



Minnesota State
Bar Association

Construction
Law Section

CASH PRIZE!

Writing Competition – Construction – Contracts – International Law

The Construction Law Section of the Minnesota State Bar Association invites all 2L's and 3L's to showcase their writing skills and compete for two prizes, awarded to the best submission on this year's topic. The goal is to encourage students to explore the practice of construction law and its connection to other practice areas.

First Place: \$1,000 | Second Place: \$500

The deadline for submissions is January 31, 2022.

Please send submissions by email to Sarah Grundhoefer, MSBA Section Manager: sgrundhoefer@mnbars.org. Winners will be announced on February 15, 2022. Winners will be contacted regarding receipt of prize money. The winning submission will also be considered for publication in a future issue of *Bench and Bar*, the magazine of the MSBA. Good luck!

WRITING TOPIC

For this year's writing topic, please explore SUPPLY CHAIN IMPACTS on the construction industry in 1,000 words or less as follows:

Due to the COVID-19 pandemic and its continuing ripple effects through the global economy, the construction industry has been overwhelmingly affected over the last year by materials shortages, price fluctuations, shipping delays, closures of overseas manufacturing facilities, and overall pressure on both domestic and international supply chains. Please explore the legal implications of these supply chain impacts using **one (1)** of the following prompts, or an idea of your own:

- Interpretation or enforcement of specific contract clauses, such as force majeure, delay provisions (e.g., no damages for delay clauses or excusable/compensable delays), liquidated damages, termination/suspension, change in law, and change order requests
- Application and availability of common law contract legal theories and remedies, such as frustration of purpose, impossibility and impracticality, and specific performance
- Liability issues between project partners
- International supply chain effects and interplay of global markets, including logistics cost increases and related challenges
- Examination of a particularly hard hit market segment (e.g. steel, lumber, computer hardware) and its impact on the industry as a whole
- Financial impacts, such as how project funding and development may be affected, bankruptcy trends, and cash flow
- Insurance coverage and bonding issues, such as business interruption coverage, commercial general liability coverage, builder's risk coverage, performance and payment bonds, warranty bonding, and other risk transfer devices
- Government action (including both the United States and foreign governments) to address supply chain shortages and delays, including legislation and actions taken by governments under its their own construction contracts

Please research and cite to at least 3 appropriate sources, including case law, statutes, construction industry publications and form contracts, local ordinances, pending legislation, and other reputable sources.