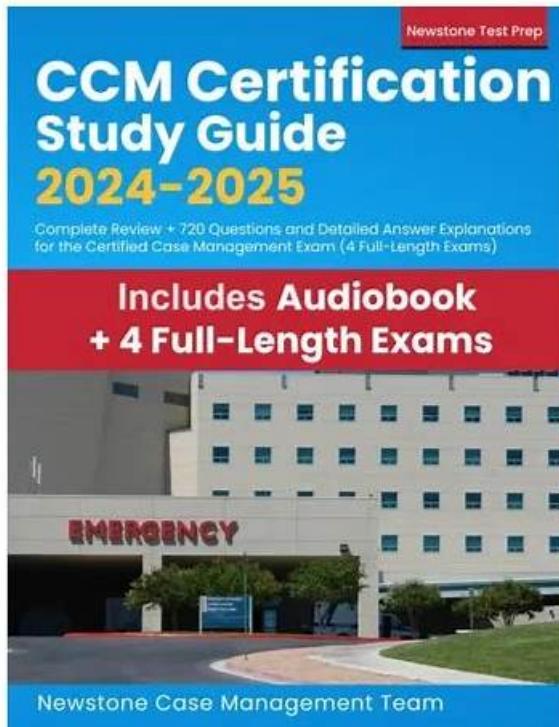


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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q71-Q76):

NEW QUESTION # 71

The FIDIC Red Book (edition 1999) deals with Value Engineering Clause. It follows from this clause that the Contractor shall give notice to the Engineer with supporting particulars. Upon receiving this notice, the Engineer shall proceed in accordance with Sub-Clause 3.5 to agree or determine this Cost, which shall be included in the Contract Price.

- A. True
- B. False

Answer: A

Explanation:

Under FIDIC Red Book (1999), the Value Engineering Clause requires the Contractor to notify the Engineer with full details and cost implications when proposing Value Engineering changes. The Engineer then follows the Variation procedure in Sub-Clause 3.5 to agree or determine the cost adjustment, which will be reflected in the Contract Price.

This ensures transparent handling of Value Engineering proposals and proper contractual adjustments.

References:

FIDIC Red Book 1999 Edition, Sub-Clause 13.1 - Value Engineering

FIDIC Contract Manager Study Guide, Module on Variations and Value Engineering

NEW QUESTION # 72

Which of the following form a Contractor's entitlement, in case the Contractor does not receive an interim payment within the allocated contractual deadline for payment? (2 correct answers apply) Choose all of the correct answers (multiple possibilities).

- A. Right after the expiry of the payment deadline, the Contractor may terminate the contract.
- B. In case the Employer paid the Contractor late, the Contractor becomes entitled to receive financing charges applying the % included in the Contract Data (if this is not stated, then applying the percentage as included under the corresponding Sub-Clause).
- C. Beyond receiving the financing charges, the Contractor has no further entitlements in such a case.
- D. If the payment is not made within the time period required, after the expiry of such period, from the next day onwards, the Contractor is entitled to suspend all his/her activities on Site.
- E. The Contractor is entitled to suspend the works or reduce the rate of progress of the work, after giving a due Notice (21 days) about this intention.

Answer: B,E

Explanation:

Option C is correct: The Contractor is entitled to financing charges (interest) on late payments, calculated as per the percentage specified in the Contract Data or corresponding Sub-Clause.

Option D is correct: The Contractor can suspend works or reduce progress after giving due notice, usually 21 days, if payments are not made on time.

Option A is incorrect; termination is not automatic right after the payment deadline expires.

Option B is incorrect; suspension requires prior notice rather than immediate action.

Option E is incorrect because the Contractor has additional remedies such as suspension, beyond just financing charges.

References:

FIDIC Red, Yellow, Silver Books 1999 & 2017 Editions, Sub-Clause 14.8 - Payment of Retention Money and Financing Charges

FIDIC Contract Manager Study Guide, Module on Payment Procedures and Remedies

NEW QUESTION # 73

You are the Contract Manager for the Engineer in a hospital project using FIDIC Yellow Book (edition 2017).

