

SERVICE AGREEMENT

KNOW ALL PERSONS BY THESE PRESENTS:

This **SERVICE AGREEMENT** is made and entered into this ____ day of _____, 2024 by and between:

The **MINDORO STATE UNIVERSITY (MinSU)**, a government educational institution of higher learning, with principal office address at Alcate, Victoria, Oriental Mindoro, represented by **CHRISTIAN ANTHONY C. AGUTAYA, Ph.D.**, Officer-in-Charge, Office of the University President, referred hereinafter to as the “**PROCURING ENTITY**”;

-and-

EUGENIO P. AGUAJAR, JR., sole proprietor or doing business under the name of **ACOR SOFTWARE SOLUTIONS**, with principal address at Unit-A Bendicion Bldg., Calle Decente COR Excelente Villa Remedios Subd., Halang, Calamba, Laguna, referred hereinafter to as the “**SERVICE PROVIDER**”.

The above-named are referred hereinafter collectively to as “**PARTIES**”.

WITNESSETH:

WHEREAS, the **PROCURING ENTITY**, through the Bids and Awards Committee (BAC) and in compliance with Republic Act (RA) No. 9184, otherwise known as “**Government Procurement Reform Act**”, advertised in the PhilGEPS and MinSU Website the Request for Quotation (RFQ) for the project “**Procurement of the CBM Hotel and Travel Management System Software License and Ownership for MinSU**” with an approved Budget for the Contract (ABC) amounting to **Three Hundred Ninety Thousand Pesos (PHP 390,000.00)**;

WHEREAS, the BAC has awarded the project to the **SERVICE PROVIDER** with the Lowest Calculated Responsive Bid (LCRB) by virtue of **BAC Resolution Recommending Approval Resolution No. 70, s. 2024**;

NOW, THEREFORE, for and in consideration of the foregoing premises and the covenants and stipulations set forth hereunder, the **PARTIES** hereto agree as follows:

1. The **SERVICE PROVIDER** hereby attests and warrants the following:
 - a. It is capacitated to provide the needed services of the **PROCURING ENTITY**, i.e., **Property Management System (PMS) and Travel Management System (TMS) Software License and Ownership**, in accordance with the schedule and specifications of the RFQ and all applicable documents;
 - b. It is the legal and absolute owner or licensor of the **PMS** and **TMS** and such are of acceptable industry standard;
 - c. It is duly registered and compliant with all applicable government rules and regulations; and
 - d. It is not related within the third (3rd) degree of consanguinity or affinity to the representative of the **PROCURING ENTITY**.
2. The **PROCURING ENTITY** agreed to pay the **SERVICE PROVIDER** in full, upon completion of the said services which include the installation, training, and implementation of the **PMS** and **TMS**.
3. The **SERVICE PROVIDER** shall grant **PROCURING ENTITY** the lifetime ownership of the installed **PMS** and **TMS**.
4. Failure of the **SERVICE PROVIDER** to comply with the schedule and specifications of the RFQ and this **SERVICE AGREEMENT** shall be ground for cancellation of the award or purchase order issued in its favor and disqualification from participating in the

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PROCURING ENTITY’s future procurement activities subject to payment of all applicable damages.

5. The amount of **ONE-TENTH (1/10) OF ONE PERCENT (1%)**of the contract amount per day for liquidated damages is hereby declared and understood to include all losses and cost of whatever nature the Government will sustain because of the failure of the **SECOND PARTY** to complete the contract within the stipulated time.

IN WITNESS WHEREOF, parties have hereunto set their hands this ____ day of _____, 2024 at CALABANG CITY, Philippines.

First Party

Christian Anthony C. Agutaya

CHRISTIAN ANTHONY C. AGUTAYA, Ph.D.
OIC-Office of the University President

Second Party

Eugenio P. Aguajar Jr.

EUGENIO P. AGUAJAR JR.,
Proprietor

Witnesses:

Frane M. Afable

FRANE M. AFABLE, DBM
Dean, College of Business and Management

Jenilyn Ormasa Constantino

JENILYN ORMASA CONSTANTINO
Business Manager

ACKNOWLEDGMENT

Republic of the Philippines)
Province of _____) s.s.
Municipality of CALABANG CITY

BEFORE ME, notary public for and in the above jurisdiction, personally appeared the following:

NAME	ID presented	Date / Place Issued
Christian Anthony C. Agutaya	PRC ID No. 0796092	Dec. 12, 2002/ PRC Manila
Eugenio P. Aguajar Jr.	Passport# PO112033C	expire MAY 16.2032 / DFA,lucena

Known to me to be the persons who executed the foregoing instrument and acknowledged that the same is their free and voluntary act and deed.

This instrument consisting of two (2) pages including the page wherein this acknowledgement is written had been signed by the parties and their instrumental witnesses on each and every page thereof.

WITNESS MY HAND AND SEAL, this ____ day of _____, 2024 at CALABANG CITY.

NOTARY PUBLIC

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ATTY. RAYMOND JOEL L. BALBUENA
Roll of Attorney's No. 61087
IBP Lifetime No. 910769
PR No. 1218347 - Calapan City
MCLE Compliance No. VII-0005057
Notarial Commission until December 31, 2024