

**CONTRACT for the Procurement of**  
**NON-CONTACT TONOMETER**

KNOW ALL MEN BY THESE PRESENTS:

THIS CONTRACT ENTERED INTO THIS 27<sup>th</sup> day of August 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 -

**MTC OPTO-MEDIC, INC.** a corporation created under Philippine Law with office address at 3/F OHI Bldg. 179 Yakal St. Antonio Village, Makati City, herein represented by its President, **CESAR E. ROXAS**, and hereinafter referred to as the "SUPPLIER".

**WITNESSETH:**

**WHEREAS**, a competitive bidding was conducted on 25 July 2019 by the Entity through the Hospital Bids and Awards Committee for the procurement of **NON-CONTACT TONOMETER** hereinafter called the "ITEM." The SUPPLIER was awarded the project in the sum amount of **FOUR HUNDRED FORTY NINE THOUSAND PESOS (Php449,000.00)** 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	NON-CONTACT TONOMETER	Brand: Huvitz Model: HNT-1/1P Korea	1 unit	449,000.00	449,000.00
G R A N D T O T A L					449,000.00

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

**NOW THEREFORE**, for and 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. 1763 s. 2019 (Annex 1);
  - b. Notice of Award (Annex 2);
  - c. Purchase Request No. 2019-05-2258 (Annex 3);
  - d. Certificate of Availability of Fund No. 2019-06-505 (Annex 4);
  - e. Bid Bulletin (Annex 5);

EMMANUEL F. MONTANA, JR. MD, FPCS, FACS, MHA  
Medical Center Chief

- 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 shall be valid for thirty (30) days reckoned from the receipt of Notice to Proceed (NTP).

## ARTICLE IV- TERMS OF PAYMENT

- 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 further, that by mutual agreement, the parties may agree in writing to resort to other alternative modes of disputes resolution.

JAYSON G. DELA CRUZ, CPA, MPA  
Financial & Management Officer II

Cesar E. Roxas  
President

Aurora P. Osoteo  
Corporate Secretary





**HBAC-A RESOLUTION NO. 1763 s. 2019**

**BAC Resolution Declaring SCRB and Recommending Award  
to MTC OPTO-MEDIC, INC.**

**WHEREAS**, the JOSE R. REYES MEMORIAL MEDICAL CENTER posted the Invitation to Bid for the procurement of *Non-Contact Tonometer* at the G-EPS and a conspicuous place at the premises of the JOSE R. REYES MEMORIAL MEDICAL CENTER continuously for 14 days;

**WHEREAS**, ExeCom Resolution with Resolution No. 69 dated 19 June 2019 and received by the BAC on the same date;

**WHEREAS**, Certificate of Availability of Funds with CAF No. 2019-06-505 dated 21 June 2019 and was received by the BAC last 27 June 2019 which the fund was available out of Income;

**WHEREAS**, Public bidding for the item below was held last 25 July 2019:

Item No.	Description	Quantity	Unit	Unit Price	Total ABC
1	Non-Contact Tonometer	1	Unit	450,000.00	450,000.00

**WHEREAS**, in response to the said advertisements for the procurement of *Non-Contact Tonometer*, only one (1) bidder purchased bidding documents and submitted the specified requirements and was found eligible and passed the preliminary examination of bids last 25 July 2019;

**WHEREAS**, the detailed evaluation was completed and received by BAC Secretariat on 8 August 2019 resulted in the following:

Item No.	Description	QTY	Unit	Name of Bidder	Bid Price (As Calculated/ Unit)	% Variance from ABC
1	Non-Contact Tonometer	1	Unit	MTC OPTO-MEDIC, INC.	449,000.00	0.22

**WHEREAS**, the bid proposal of MTC OPTO-MEDIC, INC. was found to be substantially complying;

**WHEREAS**, upon careful examination, validation and verification of all the eligibility, technical and financial requirements submitted by the MTC OPTO-MEDIC, INC. has been found to be responsive;

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

- a) To declare **MTC OPTO-MEDIC, INC.** as the Bidder with Single Calculated and Responsive Bid for the procurement of the following:

Item No.	Description	QTY	Unit	ABC/ unit (PhP)	TOTAL ABC	Bid Price (As Calculated/ Unit)	% Variance from ABC	Total Amount (PhP)
1	Non-Contact Tonometer Brand: Huvitz Model: HNT-1/1P Korea	1	unit	450,000.00	450,000.00	449,000.00	0.22	449,000.00
GRAND TOTAL								449,000.00



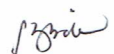
- b) To award to **MTC OPTO-MEDIC, INC.** the contract price of **FOUR HUNDRED FORTY NINE THOUSAND PESOS (Php449,000.00)** only for the procurement of above mentioned item;
- c) To recommend for approval by the MEDICAL CENTER CHIEF II of the JOSE R. REYES MEMORIAL MEDICAL CENTER the foregoing findings.

