

## CONTRACT for the Procurement of DIAGNOSTIC CONTINUOUS FLOW OF HYSTEROSCOPY SET

KNOW ALL MEN BY THESE PRESENTS:

THIS CONTRACT ENTERED INTO THIS 7<sup>th</sup> day of November 2019, BY AND BETWEEN:

The **Jose R. Reyes Memorial Medical Center**, a government hospital under the Department of Health of the Republic of the Philippines, with address at San Lazaro Compound, Rizal Avenue, Sta. Cruz, Manila, represented by its Medical Center Chief II, **EMMANUEL F. MONTAÑA, Jr., MD, FPCS, FACS, MHA** and hereinafter referred to as the "ENTITY"

- and -

**ALJERON MEDICAL ENTERPRISES** a corporation created under Philippine Law with office address at #77 Kanlaon Street, Highway Hills, Mandaluyong City, herein represented by its General Manager, **ALPHA B. TONOG**, and hereinafter referred to as the "SUPPLIER".

WITNESSETH:

WHEREAS, a competitive bidding was conducted on 30 August 2019 by the Entity through the Hospital Bids and Awards Committee for the procurement of **DIAGNOSTIC CONTINUOUS FLOW OF HYSTEROSCOPY SET** hereinafter called the "ITEM." The SUPPLIER was awarded the project in the sum of amount **SEVEN MILLION NINE HUNDRED NINETY THOUSAND PESOS (P7,990,000.00)** only, inclusive of local taxes and the ENTITY has accepted the bid for the following particular/s:

Item No.	Item Description	BRAND/ COUNTRY ORIGIN	QTY.	UNIT PRICE (PhP)	TOTAL PRICE (PhP)
1	DIAGNOSTIC CONTINUOUS FLOW OF HYSTEROSCOPY SET	Tekno/ Germany	1 unit	7,990,000.00	7,990,000.00
G R A N D T O T A L					7,990,000.00

The Supplier, having the necessary resources and expertise, is willing and competent to provide the required items.

**NOW THEREFORE**, in consideration of the premises and of terms and conditions hereinafter set forth, the parties hereby agree as follows:

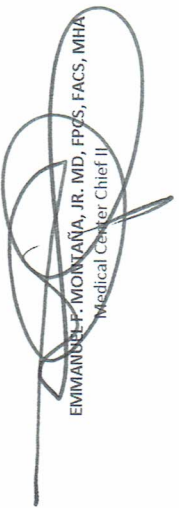
### Article I- SCOPE OF CONTRACT

1. In this Agreement words and expressions shall have the same meaning as are respectively assigned to them in the Conditions of Contract referred to.
2. The following documents shall be deemed to form and be read and construed as part of this Agreement, viz.:
  - a. Hospital Bids and Awards Committee Resolution to Award no. 2782 s. 2019 (Annex 1);
  - b. Notice of Award (Annex 2);

## ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES )  
City of Manila ) ss.

**BEFORE ME**, a Notary Public for and in the City of Manila, Philippines, personally

- 
- EMMANUELLE P. MONTAÑA, JR. MD, FPGS, FACS, MHA  
Medical Center Chief II
- c. Purchase Request No. 2019-07-3142 (Annex 3);
  - d. Certificate of Availability of Fund No. 2019-10-1036 (Annex 4);
  - e. Bid Bulletin (Annex 5);
  - f. The Bid Form and the Price Schedule submitted by the Bidder (Annex 6);
  - g. The Schedule of Requirements (Annex 7);
  - h. The Technical Specifications (Annex 8);
  - i. The General Conditions of Contract (Annex 9);
  - j. The Special Conditions of Contract (Annex 10);
  - k. The Abstract of Bids (Annex 11);
  - l. The Warranty (Annex 12); and
  - m. The Performance Security (Annex 13);
  - n. Project Procurement Management Plan (Annex 14);
  - o. Brochure (Annex 15).

### ARTICLE II - EFFECTIVITY OF THE CONTRACT

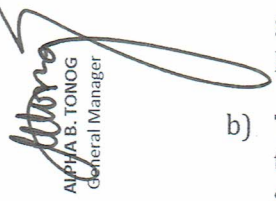
The effectivity date of this contract is the date of the SUPPLIER's receipt of the Notice to Proceed (NTP) unless a different date is stated in the NTP.

