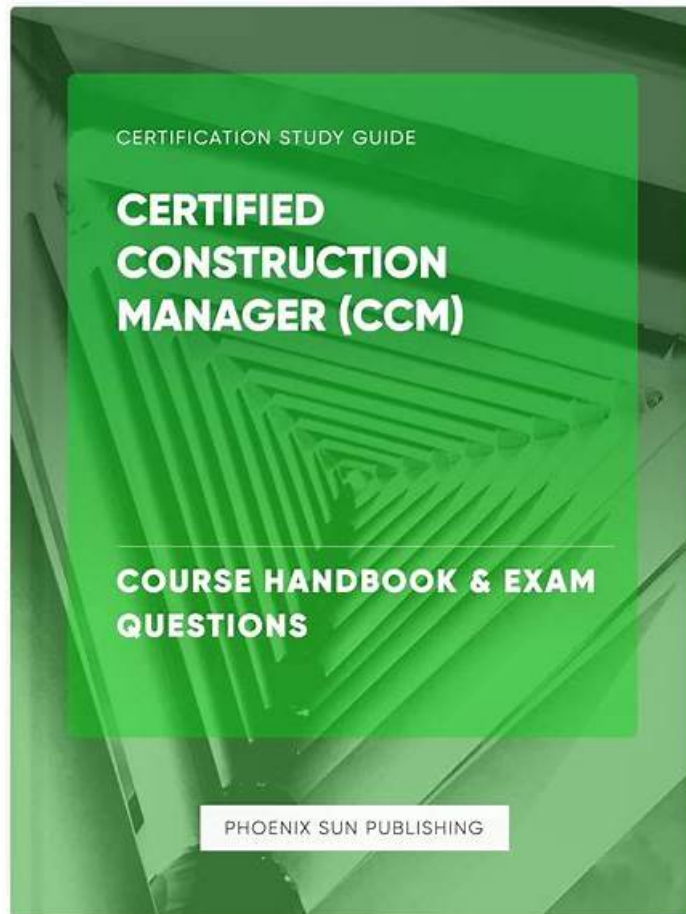


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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q137-Q142):

NEW QUESTION # 137

(Golden Principle 2 states that " The Particular Conditions must be drafted clearly and unambiguously. " Which statement best underlines this Golden Principle in relation to the FIDIC Red, Yellow, and Silver Books (both editions)?)

- A. Modifications made to the Conditions of Contract during tender negotiations that were only documented in emails between the Parties can be part of the Contract as long as those emails are subsequently included in the List of Contract documents. In such a case, it is not necessary to incorporate those modifications in, for instance, the Particular Conditions.
- B. When clarifications are given during the tender period, which might impact several general conditions, it is not necessary to amend all these conditions through the Particular Conditions or to consider which exact general conditions require amendment, as such clarifications are deemed to be self-explanatory.
- C. Clarifications to the meaning of tender documents together with answers to tenderers' inquiries made during the tender period by the Employer can be inconsistent. If Sub-Clause 1.5 does not provide for the right order, this Sub-Clause can be amended explicitly or implicitly, and this can be done through any of the documents mentioned in Sub-Clause 1.5.
- **D. In the Particular Conditions, all changes to the General Conditions must be clearly identified by reference to specific Sub-Clause numbers. Additionally, the Particular Conditions Sub-Clauses must clearly indicate the relationship between the newly introduced text and the corresponding General Conditions Sub-Clauses' original text, e.g., addition, omission, replacement, or amendment.**

Answer: D

Explanation:

FIDIC Golden Principle 2 (GP2) emphasizes that Particular Conditions must be drafted clearly, precisely, and without ambiguity, ensuring that any modification to the General Conditions is transparent and easily understood.

Option D directly reflects this requirement. It highlights that any changes to the General Conditions must be explicitly referenced to the relevant Sub-Clauses and must clearly indicate the nature of the modification (addition, replacement, omission, etc.). This approach ensures traceability, avoids confusion, and preserves the contractual clarity essential for proper administration and dispute avoidance.

