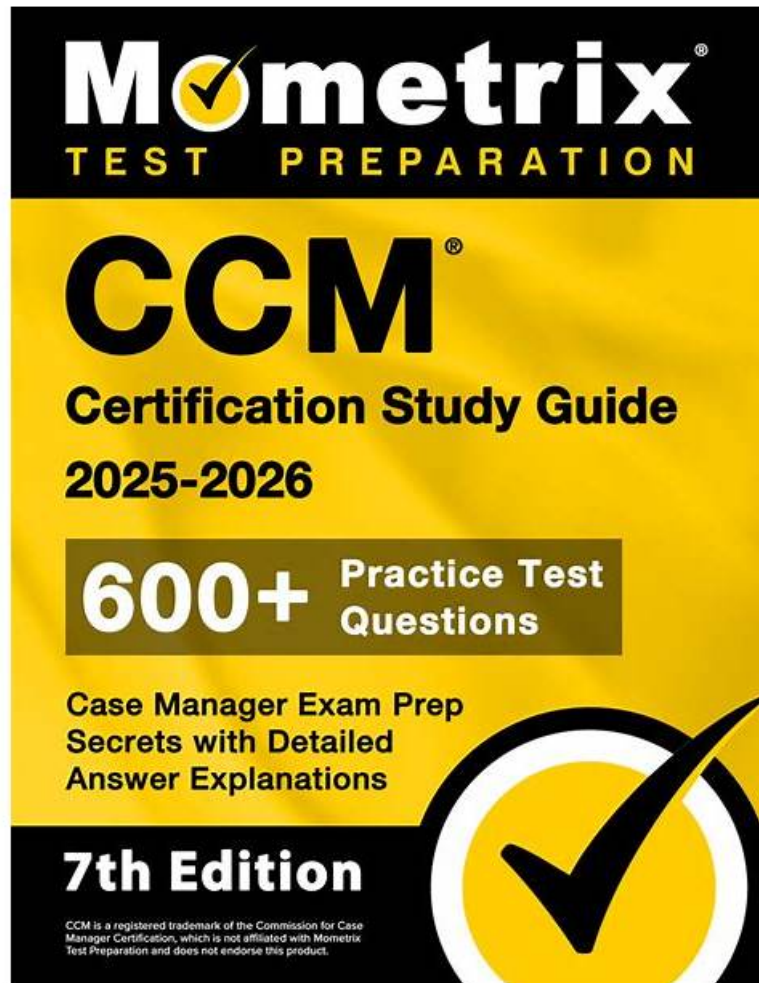


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## Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q105-Q110):

### NEW QUESTION # 105

When is the Employer obliged to return the Performance Security (PS) under the FIDIC Red Book (edition 1999)?

- A. Without undue delay after the issuance of the Performance Certificate.
- **B. Within 21 days after the issuance of the Performance Certificate.**
- C. Without undue delay after the issuance of the Taking-Over Certificate.
- D. Within 21 days after the issuance of the Taking-Over Certificate.

**Answer: B**

Explanation:

Comprehensive and Detailed Explanation:

Under FIDIC Red Book 1999, the Performance Security (or Performance Guarantee) is held to ensure the Contractor's performance during the defects liability period. The security is typically released only after the Employer issues the Performance Certificate, which confirms the completion of defects liability obligations and that the Contractor has fulfilled the contract. The contract commonly specifies a fixed period (often 21 days) within which the Employer must return the Performance Security after issuance of the Performance Certificate (Option D). The Taking-Over Certificate (Options A and C) marks substantial completion but does not end the Contractor's obligations for defects.

References:

FIDIC Red Book 1999, Sub-Clause 10.2 - Taking-Over Certificate

FIDIC Red Book 1999, Sub-Clause 10.4 - Performance Certificate

FIDIC Red Book 1999, Sub-Clause 10.5 - Release of Performance Security

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

### NEW QUESTION # 106

In the FIDIC Silver Book (both editions), the Notice of the Commencement Date will be informed by whom?

(1 correct response applies)

- A. The Employer's Representative
- **B. The Employer**
- C. The Engineer's Resident Engineer
- D. The Engineer

**Answer: B**

Explanation:

Comprehensive and Detailed Explanation:

In the FIDIC Silver Book (1999 and 2017 editions), which is tailored for EPC/Turnkey contracts, the Employer is responsible for notifying the Contractor of the Commencement Date (Sub-Clause 8.1). Unlike other FIDIC contracts where the Engineer might notify commencement, the Silver Book places more responsibility on the Employer due to the nature of the contract where the Contractor is largely responsible for design and execution with fewer Engineer roles.