The SUPPLIER shall deliver the **ITEM** within the period specified in the Notice To Proceed (NTP).

### ARTICLE III- DURATION OF ENGAGEMENT

Unless sooner terminated, this Contract be valid for thirty (30) days reckoned from the receipt of Notice to Proceed (NTP).

### ARTICLE IV- TERMS OF PAYMENT

- 
- ALPHA B. TONOG  
General Manager
- a) In consideration of the payments to be made by the Entity to the Supplier as hereinafter mentioned, the Supplier hereby covenants with the Entity to provide the goods and to remedy defects therein in conformity in all respects with the provisions of the Contract.
  - b) The Entity hereby covenants to pay the Supplier in consideration of the provision of the goods and services and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of the contract at the time and in the manner prescribed by the contract.

### ARTICLE V- SETTLEMENT OF DISPUTES

Any and all disputes arising from the implementation of this contract shall be submitted to arbitration in the Philippines according to the provisions of Republic Act (R.A) 876, otherwise known as the "Arbitration Law" and RA 9285 otherwise known as the "Alternative Dispute Resolution Act of 2004": Provided however, that disputes that are within the competence of the Construction Industry Arbitration Commission to resolve shall be referred thereto. Provided further, that by mutual agreement, the parties may agree in writing to resort to other alternative modes of disputes resolution.



JACKIE LOU G. VALENZUELA  
Business Unit Head





Republic of the Philippines  
Department of Health

JOSE R. REYES MEMORIAL MEDICAL CENTER  
HOSPITAL BIDS AND AWARDS COMMITTEE

RIZAL AVE., STA. CRUZ  
MANILA, 711-9491 loc. 245

HBAC-A RESOLUTION NO. 2782 s. 2019

BAC Resolution Declaring LCRB and Recommending Award  
To Aljeron Medical Enterprises

WHEREAS, the JOSE R. REYES MEMORIAL MEDICAL CENTER posted the Invitation to Bid for the procurement of Diagnostic Continuous Flow of Hysteroscopy Set at the G-EPS and a conspicuous place at the premises of the JOSE R. REYES MEMORIAL MEDICAL CENTER continuously for 14 days;

WHEREAS, Diagnostic Continuous Flow of Hysteroscopy Set was included in the Approved Annual Procurement Plan (APP) for year 2019;

WHEREAS, Execom Resolution was issued with Reso No.: 72 dated 24 September 2019;

WHEREAS, Certificate of Availability of Fund was issued with CAF No.: 2019-10-1036 dated 01 October 2019 which the fund was available out of HFEP 2019;

WHEREAS, a public bidding for the following item was held last 30 August 2019:

Item No.	Description	Quantity	unit	Price/ Unit	Total ABC
1	Diagnostic Continuous Flow of Hysteroscopy Set	1	unit	8,000,000.00	8,000,000.00

WHEREAS, in response to the said advertisements, two (2) bidders purchased bidding documents, submitted the specified requirements on the following item, were found eligible and passed the preliminary examination of bids last 30 August 2019;

WHEREAS, Saviour MeDevices, Inc. as the lowest bidder was post disqualified last 25 September 2019 due to the following reason/s:

SPECIFICATION	FINDINGS
- <b>Camera Control Unit</b>	
✓ With video recorder where videos can be stored and be transferred via USB port to an external storage device	- No video recorder
- <b>Fluid Management System</b>	
✓ With spare silicon tubing	- Single use, pack of 10's
- Loop Electrode 90 degrees, reusable	- Not comply
- Loop Electrode 0 degree, reusable	- Not comply
- Cervical Dilator, double ended, 1/2mm-17/18mm, stainless steel	- Local Purchase
- Uninterruptible Power Supply, 3kva	- Local Purchase
- Voltage Surge Protector, with 4-6 parallel outlets and switch, at least 3 meter cord	- Local Purchase
- <b>Equipment cart/ trolley</b>	
✓ Aluminum/ Stainless Steel 304 grade	- Local Purchase
✓ With 4 wheels and locking brakes	- Local Purchase
✓ With adjustable monitor, holder for monitor and slave monitor	- Local Purchase
✓ 4 shelves with bottom drawers	- Local Purchase



