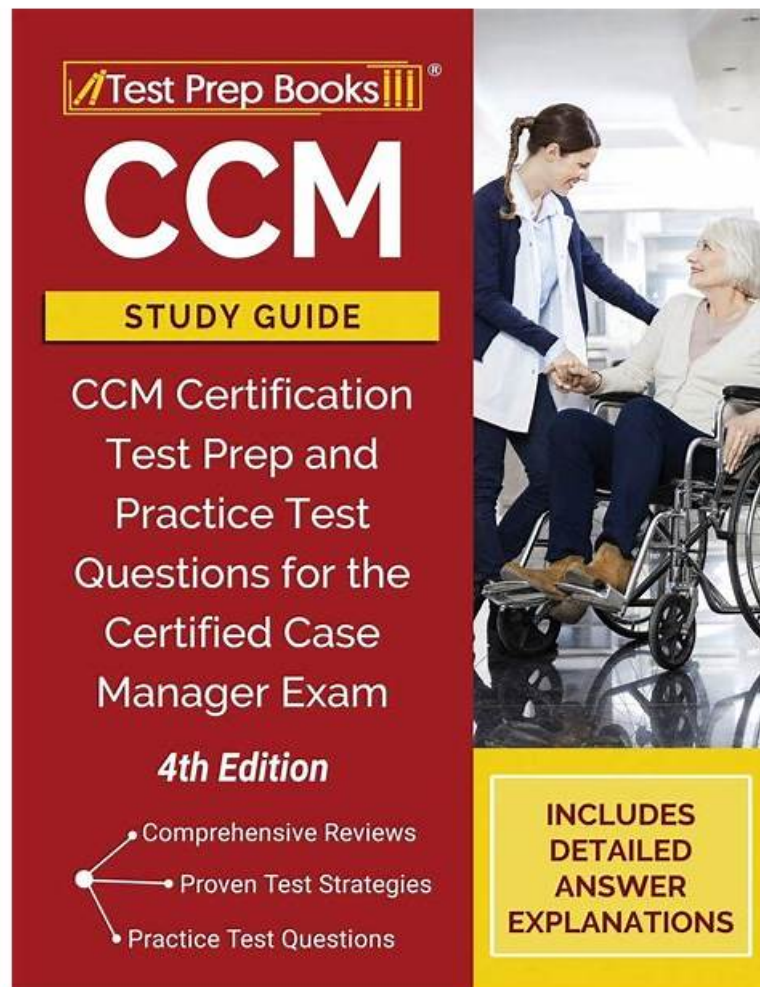


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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q25-Q30):

NEW QUESTION # 25

You are the Contract Manager of the Employer for a Data Centre Project using the FIDIC Yellow Book (edition 2017). As a Contract Manager during the procurement stage, you are to explain the difference between Dispute Avoidance and Adjudication Board (DAAB) and other alternative dispute resolutions for this type of project. Which one of the following statements of its explanation is NOT correct?

- A. The function of the DAAB is to remain in place as part of the Parties' project team to assist both Parties, equally and impartially.
- B. DAAB is to provide for a fair, timely and efficient resolution of Disputes.
- C. DAAB provided supports for Parties during arbitration, as a witness to give factual evidence on the background for the DAAB's Decision.
- D. Avoidance of Disputes on the project and resolution of Disputes at or soon after the time they arise is a two-part role of the DAAB.

Answer: C

Explanation:

Comprehensive and Detailed Explanation:

Option D is NOT correct. The DAAB does not act as a witness or provide support during arbitration. Its role is to avoid and adjudicate disputes early during the project lifecycle impartially and fairly, but it does not serve as witness support in arbitration proceedings.

References:

FIDIC Yellow Book 2017 Edition, Clause 21 - Dispute Avoidance and Adjudication Board FIDIC Contract Manager Study Guide, Module on Dispute Resolution

NEW QUESTION # 26

Under the FIDIC Red Book, which one of the following statements is correct for a claim by the Contractor?