The Employer's formal notification of the Commencement Date signals the official start of the Contractor's obligations and triggers timelines under the contract.

The Engineer or Resident Engineer typically does not issue such notice in the Silver Book framework.

References:

FIDIC Silver Book 1999 and 2017 Editions, Sub-Clause 8.1 - Commencement of Works FIDIC Contract Manager Study Guide, Module on Contract Formation and Execution

### NEW QUESTION # 107

(Under the FIDIC Red, Yellow, and Silver Books (edition 1999), which of the following entitlements of the Employer can result in a deduction of the Contract Price and Payment Certificates subject to Sub-Clause 2.5?  
(2 correct answers apply))

- A. Compensation for the costs of the initial review of the Contractor ' s Documents.
- B. Cost of using the Employer ' s materials.
- C. Delay Damages.
- D. Paying the Nominated Subcontractor directly.

**Answer: C,D**

Explanation:

Under FIDIC 1999, Sub-Clause 2.5 [Employer's Claims] provides that the Employer is entitled to make claims against the Contractor, which may result in deductions from the Contract Price and from Interim Payment Certificates.

Option C is correct. Delay Damages (Sub-Clause 8.7) are a classic example of Employer's entitlement. If the Contractor fails to complete within the Time for Completion, the Employer is entitled to delay damages, which are typically deducted directly from payments due.

Option A is also correct. Under provisions relating to Nominated Subcontractors (Sub-Clause 5.4), if the Employer pays a nominated subcontractor directly (e.g., due to Contractor default), such payments may be recovered from the Contractor and deducted from the Contract Price via Sub-Clause 2.5.

Option B is incorrect because costs related to reviewing Contractor's Documents are generally part of the Engineer's duties and are not recoverable from the Contractor unless explicitly stated.

Option D is incorrect because the use of Employer's materials is typically accounted for within the contract pricing structure and not treated as a claim under Sub-Clause 2.5.

Thus, Sub-Clause 2.5 serves as a key mechanism for the Employer to recover amounts due through deductions, particularly in cases like delay damages and payments made on behalf of the Contractor.

#### NEW QUESTION # 108

What does discharge confirm under the FIDIC Red Book (edition 1999)?

- A. It confirms full and final settlement of all money due to the Contractor.
- B. It confirms interim settlement of all money due to the Contractor
- C. None of the above three statements is correct.
- D. It confirms the immediate end to the Contract unconditionally whenever issued.

**Answer: A**

Explanation:

Discharge under FIDIC Red Book 1999 confirms full and final settlement of all money due to the Contractor.

It signifies the Contractor's acceptance of the Final Payment Certificate and releases the Employer from further financial obligations related to the contract.

Options A and C misrepresent the nature of discharge.

Discharge is not a unilateral immediate termination but a financial closure.

References:

FIDIC Red Book 1999 Edition, Sub-Clause 14.13 - Discharge

FIDIC Contract Manager Study Guide, Module on Final Account and Discharge

#### NEW QUESTION # 109

(Which two of the following items are new features introduced in FIDIC Red and Yellow Books (edition 2017) in respect to the procedures relating to the Programme?

Choose all of the correct answers (multiple possibilities).)

- A. Submission by the Contractor of a detailed time Programme to the Engineer within 28 days after receiving the notice under Sub-Clause 8.1.
- B. The requirement that any revised programmes to be submitted by the Contractor is to reflect accurately the actual progress of the works.
- C. Specifying the programming software that shall be used by the Contractor in preparation of the Programme.
- D. The requirement to submit a revised programme by the Contractor whenever the previous programme is inconsistent with actual progress.

**Answer: B,D**

Explanation:

Under FIDIC 2017, Clause 8.3 [Programme] was significantly enhanced compared to the 1999 editions, introducing more detailed and stricter requirements for programme management and updating.

Option A is correct. The 2017 editions explicitly require the Contractor to revise and resubmit the Programme whenever it becomes inconsistent with actual progress. This strengthens proactive project control and ensures that the Programme remains a live and reliable management tool.

Option C is also correct. FIDIC 2017 emphasizes that revised programmes must accurately reflect actual progress and current circumstances, including sequencing, logic, and resources. This aligns with the broader 2017 philosophy of improved transparency and contract administration.

Option B is incorrect because FIDIC does not mandate specifying particular programming software; this remains at the Contractor's discretion unless otherwise stated in Particular Conditions.

Option D is incorrect because submission of a programme within 28 days already existed in FIDIC 1999 (Sub- Clause 8.3), and therefore is not a 'new' feature.

These enhancements reflect FIDIC 2017's focus on active project management, early warning, and accurate planning, making the Programme a central tool for monitoring and controlling project performance.

## NEW QUESTION # 110

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