Republic of the Philippines  
Department of Health

JOSE R. REYES MEMORIAL MEDICAL CENTER  
HOSPITAL BIDS AND AWARDS COMMITTEE

RIZAL AVE., STA. CRUZ  
MANILA, 711-9491 loc. 245

**WHEREAS**, Saviour MeDevices, Inc. submitted their motion for reconsideration last 30 September 2019 and denied their request last 14 October 2019;

**WHEREAS**, there was no protest filed within seven (7) calendar days which was until 21 October 2019;

**WHEREAS**, Aljeron Medical Enterprises, Inc. as the next lowest bidder was post disqualified last 21 October 2019 due to the following reason:

SPECIFICATION	FINDINGS
- Visual Display for fluid loss, inflow and outflow volumes	- Visual display of pressure and flow only

**WHEREAS**, Aljeron Medical Enterprises, Inc. submitted their motion for reconsideration last 22 October 2019 and granted their request on 24 October 2019;

**WHEREAS**, the detailed evaluation of bids was completed on 24 October 2019 resulted in the following:

Item No.	Description	QTY	unit	Name of Bidder	Bid Price (As Calculated)	% Variance from ABC
1	Diagnostic Continuous Flow of Hysteroscopy Set	1	unit	Saviour MeDevices, Inc.	7,898,000.00	1.28
				Aljeron Medical Enterprises	7,990,000.00	0.13

**WHEREAS**, the bid proposal of Aljeron Medical Enterprises, was found to be substantially complying;

**WHEREAS**, upon careful examination, validation and verification of all the eligibility, technical and financial requirements submitted by Aljeron Medical Enterprises, has been found to be responsive;

**NOW, THEREFORE**, We, the Members of the Hospital Bids and Awards Committee, hereby RESOLVE as it is hereby RESOLVED:

- a) To declare **Aljeron Medical Enterprises** as the Bidder with Lowest Calculated and Responsive Bid for the procurement of the following:

Item No.	Description	QTY	Unit	ABC/ lot (PhP)	TOTAL ABC	Bid Price (As Calculated)	% Variance from ABC	Total Amount (PhP)
1	Diagnostic Continuous Flow of Hysteroscopy Set Tekno/ Germany	1	unit	8,000,000.00	8,000,000.00	7,990,000.00	0.13	7,990,000.00
TOTAL								7,990,000.00

RICHARD V. VIE102419





Republic of the Philippines  
Department of Health

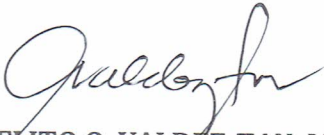
**JOSE R. REYES MEMORIAL MEDICAL CENTER  
HOSPITAL BIDS AND AWARDS COMMITTEE**


RIZAL AVE., STA. CRUZ  
MANILA, 711-9491 loc. 245

- b) To award to **Aljeron Medical Enterprises** the contract price of **SEVEN MILLION NINE HUNDRED NINETY THOUSAND PESOS (P7,990,000.00)** only for the procurement of above mentioned item;
- c) To recommend for approval by the MEDICAL CENTER CHIEF II of the JOSE R. REYES MEMORIAL MEDICAL CENTER the foregoing findings.

**RESOLVED**, this 24<sup>th</sup> day of October 2019, at *JOSE R. REYES MEMORIAL MEDICAL CENTER, Santa Cruz, Manila.*

**Recommending Approval:**

  
**EMELITO O. VALDEZ-TAN, M.D.**  
Chairman


  
**NATIVIDAD SARMIENTO**  
Vice-Chairman

  
**CECILIO VIVAR, MD**  
Member

  
**BLANQUITA JIMENEZ-BELEN**  
Member

  
**ARLIE FELVIN GACIAS**  
Member

Approved by:

  
**EMMANUEL F. MONTAÑA, JR., M.D.**  
Medical Center Chief II  
Approved on \_\_\_\_\_



Republic of the Philippines  
Department of Health  
**JOSE R. REYES MEMORIAL MEDICAL CENTER**  
HOSPITAL BIDS AND AWARDS COMMITTEE

