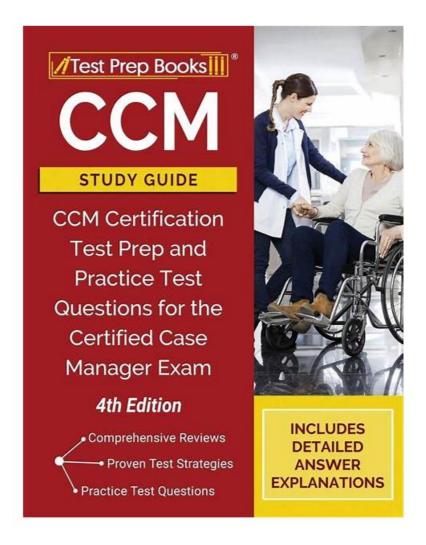
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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q21-Q26):

NEW QUESTION #21

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

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

Answer: C

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 #22

Under the FIDIC Red Book (edition 2017), the Engineer has suspended works to come to a change of the design of a part of the Works. After expiry of 84 days of suspension, the Contractor gave notice thereof.

Following this notice, the suspension was not lifted within 28 days. What two statements are correct in such a situation?

- A. The Contractor may omit the affected part of Works and deny to carry out such Work going forward, but only after it has given a second notice to the Engineer.
- B. The Contractor cannot terminate the Contract.
- C. Under the Contract the Parties cannot agree on further suspension and the Contractor may immediately terminate the Contract if it affects the whole Works.
- D. The Contractor may terminate the Contract if it affects the whole Works, but only after it has given a second notice to the Engineer.

Answer: C,D

Explanation:

Under FIDIC Red Book 2017, if the Engineer suspends works for more than 84 days and the Contractor notifies the Engineer, but the suspension is not lifted within 28 days, the Contractor may terminate the contract if the suspension affects the whole of the Works (Option A).

Additionally, the Contractor must give a second notice before termination (Option C). This process ensures proper communication and adherence to contractual procedures.

Option B is incorrect; termination is allowed under specified conditions.

Option D is incorrect; omission of work is not generally permitted without formal termination.

References:

FIDIC Red Book 2017 Edition, Sub-Clause 8.9 - Suspension by Engineer

FIDIC Contract Manager Study Guide, Module on Suspension and Termination

NEW QUESTION #23

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. Yellow Book
- B. Red Book
- C. Silver 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.

- * TheRed Bookis ideal for experienced Employers who have a clear and fixed design and require the Contractor to build accordingly.
- * The Yellow Bookis 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 whoknows exactly what they wantfrom a design and engineering perspective and wants to maintain control, theRed Bookis 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 #24

FIDIC Red, Yellow, and Silver Books (both editions) contain a provision for the Engineer or Employer to instruct the Contractor to employ a subcontractor, thereby also permitting the Contractor to refuse to employ such proposed subcontractor on the basis of a reasonable objection by a notice. Is this statement true or false?

- A. False
- B. True

Answer: B

Explanation:

All main FIDIC contract editions contain provisions that allow the Employer or Engineer to propose or instruct the Contractor to employ certain subcontractors (e.g., nominated subcontractors). The Contractor retains the right to refuse such subcontractors only for reasonable cause, which must be communicated formally.

This mechanism protects the Employer's interests in subcontractor selection while safeguarding the Contractor's right to reject subcontractors that may not be competent or suitable.

Therefore, the statement is true.

References:

FIDIC Red, Yellow, and Silver Books 1999 and 2017 Editions, Sub-Clause 4.4 - Subcontractors FIDIC Contract Manager Study Guide, Module on Contract Administration Procedures

NEW QUESTION #25

Before applying the procurement process of any FIDIC Book, the Employer should always check if there are local procurement rules that also apply. Which one of these responses is correct?

- A. Yes, based on the law system, internal governance or type of Employer additional procurement rules can apply.
- B. Yes, but this is only applicable for public entities like governments. If the Employer is a private organisation (like a company), they are free to procure how they want.
- C. No, because the FIDIC procurement process is universal.
- D. No, because Employers never have specific procurement rules.

Answer: A

Explanation:

Local procurement laws, regulations, and internal governance rules often apply in addition to or alongside FIDIC contract provisions. Employers, whether public or private, must comply with applicable national or sector-specific rules, which may affect procurement procedures, documentation, and contract award processes.

Option C is correct because procurement requirements depend on local legal systems, the nature of the Employer, and applicable governance.

Option A is incorrect as FIDIC contracts provide contractual frameworks but do not override local legal obligations.

Option B is incorrect because many Employers have procurement policies.

Option D is incorrect since private entities may also be subject to procurement laws or internal policies.

References:

FIDIC Contract Manager Study Guide, Module on Contract Formation and Procurement Strategies World Bank Procurement Guidelines and National Procurement Laws

NEW QUESTION #26

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