The Employer demands perfection in the project's design and construction quality. There are many Variations initiated by the Employer during design and construction. Which one of the following is considered to be a valid Variation?

- A. The Engineer instructs a change in slopes of the access road to the intensive care unit to meet the Employer's Requirement.

The Engineer does so with a Notice in accordance with Sub-Clause 3.5.

- B. The Engineer requests a proposal regarding a change in type of windows and doors. The Contractor submitted the proposal accordingly to the Engineer. The Engineer instructs the Variation.
- C. The Employer verbally instructs a change in the type of doors. The Engineer issued a Notice describing the required change and denying any costs for the Contractor.
- D. The Contractor submits a Value Engineering proposal regarding the lighting system for the operation rooms. The Engineer is positive about the proposal and tells the Contractor they need to look into it.

Answer: A

Explanation:

Comprehensive and Detailed Explanation:

Option B is correct: A Variation is a formal change to the Works instructed by the Engineer via a Notice (Sub- Clause 3.5). This includes changes to design or execution such as slopes on a road.

Option A is a proposal, not yet a Variation. Positive interest does not constitute a Variation.

Option C is partially correct but depends on formal instruction after proposal acceptance; the question specifies the Engineer instructs the Variation, but since it was a request for proposal first, the Variation instruction comes later. Without explicit instruction, this is not yet a Variation.

Option D is invalid as verbal instruction plus a Notice denying cost claims does not constitute a proper Variation.

References:

FIDIC Yellow Book 2017 Edition, Sub-Clause 3.5 - Variation Procedure

FIDIC Contract Manager Study Guide, Module on Variations and Change Management

NEW QUESTION # 74

Which of the following statements are relevant to continuing effect claims? [FIDIC 2017 Edition] (2 correct answers apply)

- A. Continuing effect claims shall be noticed in the same way as "normal" claims, within 28 days after the Claiming Party became aware of the event or circumstance.
- B. In case the Employer is the Claiming Party, then he/she is not obliged to submit interim claims.
- C. In case the Contractor is the Claiming Party, when he/she misses to submit even just a single interim claim, then his/her entitlement is lost.
- D. In general, a fully detailed Claim has to be submitted within 84 days after becoming aware of the event giving rise to the claim.

Answer: A,D

Explanation:

Comprehensive and Detailed Explanation:

Option A is correct: Continuing effect claims (claims where the event's impact continues over time) require notices like other claims, typically within 28 days of awareness.

Option D is correct: The fully detailed claim submission generally must be within 84 days of becoming aware of the event, allowing the Claiming Party to elaborate on the claim.

Option B is incorrect; Employer claims also require timely notification.

Option C is incorrect; missing a single interim claim does not necessarily result in losing entitlement if the contract allows for correction or continued claims.

References:

FIDIC Red, Yellow, and Silver Books 2017 Edition, Sub-Clause 20.1 - Claims and Notices FIDIC Contract Manager Study Guide, Module on Claims and Continuing Effects

NEW QUESTION # 75

Regarding the FIDIC Red Book (edition 1999), which two statements are true?

- A. In emergency situations notices can also be submitted verbally (rather than (also) in writing).
- B. A notice and other communications may be delivered by hand, courier and mail. In each case with proof of receipt is required to qualify as legally valid.
- C. A notice is to be signed by the Engineer, Contractor's Representative or Employer's Authorised Representative.
- D. Notices and other communications may be sent in hand written, type written, in print or through an electronic original transmission system

Answer: A,D

Explanation:

Comprehensive and Detailed Explanation:

Option A is true: In emergencies, verbal notices are permitted with the requirement to follow up in writing.

Option D is true: Notices and communications may be sent in various formats including handwritten, typed, printed, or electronic systems.

Option B is incorrect; a notice does not necessarily have to be signed by all these representatives; it depends on the party issuing the notice.

Option C is incorrect; proof of receipt is ideal but not always strictly required for legal validity depending on contract provisions.

References:

FIDIC Red Book 1999 Edition, Sub-Clause 1.3 - Communications and Notices FIDIC Contract Manager Study Guide, Module on Contract Communication

NEW QUESTION # 76

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