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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 (Q211-Q216):

#### NEW QUESTION # 211

If service level agreement is used as a schedule that makes up the contract, it will be most likely to be a part of...?

- A. Exclusion of liabilities
- B. Pricing arrangement
- C. Performance management framework
- D. Specifications

**Answer: C**

Explanation:

If a service level agreement is used as a schedule to a contract, it will generally have the following contents:

- Service definitions. If the service information is provided by the specification, SLA should only refer to the specification to avoid any inconsistencies.
- Details on how to measure KPIs, who will measure KPIs
- Minimum requirements or targets
- Remedies if the minimum requirements are not met

...

Since SLA often lists out the KPI targets, consequences for not meeting the KPI targets and remedies to situation of poor performance, it is a part of performance management.

Reference:

LO 2, AC 2.2

#### NEW QUESTION # 212

Which of the following are true statements about RFQ process? Select TWO that apply.

- A. Buying organisation should only send RFQ to pre-qualified suppliers
- B. RFQ process is not suitable for low value purchase
- C. RFQ process requires the suppliers to submit their technical proposals
- D. Price is often the only variable in the RFQ and quotations
- E. RFQ process creates heavier administrative burdens than tendering process

**Answer: A,D**

Explanation:

Request for quotations is often used when the only variable is price and the purchase value is under a financial threshold. This process is less formal than ITT. RFQ should be used in the following circumstances:

- Low-value, low-risk purchases
- When the specifications are sufficiently defined or the product/service is standardised
- Where the suppliers are pre-qualified
- Where there is a framework agreement which specifies the contract terms and conditions.

Reference:

LO 1, AC 1.1

### NEW QUESTION # 213

Maximum Score 1

Procurement professionals must have an awareness of labour standards and environmental, social and governance issues when contracting with suppliers. Which TWO of the following are relevant for consideration?

- A. Sustainability
- B. Indemnity
- C. ISO 9000 accreditation
- D. Modern Slavery
- E. Warranty

**Answer: A,D**

Explanation:

Modern Slavery (C) and Sustainability (D) are core social and environmental issues under ESG and ethical procurement policies. Indemnity and warranty are legal clauses, not social or environmental considerations.

Reference: CIPS L4M3 Commercial Contracting - "Ethical and responsible contracting (CSR, ESG, Modern Slavery)."

### NEW QUESTION # 214

Under a framework agreement, which of the following are supplier selection mechanisms? Select TWO that apply:

- A. Call off contract
- B. Rescission of contract
- C. Direct call-off
- D. Contract for lease
- E. Mini competition

**Answer: C,E**

Explanation:

A framework agreement is an agreement with one or more suppliers/providers which sets out terms and conditions under which individual contracts (call-offs) can be made throughout the term of the agreement.

A framework agreement itself is not a contract, but the call-offs made from it are.

Framework arrangements create a streamlined and flexible process for procuring goods, works or services. Where a framework for the same goods, works or services is awarded to several suppliers, there are three possible options for awarding call-off contracts: direct award (or direct call-off), mini-competition or a combination of both.

Option 1 - Apply the terms of the framework agreement (direct award).

Where your requirements match the terms and/or specification of the framework agreement (in the event of any query, you should clarify the situation with the organisation that established the framework), a particular call-off should be awarded without re-opening competition. The call-off should be awarded to the provider who is identified as the most economically advantageous tender based on the award criteria used at the time that the framework was established (i.e. the supplier ranked no. 1). Randomly selecting a supplier off a framework is not permitted.

Option 2 - Hold a mini-competition between capable suppliers.

If your requirements do not match the terms and/or the specification of the framework, you should conduct a mini-competition exercise. Whilst it is not permitted to substantially change the basic terms or specification of the framework, in running a mini-competition it is possible to supplement or refine the basic terms of the framework prior to making a call-off. Examples of such terms are:

- The particular goods/services/works required;
- Particular delivery timescales;
- Particular invoicing arrangements and payment profiles;
- Associated services such as installation, maintenance and training;
- Quantity;
- Functional specification.

Under no circumstances should brand names or brand-specific descriptions of goods be used e.g. BIC Biro Pen, Hewlett-Packard Printer, Dell computer. Descriptions should give reference to the characteristics and outputs of the product or service. Where no other description is possible, any reference should be qualified by adding the words 'or equivalent'.

When a mini-competition exercise is held, all suppliers appointed to the framework that are capable of meeting the requirement must be invited to submit a tender. (This might just relate to suppliers within a particular 'lot'). You must not limit the mini-competition exercise to selected providers. A time limit for submitting the tender must be set and advised to competing suppliers. This time limit must be reasonable, taking account of the complexity of the requirement.

The call-off must be awarded on the basis of the framework award criteria and new criteria cannot be added, although, where permitted, the weightings may be varied to take account of a particular requirement. However, in adjusting the weightings, care must be taken to ensure that any such changes do not have an adverse effect on competition.

Option 3 - Combination of direct award and mini-competition

To use a combination approach, the procurement documents must state that this route may be used. The procurement documents will also specify which terms may be subject to the re-opening of competition.

Reference:

- Guidance on the Use of Framework Agreements

- CIPS study guide page 60-62

LO 1, AC 1.3

### NEW QUESTION # 215

Blakenall District Hospital (BDH) is a large hospital that is a major part of the government's health service.

Purchasing staff are in the habit of placing many long-term contracts with suppliers and sub-contractors.

Whilst these contracts are usually carried out successfully, prices are often paid that are well over budget. The purchasing manager is concerned to find that, in some cases, members of staff are forcing suppliers to accept fixed price contracts. The policy has caused several problems such as some suppliers refusing to deal with BDH and a few going out of business mid-way through performing a contract with BDH. This is due to fluctuating market prices of materials. The procurement manager suggests supplier to adopt variable pricing arrangement with price index. Is this a right course of action?

- A. No, variable pricing would only benefit the suppliers
- **B. Yes, this pricing arrangement would reimburse the fluctuation of material prices**
- C. Yes, this type of arrangement would provide absolute certainty when budgeting
- D. No, price adjustment should be applied to short-term supply contract only (3-month duration or less)

**Answer: B**

Explanation:

Procurement staff in the Hospital is forcing suppliers into fixed price contract. If the costs generally rise, supplier may operate at a loss. This situation can disrupt the relationship, that is the reason why some suppliers refusing to deal with BDH and a few going out of business mid-way.

Alternative methods could be variable pricing arrangement. This method would reimburse the fluctuation of market price. It will also benefit buyer if the market price drops. This type of arrangement should be applied to long-term contracts (i.e. 18 months or more).

Reference: CIPS study guide page 179-184

LO 3, AC 3.3

### NEW QUESTION # 216

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