- A. The Engineer's response to a claim by the Contractor is final and binding upon the Employer.
- B. The Engineer's response to the Contractor's submission of detailed particulars that are required by the procedure for claims by the Contractor must include the Engineer's final decision on the quantum.
- C. The Employer has the authority to accept a claim by the Contractor, even in the case of the Contractor's failure to comply with the notice requirements.
- D. It is the Employer's Representative who must first respond to the claim by the Contractor.
- E. If the Engineer does not make a determination, the Employer and the Contractor are unable to agree to settle an issue that gave rise to a claim.

Answer: E

Explanation:

Under FIDIC Red Book 1999, the Engineer plays a key role in determining claims submitted by the Contractor (Clause 20). If the Engineer fails to make a determination within the prescribed time, the Parties may be unable to resolve the dispute and thus the matter may proceed to dispute resolution mechanisms.

Option B is correct because if the Engineer does not decide, the claim remains unsettled, and the Parties are left to resolve the dispute, often via Dispute Adjudication Board or arbitration.

Option A is incorrect; claims must comply with notice requirements to be valid.

Option C is incorrect because the Engineer may request further particulars but is not obligated to give a final decision on quantum immediately.

Option D is incorrect as the Engineer, not the Employer's Representative, first responds to claims.

Option E is incorrect since the Engineer's decision is not final and binding if disputed; it may be challenged.

References:

FIDIC Red Book 1999 Edition, Clause 20 - Claims, Disputes and Arbitration FIDIC Contract Manager Study Guide, Module on Claims and Dispute Resolution

NEW QUESTION # 27

The FIDIC Books are evolutions of earlier contract models, and although the different versions of a specific model are not the same, familiarity in definitions and structure makes it easier to work with different FIDIC books as well as with their different editions. Is this statement true or false?

- A. True
- B. False

Answer: A

Explanation:

This statement is true. The FIDIC suite of contracts, including Red, Yellow, and Silver Books, have evolved from earlier editions and contract models, but they retain a common structure, terminology, and approach to risk allocation. This familiarity allows professionals who know one FIDIC contract to adapt more easily to other FIDIC contracts or updated editions. For example, common terms like Engineer, Employer, Contractor, Variation, and Claims exist across editions with consistent meaning. The modular and familiar structure supports easier contract administration, negotiation, and interpretation. However, differences in clauses, obligations, and procedures between editions (e.g., 1999 vs. 2017) require careful review. Nevertheless, the shared foundations mean prior experience provides valuable understanding, streamlining learning and application.

References:

FIDIC Contracts Guide, General Introduction and History

FIDIC Contract Manager Study Guide, Module on Introduction to FIDIC Contracts

NEW QUESTION # 28

Giving "Notice" [2017 edition] (2 correct answers apply)

Choose all of the correct answers (multiple possibilities).

- A. ... is not a compulsory obligation, but "highly recommended".
- B. ... is always compulsory together with a clear indication of the relevant Sub-Clause under which the Notice is being served.
- C. ... is a special obligation for the Engineer only, in order to enable him/her to manage the implementation of the contract.
- D. ... is intended for written communications, in full compliance with the formal requirements outlined in the dedicated Sub-Clause.

Answer: B,D

Explanation:

Option B is correct: Notices are compulsory when required and must reference the relevant Sub-Clause to be valid.

Option D is correct: Notices are formal written communications and must comply with the contract's prescribed procedures.

Option A is incorrect; notices are often mandatory, not merely recommended.

Option C is incorrect; notices are obligations for all Contract Participants, not just the Engineer.

References:

FIDIC Red, Yellow, Silver Books 2017 Edition, Sub-Clause 1.3 - Communications FIDIC Contract Manager Study Guide, Module on Notices and Communication

NEW QUESTION # 29

Under the FIDIC Yellow Book (both editions), the Contract is administered by the Employer (unless it appoints an Employer's Representative) who endeavours to reach agreement with the Contractor on each claim. Is this statement true or false?

- A. True
- B. False

Answer: A

Explanation:

Comprehensive and Detailed Explanation:

This statement is true. The Employer administers the contract unless an Employer's Representative or Engineer is appointed to act on its behalf. The Employer (or its Representative) is responsible for reviewing and negotiating claims in good faith with the Contractor to reach agreement, in line with FIDIC procedures.

References:

FIDIC Yellow Book 1999 & 2017 Editions, Clause 3 - Employer's Administration Role FIDIC Contract Manager Study Guide, Module on Contract Administration

NEW QUESTION # 30

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