RIZAL AVE., STA. CRUZ, MANILA  
711-9491 local 245

---

## NOTICE TO PROCEED

02 December 2019

**ALJERON MEDICAL ENTERPRISES**  
#77 Kanlaon Street, Highway Hills,  
Mandaluyong City  
Telephone No.: (02) 531-0909; 0259  
Telefax No.: (02) 534-5441

Dear Sir/Madame:

The attached Contract Agreement having been approved, notice is hereby given to Aljeron Medical Enterprises that delivery of Diagnostic Continuous Flow of Hysteroscopy Set in the amount of **SEVEN MILLION NINE HUNDRED NINETY THOUSAND PESOS (P7,990,000.00)**. You may deliver the following items within thirty (30) days:

Item No.	Item Description	BRAND/ COUNTRY ORIGIN	QTY.	UNIT	UNIT PRICE (PhP)	TOTAL PRICE (PhP)
1	Diagnostic Continuous Flow of Hysteroscopy Set	Tekno/ Germany	1	unit	7,990,000.00	7,990,000.00
GRAND TOTAL						7,990,000.00

Upon receipt of this notice, you are responsible for performing the services under the terms and conditions of the Agreement and in accordance with the Implementation Schedule.

Please acknowledge receipt and acceptance of this notice by signing both copies in the space provided below. Keep one copy and return the other to the JOSE R. REYES MEMORIAL MEDICAL CENTER.

Very truly yours,

  
**EMMANUEL F. MONTAÑA, JR. MD., FPCS, MHA**  
Medical Center Chief II

I acknowledge receipt of this Notice on December 5, 2019

Name of the Representative of the Bidder: Jakie Lou Valenzuela

Authorized Signature

  
RICHARD



Republic of the Philippines  
Department of Health  
**JOSE R. REYES MEMORIAL MEDICAL CENTER**  
**COMMITTEE ON BIDS AND AWARDS**

RIZAL AVE., STA. CRUZ,  
MANILA, 711-9491 loc. 245

08 August 2019

**MR. ERIC JUDE ALVIA**

*Secretary General*

NAMFREL

Room 601 DMG Center

Domingo M. Guevarra St.,

Barangay Mauway, Mandaluyong City

Telefax: 470-4151

Dear Mr. Alvia:

This is to invite you or to send one of your representatives in our Procurement Activities to serve as an Observer for the procurement of **Various Medical Equipment** for Jose R. Reyes Memorial Medical Center:

The schedule of the BAC activities is as follows:

Activities	Schedule Dates
Advertisement/ Posting of ITB	<b>09 August 2019 (Friday)</b>
Issuance of Bidding Documents	<b>09-30 August 2019</b>
Pre-bidding Conference	<b>16 August 2019 (Friday)</b> 1:00PM, CBB Conference Room, 2nd Floor, CBB Building
Deadline for Submission of Bids/ Bid Opening	<b>30 August 2019 (Friday)</b> 1:00PM, CBB Conference Room, 2nd Floor, CBB Building
Bid Evaluation/Post Qualification	<b>2-13 September 2019</b>
Notice of Award	<b>17 September 2019</b>

We are looking forward to your presence.

Respectfully yours,

**EMELITO O. VALDEZ-TAN, MD**  
*Chairman, HBAC-A-2*

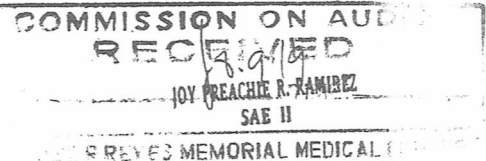


Republic of the Philippines  
Department of Health  
**JOSE R. REYES MEMORIAL MEDICAL CENTER**  
**COMMITTEE ON BIDS AND AWARDS**

RIZAL AVE., STA. CRUZ,  
MANILA, 711-9491 loc. 245

08 August 2019

**MS. NENETTE MONICA L. TADEO**  
State Auditor IV, Audit Team Leader  
Commission on Audit



Dear Ms. Tadeo:

