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Commission for Case Manager Certification

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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q67-Q72):

NEW QUESTION # 67

Under FIDIC Red and Yellow Books (edition 2017), which two of the following elements shall form part of the revised programme?

Choose all of the correct answers (multiple possibilities)

- A. All internationally recognized holiday periods.
- B. Only the delivery dates of Plant and Materials which have not been delivered on Site yet.
- C. The actual progress to date, any delay to such progress and the effects of such delay on other activities (if any).
- D. The sequence and timing of the remedial work.

Answer: A,C

Explanation:

Under Sub-Clause 8.3 of the FIDIC Red and Yellow Books 2017, the revised programme must reflect:

The planned sequence and timing of works including recognized holidays (Option A) to ensure realistic scheduling.

The actual progress to date, delays, and impacts on subsequent activities (Option B) so that stakeholders can manage resources and risks effectively.

Option C (remedial work) is typically not part of the main programme but may be in a separate defect rectification schedule.

Option D is too narrow; the programme should include all activities, not only undelivered materials.

References:

FIDIC Red and Yellow Books 2017 Edition, Sub-Clause 8.3 - Programme

FIDIC Contract Manager Study Guide, Module on Time and Delay Management

NEW QUESTION # 68

Which one of the following documents constitutes a contract and is considered binding on both parties, when the Employer wants to award the Contract to the tenderer?

- A. Letter of Intent
- **B. Letter of Acceptance**
- C. Memorandum of understanding
- D. Letter of Intent & Memorandum of understanding

Answer: B

NEW QUESTION # 69

Towards the end of implementing a varied work (initiated originally by the Contractor as a "Value Engineering Proposal", relevant designs provided by the Contractor) it turned out, that there is some part of it not complying with the otherwise prevailing standards. Which statements are correct in this situation? [FIDIC Red Book, 2017 Edition] Choose all of the correct answers (multiple possibilities).

- **A. The Contractor shall immediately rectify, ensuring, that the varied work fully complies with the prevailing standards.**
- **B. In case it is necessary, the Contractor shall prepare designs for works subject to the Value Engineering, hence, it is up to the Contractor to ensure that the works are fit for the purposes, including that the designs are correct, regardless of any approval or "no-objection" of the Engineer.**
- C. Since the design was approved by the Engineer, the Contractor might not be found responsible for such discrepancy, hence, to be fully compensated.
- D. In this situation, the whole of the varied works should be removed, and the original technical content reinstated.

Answer: A,B

Explanation:

Option C is correct: The Contractor is obligated to rectify any non-compliance with prevailing standards promptly.

Option D is correct: The Contractor carries responsibility for design fitness and correctness, even if the Engineer has approved or not objected to the design.

Option A is incorrect; Engineer approval does not absolve the Contractor from responsibility for defective design or works.

Option B is not necessarily required; only non-compliant parts need correction, not entire varied works.

References:

FIDIC Red Book 2017 Edition, Sub-Clause 4.1 and Clause 13 - Contractor's Obligations and Variations FIDIC Contract Manager Study Guide, Module on Variations and Design Responsibilities

NEW QUESTION # 70

Under the FIDIC Construction Contract (Red Book), which of the following amendments do NOT comply with the FIDIC Golden Principles? [1999 Edition] (2 correct answers apply) Choose all of the correct answers (multiple possibilities).

- A. The DAB Decision is final and binding
- **B. Deletion of Sub-Clauses 20.2 - 20.4 for a Project constructed in United Arab Emirates**
- **C. The Payment shall be released by the Employer within 180 days calculated from receiving the Contractor's Monthly**

Statement

- D. The Contractor is responsible for the performance of the Nominated Subcontractors

Answer: B,C

Explanation:

Option B is correct: Deleting critical dispute resolution Sub-Clauses 20.2 - 20.4 contradicts the Golden Principles by undermining fair dispute handling.

Option D is correct: Extending payment release to 180 days violates timely payment principles and fairness in cash flow management.

Option A is generally acceptable as the Contractor often assumes responsibility for nominated subcontractors.

Option C is acceptable in some jurisdictions and contracts to provide finality but can be debated.

References:

FIDIC Contract Management Guidelines - Golden Principles

FIDIC Red Book 1999 Edition, Clauses 20 and 14

NEW QUESTION # 71

A Contractor under the FIDIC Silver Book (edition 1999) has not been able to finish the Works within the Time for Completion as mentioned in the Contract and has overrun the Time for Completion by 3 months.

This results in a significant claim of \$4,500,000 from the Employer. The Employer has submitted this claim to the Contractor according to the procedures as mentioned in the Contract. The Contractor asks you for advice and refers to Clause 8. Which one of the following statements is NOT true?

- A. In addition to the delay damages as mentioned in Sub-Clause 2.5, the Employer has the right to claim any extra costs it has to make due to the delay, as delay damages are not seen as compensation for costs incurred by the Employer, but only as an incentive for the Contractor to perform on time.
- B. If there are Variations agreed between the Contractor and the Employer, the Contractor should check if an adjustment for Time for Completion was part of any of these Variations.
- C. If the delay is entirely caused by the Employer having instructed the Contractor to suspend progress during the Works, while the cause of the suspension is not the responsibility of the Contractor, the claim for delay damages was wrongfully issued.
- D. The root cause of the delay has to be determined by the Contractor, thereby especially verifying if the cause of the delay lies in a delay caused by the Authorities.

Answer: A

Explanation:

Comprehensive and Detailed Explanation:

Option C is not true because under the FIDIC Silver Book (1999 edition), the delay damages (liquidated damages) specified in the contract are intended as full compensation for the Employer's loss resulting from late completion. The contract usually excludes other claims for actual losses or extra costs beyond the delay damages.

Option A is true; Variations can include extensions of time.

Option B is true; identifying delay causes is essential for claims and defences.

Option D is true; if the Employer causes suspension not attributable to the Contractor, delay damages claims by the Employer are generally unjustified.

Thus, the Employer cannot claim extra costs over and above delay damages as per typical Silver Book provisions.

References:

FIDIC Silver Book 1999 Edition, Sub-Clause 8 - Time for Completion and Delay Damages FIDIC Silver Book 1999 Edition, Sub-Clause 2.5 - Employer's Claims FIDIC Contract Manager Study Guide, Module on Claims and Delay Damages

NEW QUESTION # 72

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