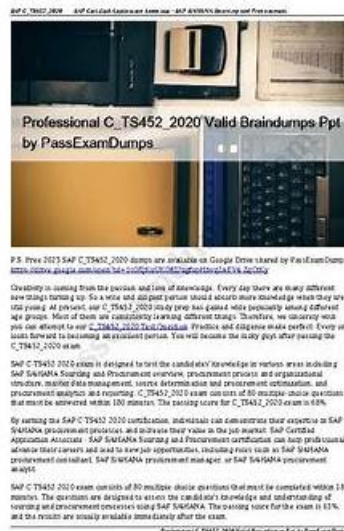


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Medical Professional Certified Case Manager Certification Exam (CCM) Sample Questions (Q79-Q84):

NEW QUESTION # 79

When does discharge become effective under the FIDIC Red Book (edition 1999)? (1 correct answer applies)

- A. When the Contractor receives full payment certified through the Final Payment Certificate.
- **B. When the Contractor receives full payment certified through the Final Payment Certificate and return of the Performance Security.**
- C. When the Contractor receives its Performance Security from the Employer.
- D. When the Employer counter signs a discharge notice as issued by the Contractor, following full payment and return of the Performance Security.

Answer: B

Explanation:

Under the FIDIC Red Book 1999, discharge becomes effective when the Contractor has received full payment certified by the Final Payment Certificate and the return of the Performance Security (Sub-Clause 14.10).

Both elements must be completed for the contract to be considered fully discharged, releasing the Contractor from further obligations or liabilities under the contract.

Option A is incomplete as payment alone does not fully discharge the Contractor.

Option B is incomplete as return of Performance Security alone is insufficient.

Option D is incorrect because the contract does not require a discharge notice signed by the Employer beyond these conditions.

References:

FIDIC Red Book 1999 Edition, Sub-Clause 14.10 - Final Payment and Discharge FIDIC Contract Manager Study Guide, Module on Project Close-Out and Final Account

NEW QUESTION # 80

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

- A. The actual progress to date, any delay to such progress and the effects of such delay on other activities (if any).
- **B. All key delivery dates of Plant and Materials.**
- **C. The date on which the right of access to and possession of (each part of) the Site is to be given to the Contractor.**
- D. The sequence and timing of the remedial work.

Answer: B,C

Explanation:

Comprehensive and Detailed Explanation:

Option A is correct: The initial programme must include the date for the Contractor's access to the Site.

Option D is correct: Key delivery dates for Plant and Materials are essential elements of the programme.

Option B relates to updated/revised programmes, not the initial programme.

Option C generally relates to remedial work and is part of revised or detailed programmes.

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 # 81

Is the Employer obliged under FIDIC Silver Book (edition 1999) to describe which Documents are to be submitted to the Employer? (1 correct response applies)

- A. Yes, the Employer should define which documents it wants to receive from the Contractor as Contractor's Documents in the Employer's Requirements, as stated in Sub-Clause 5.2.
- B. Yes, because otherwise the Contractor doesn't have to submit any Document until Completion of the Works as stated in Sub-Clause 1.8.
- C. No, because the Contractor has a duty to supply the Employer with every Document, given Sub-Clause 7.4.
- D. No, according to Sub-Clause 5.7 provisional operation and maintenance manuals are always required.

Answer: A

Explanation:

Under the FIDIC Silver Book 1999 (Conditions of Contract for EPC/Turnkey Projects), the Employer must specify clearly in the Employer's Requirements which Contractor's Documents are to be submitted. Sub-Clause 5.2 states that the Contractor must submit all documents listed in the Employer's Requirements, ensuring clarity and enabling the Employer to control the documentation process.

Option D is correct because it highlights the need for Employer's Requirements to define the scope and content of the Contractor's Documents.

Option A is incorrect; although operation and maintenance manuals are generally required, they are part of the specified Contractor's Documents, not automatically required without Employer's direction.

Option B is incorrect as the Contractor's duty to supply documents is limited to those specified.

Option C is incorrect because documentation obligations are ongoing and not just at completion.

References:

FIDIC Silver Book 1999 Edition, Sub-Clause 5.2 - Contractor's Documents FIDIC Silver Book 1999 Edition, Sub-Clause 1.8 - Time for Completion FIDIC Contract Manager Study Guide, Module on Contract Administration Procedures

NEW QUESTION # 82

Upon review of the revised programme, submitted by the Contractor, if the Engineer (under FIDIC Red or Yellow Books) or Employer (under FIDIC Silver Book) does not give a Notice of Non-Compliance within 14 days after receiving a revised programme, then ... [complete the sentence, thereby considering FIDIC Red, Yellow, and Silver Books (edition 2017)]. (1 correct answer applies)

- A. The Engineer shall be deemed to have given a Consent and the revised programme shall be the Programme.
- B. The Contractor cannot proceed in accordance with the Programme.
- C. The Contractor shall submit a Notice to the Engineer or the Employer reminding him to give its approval on the revised programme.
- D. The Engineer is deemed to have no objection to use the revised programme submitted by the Contractor, for the Works.

Answer: D

Explanation:

Comprehensive and Detailed Explanation:

According to the FIDIC 2017 editions (Red, Yellow, and Silver Books), when the Contractor submits a revised programme, the Engineer or Employer has a limited time (typically 14 days) to review and raise any Notice of Non-Compliance if the programme does not meet contract requirements (Sub-Clause 8.3 or equivalent). If no notice is issued within this period, the Engineer or Employer is deemed to have no objection to the revised programme.

This does not imply formal approval or consent, but the programme can be used for the execution and administration of the works in the absence of objections. This avoids unnecessary delay due to inaction.

Option D is correct as it captures this deemed "no objection" position.

Option B is incorrect as "deemed consent" is stronger than FIDIC provisions state; it is more correct to say "no objection".

Option A is incorrect since the Contractor does not have to remind the Engineer or Employer for consent within this period.

Option C is incorrect because the Contractor may proceed if no non-compliance is notified.

References:

FIDIC Red Book 2017 Edition, Sub-Clause 8.3 - Programme

FIDIC Yellow Book 2017 Edition, Sub-Clause 8.3 - Programme

FIDIC Silver Book 2017 Edition, Sub-Clause 8.3 - Programme

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

NEW QUESTION # 83

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. In this situation, the whole of the varied works should be removed, and the original technical content reinstated.
- 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. The Contractor shall immediately rectify, ensuring, that the varied work fully complies with the prevailing standards.
- D. Since the design was approved by the Engineer, the Contractor might not be found responsible for such discrepancy, hence, to be fully compensated.

Answer: B,C

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 # 84

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