**RESOLVED**, finally this **13<sup>th</sup> day of August 2019** at the Bids and Awards Conference Room of JOSE R. REYES MEMORIAL MEDICAL CENTER, Sta. Cruz, Manila.

**Recommending Approval:**

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

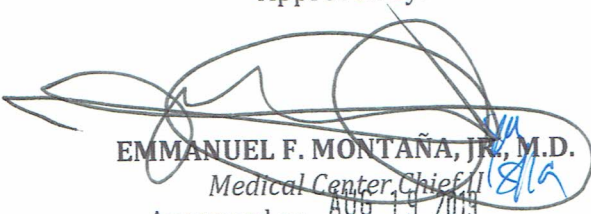
  
**NATIVIDAD R. SARMIENTO**  
Vice-Chairman

  
**BLANQUITA JIMENEZ BELEN**  
Member

  
**CECILIO VIVAR, M.D.**  
Member

  
**ARLIE FELVIN C. GACIAS**  
Member

Approved by:

  
**EMMANUEL F. MONTAÑA, JR., M.D.**  
Medical Center Chief II  
Approved on AUG 13 2019

  
RICH/jen081319





## NOTICE TO PROCEED

10 September 2019

**MTC OPTO-MEDIC, INC.**

3/F OHI Bldg. 179 Yakal St.

San Antonio Village, Makati City

Tel. No.: 813-1951 to 55

Email Address: [sales@mtceyecare.com](mailto:sales@mtceyecare.com) / [mtcjhara.cabrera@gmail.com](mailto:mtcjhara.cabrera@gmail.com)

Dear Sir/Madame:

The attached Contract Agreement having been approved, notice is hereby given to MTC OPTO-MEDIC, INC. that delivery of Non-Contact Tonometer in the amount **FOUR HUNDRED FORTY NINE THOUSAND PESOS (Php449,000.00)**. 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	Non-Contact Tonometer	Brand: Huvitz Model: HNT-1/1P Korea	1	unit	449,000.00	449,000.00
GRAND TOTAL						449,000.00

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 SEPT. 16, 2019

Name of the Representative of the Bidder: JAYSON ANOMIA

Authorized Signature 

  
RICH/jen



03 July 2019

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

Dear Ms. Tadeo:

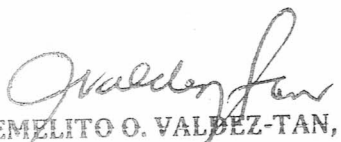
This is to invite you or to send one of your representatives in our Procurement Activities to serve as an Observer for the procurement of **Various Medical Equipment** for Jose R. Reyes Memorial Medical Center:

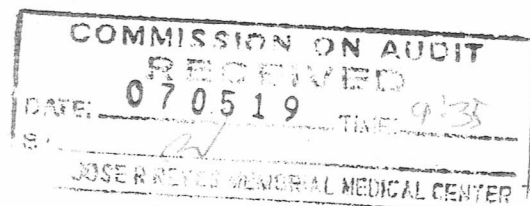
The schedule of the BAC activities is as follows:

Activities	Schedule Dates
Advertisement/ Posting of ITB	04 July 2019 (Thursday)
Issuance of Bidding Documents	04-25 July 2019
Pre-bidding Conference	11 July 2019 (Thursday) 1:00PM, OPD Conference Room, 2nd Floor, OPD Bldg.
Deadline for Submission of Bids/ Bid Opening	25 July 2019 (Thursday) 10:00AM, OPD Conference Room, 2nd Floor, OPD Bldg.
Bid Evaluation/Post Qualification	26 July-09 August 2019
Notice of Award	12 August 2019

We are looking forward to your presence.

Respectfully yours,

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



RICH/juvie



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

03 July 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:

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Respectfully yours,

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

  
**CHRISTIAN R. SIGUANCIA**  
NURSING ATTENDANT I



03 July 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:

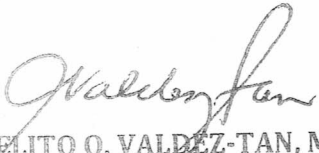
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We are looking forward to your presence.

Respectfully yours,

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

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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:

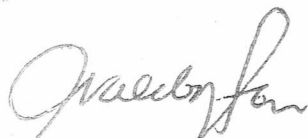
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Thank you for your usual cooperation.

Respectfully yours,

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

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