**Homework**

The focus of this activity is to compare and contrast the application of the payment terms of Pay If Paid and Pay When Paid. The simple words of “If” and “When” have very different meanings and highlight the importance of each and every word in a contract. You will need to listen to the following which is a Sub and GC arguing their case before the Ohio Supreme Court. It is 39 minutes long. As you listen identify the positions each party takes and why. Assess these positions against the contracts, laws and codes, and ethical actions which are the essential litmus tests of any dispute.

http://www.ohiochannel.org/video/case-no-2013-0148-aem-electric-services-corporation-v-transtar-electric

Then submit a paper to Blackboard of approximately two pagesof your written assessment (a citation page if warranted would be in addition) which details the following:

1. Analyze the Contract documents used for the management of the construction project.
   1. What is required for a valid agreement
   2. What are the payment risk shifting terms
2. Understand the project delivery method and the roles and responsibilities of all the participants.
   1. Why is the GC being sued? Did he live up to his obligations?
   2. Is the owner actions not to pay legal? If not what accountability?
   3. Where did the Sub fail or excel in his duties?
3. Understand the legal implications of the contracts and the law.
   1. Dispute resolution options
   2. Criminal, civil, costs, etc.
4. Pick one of the parties involved (GC, Sub, or Owner) and detail what you would have done to prevent this dispute if you were that participant in the project.

**Intro**

This should introduce the topic of your paper, beginning from general to increasing in specificity, and end with the thesis. The thesis must answer the questions of *what* your argumentis and *why*.   

**Body Paragraphs:**   
Supporting information and details should have a flow in these paragraphs.  

**Conclusion:**   
This should end your essay and sum up all points.  This should not, however, introduce new information or simply repeat what was already stated during the body paragraphs, merely conclude your analysis.

50% of your grade will be based on proper application and formatting of your paper per MLA standards. Proofreading is a key for quality assurance.

Think about the themes of the class for critical thinking as well as effective written communication. This begins with a clear opening or thesis statement that sets the tone of the paper.

Your instructor is Bob Vecera.

Remember:

1. MLA format
2. Submitted on Blackboard
3. Turn in on time