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# How to write a service contract agreement

Lease agreements and service contracts describe two different things. The former is the owner of a physical asset agreeing to let someone else use it in exchange for a fee; the latter is someone with a skill agreeing to use that skill for someone else in exchange for a fee. Leases refer to real estate like houses, apartments, offices and factories, but they can also refer to equipment like cars, trucks and computers. Basically, they can refer to anything that one person owns that another person wants to use. You could theoretically lease someone a paper towel, toaster or cup if they were prepared to pay your monthly fees. Where a lease refers assets, service contracts refer to services. In this case, one person pays another person to perform a service for them--carpenters, plumbers, caterers and IT professionals are just a few examples of service contract workers. Where a lease is very clear because it is a physical asset, a service contract is a little different. If you lease a computer for 12 months, the owner just needs to give you the computer and collect his payments. However, if you contract someone to service your computer for 12 months, you need to make sure you define everything--what service he is providing, what criteria his service quality will be judged by and when it needs to be done. This is because you need to assign tangible qualities to intangible service. A service agreement, such as when hiring a graphic designer, is something you should put in writing. Written contracts make it easier to take legal recourse should the relationship go awry. Define the services that will be performed. For example, if you are hiring a graphic designer to design a brochure, you should determine ahead of time the size of the brochure, the number of pages, the size of the text blocks, how many photos will be included and the color scheme. The graphic designer should be informed of all of the dynamics and details of the project. Determine the timeline of the project. Designing something like a brochure, for example, requires numerous steps. For example, the designer might have to choose photos or a specific layout before going on to design the shell of the brochure. State when the designer should have each step completed and turned in to you for review. Also spell out the number of revisions that you are allowed to request and the length of time you have to review the work and provide feedback. Clarify payment terms. This should include the overall price of the project along with a timeline of payment. There are numerous types of payment structures that you can use -- everything from one lump sum to installment payments as the work is being done. Decide the one that best fits your needs and include it on the contract. Decide who will be responsible for expenses, if applicable. Expenses might include the cost of materials or if any travel is required to complete the project. It can be beneficial to clarify the terms for expenses even if you are not expecting any. Should an unexpected expense come up, you will already have the terms set, which can help prevent disagreements. Settle on how any termination of agreement will be handled. You might find that you and the graphic designer don't get along, or that the designer regularly misses deadlines. If so, you want a way to legally end the agreement. An accurate statement of work is key to establishing a successful relationship between your business and a maintenance contractor. Setting clear service expectations before bidding begins can help you avoid misunderstandings that are the most common cause of maintenance outsourcing failures, according to the FacilitiesNet website. Once you have a winning bid, negotiate terms and write a clear, well-defined maintenance contract. Replace the traditional input-based service-level agreements seen in most service contracts with outcome-based maintenance requirements. Unlike service-level agreements, which typically include both task and required materials lists, maintenance requirements define both the outcome and key performance indicators but allow the contractor to determine what steps and materials are necessary to meet the goal. Outcome-based requirements are especially important if you are outsourcing facilities or equipment maintenance services because you lack in-house knowledge or skill. Define parameters that allow for effective contract administration. For example, include a clause defining a work-order system that ensures maintenance personnel do not accept maintenance requests directly from employees and also provides a way for you to monitor contractor performance and urgent or emergency maintenance requests. Include a clause that specifies who is responsible for providing -- and paying for -- the tools and supplies required to perform maintenance work. Address maintenance emergencies by including an after-hours on-call requirement and by prioritizing after-hours response times according to the degree of urgency. Depending on maintenance service requirements, you might set a weekday-only on-call expectation or one that requires the contractor be available 24 hours a day, seven days a week, 365 days a year. Prioritize after-hours trouble calls as routine, urgent or emergency, and set respond-by times for urgent and emergency maintenance calls. For example, categorize malfunctioning air conditioning as urgent, and require on-call maintenance personnel to be on site and working on the repair within two hours. Decide on a payment structure that works for you and the contractor. A combination of fixed-fee and variable payments works well for most maintenance contracts. Use a fixed-fee payment model for routine, on-duty maintenance and a variable payment model for both on-duty and after-hours urgent and emergency trouble calls. For example, increase a fixed fee payment by 10 percent for urgent after-hours calls and 20 percent for emergency calls. Include a reimbursement model if you plan to reimburse the contractor for all or a percentage of the tools and supplies he provides. how do you write a service contract agreement. how do you write a service agreement

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