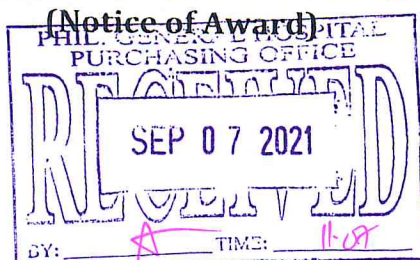




University of the Philippines Manila  
The Health Sciences Center  
**BIDS & AWARDS COMMITTEE 4**  
BAC Office, PGH Compound  
Taft Avenue, Manila  
Tel. Nos.: 8554-8400 loc. 3014/3015



## NOTICE TO EXECUTE FRAMEWORK AGREEMENT



NEFA No: 2021-037

03 September 2021

**VISTA PHARMA, INC.**

Unit 1206 One Global Place 5<sup>th</sup> Avenue corner 25<sup>th</sup> Street  
Bonifacio Global City, Taguig City  
Tel. No.: 553-4989

Attention: **Ms. CORINA A. ALFONSO**  
Area Manager

Dear Ms. Alfonso,

We are happy to notify you that your bid dated 02 June 2021 but awarded on 25 June 2021 for the SUPPLY AND DELIVERY OF DRUGS AND MEDICINES/ IMMUNOLOGICALS/VACCINES, ANAESTHETIC/RESPIRATORY INHALANTS, LIQUID/SUSPENSION PREPARATION, OTIC/OPHTHALMIC, EXTERNAL/DERMATOLOGICAL, OTHERS (FRAMEWORK AGREEMENT) under Project Reference No.: BAC4-21-016-D for the Contract Price of equivalent to ONE HUNDRED FORTY FIVE THOUSAND SIX HUNDRED EIGHTY PESOS & 00/100 (PHP145,680.00) ONLY as corrected and modified in accordance with Instructions to Bidders is hereby accepted.

You are hereby required to provide within **TEN (10) DAYS** the performance security in the form of: (a) Cash, Certified Check, Cashier's Check, Manager's Check, Bank Draft or Irrevocable Letter of Credit confirmed by a reputable local bank at 5% of the total amount of award which amounts to **SEVEN THOUSAND TWO HUNDRED EIGHTY FOUR PESOS & 00/100 (PHP7,284.00) ONLY**; or (b) 30% of the total amount of award in the form of Security Bond callable upon demand issued by any reputable surety or insurance company in the amount of **FORTY THREE THOUSAND SEVEN HUNDRED FOUR PESOS & 00/100 (PHP43,704.00) ONLY** to be submitted to the BAC Office, UPM-PGH. Failure to provide the performance security shall constitute sufficient ground for the cancellation of the award and forfeiture of the bid security.

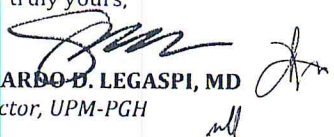
### PROPERTY AND SUPPLY DIVISION, PGH

Item No.	Qty	UOM	Item Description	UNIT COST (PHP)	TOTAL COST (PHP)
			<b>Otic/Ophthalmic Preparations</b>		
69	500	pc	Erythromycin eye ointment 0.5%, 3.5g tube, <b>Ery-V</b>	90.00	45,000.00
72	160	pc	Moxifloxacin Hydrochloride 5 mg/mL (0.5% w/v) sterile ophthalmic solution, 5 mL bottle, <b>Vistamox 5</b>	340.00	54,400.00
74	160	pc	Prednisolone acetate eye drops suspension 1%, 5mL bottle, <b>Vistapred</b>	98.00	15,680.00
77	170	pc	Tobramycin 0.3% + dexamethasone 0.1% eye drops solution, 5mL bottle, <b>Duocom</b>	180.00	30,600.00

**TERMS AND CONDITIONS:**

1. Delivery of the goods is required as stated in the request of the end-user, commencing on the 3rd working day of notification through confirmed fax that the approved Call-offs (Purchase Orders) / Notice to Supplier (NTS) is already available for pick-up.  
Delivery schedule (whichever is applicable):
  - a) within seven (7) calendar days;
  - b) as may be called for;
  - c) staggered delivery within three (3) months
 > 50% of the total quantity within seven (7) calendar days and 25% each for the succeeding months  
 Note: The end-user has the right to adjust the quantity to be delivered depending on the actual need of the hospital.
2. Deliveries shall have at least one (1) year expiration date
3. Delivery of good with product complaint shall be put on hold until receipt of the final decision of the PGH management whether to proceed with the acceptance or to cancel/return the items.
4. Delivered items found to be non-formulary at any given time shall be returned to the company and a credit memo shall be issued.
5. Stocks delivered are subject to random sampling for testing as to quality and conformity to label. Testing fee at supplier's expense.
6. For inhalation anesthetics
  - a. Must have certification from bidder that inhalation bottle must be with safety sealed cap, airtight and capable to dispense directly from bottle the possibility of ambient air coming into contact with agent to prevent contamination and spillage.
  - b. Certification from the bidder that product container or anesthetic agent is shatterproof and transparent for visual check of content. Container material must ensure stability of the agent to prevent degradation, must not be easy to break
7. Winning bidder for Sevoflurane shall provide at least thirty-five (35) vaporizers on loan and in good working conditions until the validity of the contract.
8. Winning bidders for cytotoxic injectable drugs are required to provide one (1) spill kit per company under the first Purchase Order.
9. For cytotoxic injectable drugs, winning bidders are required to provide Material Safety Data Sheet (MSDS) and to submit Drug Profile to the Pharmacy Department per company under the first Purchase Order.
10. Failure to submit these documents shall be a ground for post-disqualification in accordance with RA 9184.
11. All items that had been pulled out for various reasons, a credit memo shall be issued by the Contractor within one (1) month otherwise, a debit memo shall be processed by UP Manila - PGH and the amount will be deducted from any amount due to Contractor.
12. Stocks with lot #/batch different from submitted Certificate of Analysis (COA) will be subjected to testing as to quality and conformity to label. Testing fee at supplier's expense.
13. It is understood that the Contractor is legally responsible to deliver all issued **Call-Offs (Purchase Orders)** and failure to deliver the first **Call-Off** as scheduled shall mean automatic cancellation of the **Call-Off** and **Notice to Execute Framework Agreement (NEFA)**. Purchase from other source for whatever means shall take effect immediately to provide the requirements of the hospital. Penalty to the defaulting contractor shall be charged accordingly.
14. Compliance with R.A. 9184 and other applicable laws

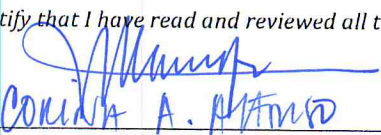
Very truly yours,

  
**GERARDO D. LEGASPI, MD**  
 Director, UPM-PGH

SEP 06 2021

**Conforme:**

I certify that I have read and reviewed all the information provided in this NEFA.

  
**CORINA A. MANZANO**  
 (Signature over Printed Name)

(Designation)

(Date)

 NEFA MANZANO  
 9/7/21