Options A, B, and C all contradict the Golden Principles by promoting ambiguity or informal modification practices. Allowing inconsistent clarifications, relying on implicit amendments, or incorporating changes via emails without properly integrating them into the Particular Conditions undermines contractual certainty and increases the risk of disputes.

From a contract management perspective, clear drafting of Particular Conditions is critical to maintaining the integrity of FIDIC contracts, ensuring that all Parties have a shared and precise understanding of their rights and obligations.

Thus, Option D best reflects the intent and application of FIDIC Golden Principle 2.

NEW QUESTION # 138

Which of the following obligations are relevant to the Engineer's roles with regards to insurance? [2017 Edition] (2 correct answers apply) Choose all of the correct answers (multiple possibilities).

- A. The Engineer is entitled to take out an insurance on behalf of the Contractor, in case the Contractor fails to extend the validity of a specific insurance.
- **B. The Engineer shall receive a copy of the evidence(s) demonstrating Contractor's payment of the necessary insurance premiums.**
- **C. The Engineer should continuously monitor that the Contractor's insurance policies are kept valid, and extensions are duly arranged, when necessary.**
- D. The Engineer shall immediately suspend all construction activities at the Site, in case the Contractor failed to take out any necessary insurance.

Answer: B,C

Explanation:

Comprehensive and Detailed Explanation:

Option A is correct: The Engineer is entitled to receive evidence that the Contractor has paid for the necessary insurance policies.

Option C is correct: The Engineer has the role of monitoring the validity of these insurances and ensuring that renewals or extensions are arranged in a timely manner.

Option B is incorrect; the Engineer does not have the authority to take out insurance on behalf of the Contractor.

Option D is incorrect; suspension of construction activities is not automatically the Engineer's role for insurance lapses but may require instructions from the Employer.

References:

FIDIC Red, Yellow, Silver Books 2017 Edition, Sub-Clause 18 - Insurances FIDIC Contract Manager Study Guide, Module on Contract Administration and Insurance

NEW QUESTION # 139

When does discharge become effective under the FIDIC Red Book (edition 1999)? (1 correct answer applies)

- A. When the Contractor receives its Performance Security from the Employer.
- **B. When the Contractor receives full payment certified through the Final Payment Certificate and return of the Performance Security.**
- C. When the Contractor receives full payment certified through the Final Payment Certificate.
- D. When the Employer counter signs a discharge notice as issued by the Contractor, following full payment and return of the Performance Security.

Answer: B

Explanation:

Under the FIDIC Red Book 1999, discharge becomes effective when the Contractor has received full payment certified by the Final Payment Certificate and the return of the Performance Security (Sub-Clause 14.10).

Both elements must be completed for the contract to be considered fully discharged, releasing the Contractor from further obligations or liabilities under the contract.

Option A is incomplete as payment alone does not fully discharge the Contractor.

Option B is incomplete as return of Performance Security alone is insufficient.

Option D is incorrect because the contract does not require a discharge notice signed by the Employer beyond these conditions.

References:

FIDIC Red Book 1999 Edition, Sub-Clause 14.10 - Final Payment and Discharge FIDIC Contract Manager Study Guide, Module on Project Close-Out and Final Account

NEW QUESTION # 140

Regarding the FIDIC Silver Book (both editions), if a part of the Works is to be paid according to quantity supplied or work done, appropriate provisions must be included in the Particular Conditions. Is this statement true or false?

- A. False
- **B. True**

Answer: B

Explanation:

This statement is true. The Silver Book (EPC/Turnkey contracts) usually involves lump-sum payment, but if part payment is based on quantity or work done, this must be explicitly provided for in the Particular Conditions to avoid ambiguity.

Such provisions ensure clarity on payment terms in line with project specifics.

References:

FIDIC Silver Book 1999 & 2017 Editions, Sub-Clause 14 - Payment Provisions FIDIC Contract Manager Study Guide, Module on Payment Procedures

NEW QUESTION # 141

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 Guide, Module on Variations and Value Engineering

NEW QUESTION # 142

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