance obligations are best captured in a formal appendix (schedule) to the main contract, ensuring flexibility while remaining legally binding.

A non-binding or post-issued SLA would lack enforceability.

Reference: CIPS L4M3 Commercial Contracting - "Contract appendices and schedules."

### NEW QUESTION # 107

Which of the following is the model form of contract for construction which is recommended by World Bank?

- A. JCT
- B. CIPS
- **C. FIDIC**
- D. ITC

**Answer: C**

Explanation:

FIDIC is the International Federation of Consulting Engineers (or Federation Internationale des Ingenieurs Conseils in French).

FIDIC has produced many publications, including the model form contracts, best practice guidances, research on sustainability, integrity and risk management. FIDIC model form contracts have been developed by this organisation since 1999, now they consist of several different books which are marked by colours. Thus, FIDIC model contracts also have the nickname "Rainbow suite of contracts". Basically, the "Rainbow Suite" include the following books:

\* Yellow book: Plant and Design-Build Contract (2 editions: 1999 and 2017)

\* Silver book: EPC/Turnkey Contract (2 editions: 1999 and 2017)

\* Red book: Construction Contracts (2 editions: 1999 and 2017)

\* Emerald book: Conditions of Contract for Underground Works (1st Ed 2019)

\* Blue-Green book: Dredgers Contract (2 editions: 2006 and 2016)

\* Gold book: Design, Build and Operate Contract Guide

\* Pink book: Construction Contract Multilateral Development Bank Harmonised Ed (2 editions: 2005 and 2010) This type of model contract is commonly used around the world because its author, International Federation of Consulting Engineers, collaborates closely with development banks such as World Bank, Africa Development Bank, Asia Development Bank, etc. Every construction project that is financed by these institutions must adopt the FIDIC contracts.

The Joint Contracts Tribunal, also known as the JCT, produces standard forms of contract for construction, guidance notes and other standard documentation for use in the construction industry in the United Kingdom. From its establishment in 1931, JCT has expanded the number of contributing organisations.

ITC (International Trade Centre) produces contracts specifically designed for small companies doing international business, covering the sale of goods, distribution, services and joint ventures. Many small companies are now engaged in international trade, but don't have access to the necessary contract forms to protect themselves. ITC and leading legal experts developed eight generic contract templates that incorporate internationally recognized standards and laws for most small business situations.

CIPS has several model forms of contract designed specifically for IT buying and servicing.

Reference:

LO 3, AC 3.1

### NEW QUESTION # 108

Maximum Score 1

Contract terms are statements by the parties to the contract as to what they understand their rights and obligations to be under the contract. It is important from the outset that there is a genuine agreement between the parties as to what the contract terms are. After the contract has been made, it is too late for either party to alter its terms unilaterally.

Which of the following is another role that negotiated contract terms might play?

- A. Ensuring any future contracts will be on the buyer's terms
- B. Identifying the type of contractual disputes in which the courts might decline to adjudicate
- C. Defining conditions and contingencies that may alter the arrangement
- D. Providing a guarantee that the supplier will never fail to perform under any circumstances

**Answer: C**

Explanation:

Negotiated terms can define conditions and contingencies - "if-then" clauses - such as force majeure, variation, or termination events. These allow the contract to handle changes flexibly.

Reference: CIPS L4M3 Commercial Contracting - "Functions of contract terms and contingencies."

### NEW QUESTION # 109

Which of the following contracts would be best suited to a 'variable pricing' arrangement?

- A. A contract for road building estimated to take five years to complete
- B. A contract for the supply of lubricating oil for immediate delivery
- C. A contract for window cleaning during the next three months
- D. A contract for the supply of 100 printing machines to be delivered next month

**Answer: A**

Explanation:

Variable pricing is suitable to situations when the cost of certain elements of the product fluctuate unpredictably. For road building, asphalt fluctuates regularly. Furthermore, 5 years are long period, then variable pricing is the most appropriate method to achieve value for money and control budget.

A contract for window cleaning during the next three months is a short-term service contract, fixed price is the most suitable method.

A contract for the supply of lubricating oil for immediate delivery is an one-off contract, only fixed price is applicable.

A contract for the supply of 100 printing machines to be delivered next month is also an one-off contract.

Reference: CIPS study guide page 172-183

LO 3, AC 3.3

### NEW QUESTION # 110

Which of the following are advantages of using a model form contract in negotiations between buyer and seller?

These contracts can save time in negotiations

Each contract is approved by the courts

These contracts are appropriate for all complexities

The contracts are well-known to both parties

- A. 2 and 3
- B. 1 and 2
- C. 1 and 4
- D. 3 and 4

**Answer: C**

Explanation:

Model contracts are pre-drafted templates commonly accepted in specific industries, helping to reduce negotiation time and increase consistency. They are often familiar to both parties, reducing misunderstandings. However, they are not court-approved by default and may not suit all complex needs without modifications.

Reference: CIPS L4M3 Commercial Contracting Study Guide, Chapter 3, Section 3.1.3 - Advantages and limitations of model form contracts.

## NEW QUESTION # 111

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