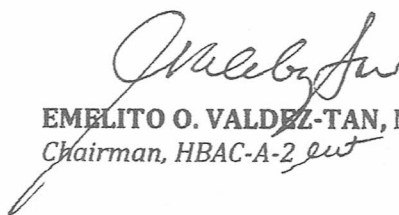
This is to invite you or to send one of your representatives in our Procurement Activities to serve as an Observer for the procurement of **Various Medical Equipment** for Jose R. Reyes Memorial Medical Center:

The schedule of the BAC activities is as follows:

Activities	Schedule Dates
Advertisement/ Posting of ITB	09 August 2019 (Friday)
Issuance of Bidding Documents	09-30 August 2019
Pre-bidding Conference	16 August 2019 (Friday) 1:00PM, CBB Conference Room, 2nd Floor, CBB Building
Deadline for Submission of Bids/ Bid Opening	30 August 2019 (Friday) 1:00PM, CBB Conference Room, 2nd Floor, CBB Building
Bid Evaluation/Post Qualification	2-13 September 2019
Notice of Award	17 September 2019

We are looking forward to your presence.

Respectfully yours,

  
**EMELITO O. VALDEZ-TAN, MD**  
Chairman, HBAC-A-2





Republic of the Philippines  
Department of Health  
**JOSE R. REYES MEMORIAL MEDICAL CENTER**  
**COMMITTEE ON BIDS AND AWARDS**

RIZAL AVE., STA. CRUZ,  
MANILA, 711-9491 loc. 245

04 April 2019

**MS. AURORA ANGELES - SANTIAGO**

*Episcopal Commission for the Laity and Chairman,  
Advocacy against Graft & Corruption,  
Sangguniang Laiko ng Pilipinas*  
Telephone No.: 527-3124

Dear Ms. Santiago:

This is to invite you or to send one of your representatives in our Procurement Activities to serve as an Observer for the procurement of **Various Medical Equipment** for Jose R. Reyes Memorial Medical Center:

The schedule of the BAC activities is as follows:

Activities	Schedule Dates
Advertisement/ Posting of ITB	<b>09 August 2019 (Friday)</b>
Issuance of Bidding Documents	<b>09-30 August 2019</b>
Pre-bidding Conference	<b>16 August 2019 (Friday)</b> 1:00PM, CBB Conference Room, 2nd Floor, CBB Building
Deadline for Submission of Bids/ Bid Opening	<b>30 August 2019 (Friday)</b> 1:00PM, CBB Conference Room, 2nd Floor, CBB Building
Bid Evaluation/Post Qualification	<b>2-13 September 2019</b>
Notice of Award	<b>17 September 2019</b>

Thank you for your usual cooperation.

Respectfully yours,

  
**EMELITO O. VALDEZ-TAN, MD**  
*Chairman, HBAC-A-2*



Republic of the Philippines  
Department of Health  
**JOSE R. REYES MEMORIAL MEDICAL CENTER**  
**COMMITTEE ON BIDS AND AWARDS**

RIZAL AVE., STA. CRUZ,  
MANILA, 711-9491 loc. 245

08 August 2019

**Ms. CRISTY VILLAHERMOSA-DONGUINES**  
Alliance of Health Workers  
This Medical Center

Dear Ms. Donguines,

This is to invite you or to send one of your representatives in our Procurement Activities to serve as an Observer for the procurement of **Various Medical Equipment** for Jose R. Reyes Memorial Medical Center:

The schedule of the BAC activities is as follows:

Activities	Schedule Dates
Advertisement/ Posting of ITB	<b>09 August 2019 (Friday)</b>
Issuance of Bidding Documents	<b>09-30 August 2019</b>
Pre-bidding Conference	<b>16 August 2019 (Friday)</b> 1:00PM, CBB Conference Room, 2nd Floor, CBB Building
Deadline for Submission of Bids/ Bid Opening	<b>30 August 2019 (Friday)</b> 1:00PM, CBB Conference Room, 2nd Floor, CBB Building
Bid Evaluation/Post Qualification	<b>2-13 September 2019</b>
Notice of Award	<b>17 September 2019</b>

We are looking forward to your presence.

Respectfully yours,

  
**EMELITO O. VALDEZ-TAN, MD**  
Chairman, HBAC A-2 *cut*

*Veron*  
*8/9/19*  
*3p*

RICH/juvie