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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q77-Q82):

NEW QUESTION # 77

In a construction project using the FIDIC Silver Book (edition 1999), if the Parties prefer the dispute board to be appointed on an "ad-hoc" basis instead of as a standing Dispute Avoidance and Adjudication Board (DAAB), what is it called? (1 correct answer applies)

- A. Ad-hoc DB
- B. Ad-hoc DAAB
- **C. DAB**
- D. Ad-hoc arbitration

Answer: C

Explanation:

Under FIDIC terminology, an ad-hoc Dispute Board is known as a DAB (Dispute Adjudication Board), which is appointed for specific disputes as they arise, rather than standing continuously.

The DAAB is a standing board appointed for the project duration, providing continuous dispute avoidance and adjudication.

Option D refers to arbitration, which is a different dispute resolution method.

References:

FIDIC Silver Book 1999 Edition, Clause 20 - Dispute Adjudication Board

FIDIC Contract Manager Study Guide, Module on Dispute Boards and Resolution

NEW QUESTION # 78

Under the FIDIC Construction Contract, which one of the following statements is correct?

- A. Payments of a DAB Member's retainer fee is the sole responsibility of the Contractor.
- B. Payment to DAB Members must be certified by the Employer.
- C. If all persons nominated to serve as members of an ad hoc DAB do not sign a DAB Agreement, an appointing entity can make appointments.
- D. For an ad-hoc DAB, a retainer fee for each DAB Member must be paid to the Member on the first day of each calendar month.
- **E. A DAB must give its decision in writing on any dispute when requested by one of the Parties.**

Answer: E

Explanation:

Under the FIDIC Conditions of Contract (particularly 2017 editions), the Dispute Adjudication Board (DAB) is a standing or ad hoc body that provides binding decisions on disputes. One key requirement is that the DAB must give its decisions in writing upon request by either Party, ensuring clarity and enforceability.

Option E is correct as the DAB's decision must be documented formally.

Option A is incorrect; the cost of the DAB is generally shared by Employer and Contractor as per the contract.

Option B is incorrect because retainer fees can be paid on different schedules, not necessarily monthly on the first day.

Option C is incorrect; payments to DAB members do not require Employer's certification but are agreed as part of the DAB

contract.

Option D is partially true but not a standalone correct statement without additional context.

References:

FIDIC Red, Yellow, Silver Books 2017 Edition, Clause 21 - Disputes and DAB Procedures FIDIC Contract Manager Study Guide, Module on Claims and Dispute Resolution

NEW QUESTION # 79

The Contractor is entitled to an advance payment. Applying FIDIC Red Book (edition 1999), which two of the following statements are correct?

Choose all of the correct answers (multiple possibilities):

- A. Under the General Conditions, the amount of advance payment is to be paid in full by the Employer through one instalment.
- B. Under the General Conditions, the advance payment will be repaid by deducting all amounts from invoices until the entire advance payment is repaid.
- C. The advance payment is to help the Contractor to finance some of its early cost and expenditure until it becomes entitled to first (non-interim) payment.
- D. The advance payment reflects the amount of works the Contractor has already performed up to the moment such advance payment is performed.

Answer: B,C

Explanation:

Comprehensive and Detailed Explanation:

Under FIDIC Red Book 1999, advance payment is intended to assist the Contractor in financing the mobilization and early works costs before the Contractor begins receiving regular payments for work performed (Option A). It is not a payment for work already completed, so Option B is incorrect.

The General Conditions provide that the advance payment is usually made in a lump sum or agreed instalments and that the Employer makes the payment in advance (Option C is partially true but generally it can be one or multiple instalments, depending on contract terms).

Importantly, the advance payment must be repaid by the Contractor through deductions from subsequent interim payments (Option D), ensuring the Employer recovers the advanced funds as the work progresses.

References:

FIDIC Red Book 1999, Sub-Clause 14.2 - Advance Payment

FIDIC Contract Manager Study Guide, Module on Payment Procedures and Financial Management

NEW QUESTION # 80

Which one of the following is NOT considered a change made in the 2017 edition of the FIDIC Red, Yellow, and Silver Books?

- A. New procedures requiring the Contractor to prepare and implement a Quality Management System to show compliance with the Contract requirements.
- B. The concentration on dispute avoidance, including an enhanced role for the Dispute Avoidance and Adjudication Board (DAAB) in this respect, and promoting cooperation between the parties during the project.
- C. New procedures requiring the Contractor to prepare and implement a Compliance Verification System to show that the design, materials, workmanship and certain other matters all comply.
- D. A fair and balanced approach where risk is allocated to the Party that is best able to bear and control that risk.

Answer: C

Explanation:

Comprehensive and Detailed Explanation:

Option D is not a new procedure introduced in the 2017 FIDIC editions.

The 2017 editions focus on dispute avoidance (A), quality management systems (B), and fair risk allocation (C), but do not explicitly require a Compliance Verification System as described.

References:

FIDIC Red, Yellow, Silver Books 2017 Editions - Overview of Changes

FIDIC Contract Manager Study Guide, Module on Contract Updates

NEW QUESTION # 81

You are the Contract Manager for the Engineer in a highway project using FIDIC Red Book (edition 1999).

There is a Schedule of cost indexation included in the Contract. The project must be completed by 31 December of this year. If the Contractor fails to complete the Works by then, how will the adjustment of prices take place thereafter?

- A. Either the current index/price, or index or price applicable on the date 49 days before the expiry of the Time for Completion of the Works, whichever is more favourable to the Employer.
- B. Either the current index/price, or index or price applicable on the date 49 days before the expiry of the Time for Completion of the Works, whichever agreed by Parties.
- C. The current index or price.
- **D. Each index or price applicable on the date 49 days before the expiry of the Time for Completion of the Works.**

Answer: D

Explanation:

Comprehensive and Detailed Explanation:

Under FIDIC Red Book 1999, price adjustments after the Time for Completion are based on the indices or prices applicable on the date 49 days before the expiry of the Time for Completion, not the current index. This prevents the Contractor from benefiting from price fluctuations after the contract period.

This clause ensures fairness by locking the price basis as of a fixed reference date, protecting the Employer from increased costs due to delays.

References:

FIDIC Red Book 1999 Edition, Sub-Clause 13.8 - Adjustments for Changes in Cost FIDIC Contract Manager Study Guide, Module on Price Adjustment

NEW QUESTION # 82

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