

Sample Contract: Software Development and Maintenance Agreement

Contract Title: Software Development and Maintenance Agreement

Contract Number: 2025-001

This Agreement is entered into on 22nd January 2025 by and between:

Party A: XYZ Software Solutions Pvt. Ltd., having its registered office at 123 Tech Park, Bangalore, India.

Party B: ABC Enterprises, located at 456 Business Lane, Mumbai, India.

1. Scope of Services

1.1 XYZ Software Solutions (hereafter referred to as the "Service Provider") agrees to design, develop, and deliver a customized software solution for ABC Enterprises (hereafter referred to as the "Client").

1.2 The scope includes:

Requirement analysis and planning.

Development and testing of the software.

Deployment of the software on the Client's server.

Maintenance and support services for one year.

1.3 Any additional features requested by the Client beyond the initial scope will be treated as a change request and billed separately.

2. Deliverables

2.1 The Service Provider shall deliver the software within 90 days of the commencement date.

2.2 The deliverables include:

Software source code.

User documentation.

Test case results.

2.3 Maintenance and support services shall include bug fixes, minor enhancements, and performance optimizations.

3. Payment Terms

3.1 The total project cost is ₹10,00,000 (Ten Lakhs), payable as follows:

50% upfront payment upon signing the agreement.

30% payment upon completion of development and testing.

20% payment after deployment and acceptance by the Client.

3.2 Late payments beyond 15 days will incur a 2% penalty per month on the outstanding amount.

4. Confidentiality

4.1 Both parties agree to maintain the confidentiality of all proprietary and sensitive information exchanged during the project.

4.2 Neither party shall disclose such information to third parties without prior written consent.

5. Compliance

5.1 Both parties agree to comply with applicable laws and regulations, including but not limited to:

General Data Protection Regulation (GDPR).

Indian Information Technology Act, 2000.

5.2 The Service Provider agrees to ensure data security for all sensitive client data.

6. Termination

6.1 Either party may terminate this agreement with 30 days written notice.

6.2 Grounds for termination include:

Non-payment of dues.

Breach of confidentiality.

Failure to deliver agreed deliverables.

6.3 Upon termination, the Client will pay for all completed work up to the termination date.

7. Dispute Resolution

7.1 Any disputes arising from this agreement shall be resolved amicably through mutual discussions.

7.2 If unresolved, disputes shall be referred to arbitration under the Indian Arbitration and Conciliation Act, 1996.

7.3 The arbitration venue shall be Bangalore, and the proceedings shall be in English.

8. General Provisions

8.1 This agreement constitutes the entire agreement between the parties.

8.2 Any amendments or modifications to this agreement must be in writing and signed by both parties.

8.3 Notices under this agreement shall be delivered in person or via registered email.

9. Signatures

By signing below, both parties agree to the terms and conditions outlined in this agreement.

Party A (Service Provider)

Signature: _____

Name: John Doe

Designation: CEO, XYZ Software Solutions

Date: _____

Party B (Client)

Signature: _____

Name: Jane Smith

Designation: Managing Director, ABC Enterprises

Date: _____