

## **TERMS OF REFERENCE**

### ***Supply and Delivery of Influenza and Pneumonia Vaccines***

#### **I. PROJECT DESCRIPTION**

The project entails the procurement of the following vaccines:

- a. Influenza Vaccine for active immunization against disease caused by the Influenza virus; and
- b. Pneumonia Vaccine that protect against pneumococcal infections.

#### **II. APPROVED BUDGET FOR THE CONTRACT**

Fund for this procurement shall be sourced from:

- a. Fund for this procurement shall be sourced from the General Appropriation Act (GAA) for the fiscal year 2021 of the ERC.
- a. The ABC for the project is **One Million Five Hundred Fifty-Three Thousand One Hundred Thirty Pesos (PhP1,553,130.00)**, inclusive of all government taxes and service charges.

#### **III. MODE OF PROCUREMENT**

The Procurement for the Supply and Delivery of Influenza and Pneumonia Vaccines shall be undertaken through open **Competitive Bidding** under the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184, otherwise known as “Government Procurement Reform Act”.

#### **IV. SCHEDULE OF REQUIREMENTS**

1. The Bidder shall deliver the required vaccines to the following addresses:

- a. Energy Regulatory Commission  
Pacific Center Bldg., 33 San Miguel Avenue  
Pasig City
- b. Energy Regulatory Commission  
Visayas Area Operations Division (VAOD)  
St. Mary's Drive, Banilad  
Cebu City
- c. Energy Regulatory Commission  
Mindanao Area Operations Division (MAOD)  
Rm. 6F-9, 6<sup>th</sup> Floor, BIZ Building c/o Bormaheco Inc.  
209 J.P. Laurel Avenue, Bajada  
Davao City

2. The Bidder must comply the following delivery schedule:

<b>Delivery Schedule</b>	<b>Number of Vaccines per Delivery</b>					
	<b>Influenza Vaccine</b> 0.5ml pre-filled syringe, quadrivalent Influenza Vaccine (in syringe/vial)			<b>Pneumonia Vaccine</b> Pneumococcal polysaccharide vaccine per 0.5ml prefilled syringe (in syringe/vial)		
	<b>Main</b>	<b>VAOD</b>	<b>MAOD</b>	<b>Main</b>	<b>VAOD</b>	<b>MAOD</b>
<b>15 days upon receipt of Notice to Proceed (NTP)</b>	<b>230</b>	<b>13</b>	<b>12</b>	-	<b>11</b>	<b>11</b>
<b>45 days upon receipt of Notice to Proceed (NTP)</b>	<b>200</b>	-	-	-	-	-
<b>75 days upon receipt of Notice to Proceed (NTP)</b>	-	-	-	<b>200</b>	-	-
<b>100 days upon receipt of Notice to Proceed (NTP)</b>	-	-	-	<b>118</b>	-	-

## V. RESPONSIBILITIES OF THE SUPPLIER

a. Deliver the vaccines listed below with the following Technical Specifications:

**1. Influenza Quadrivalent Vaccine** - Each 0.5 mL single-dose vial contains 60 micrograms (µg) haemagglutinin (HA) in the recommended ratio of 15 µg HA of each of the four strains:

Strain 1: A/Guangdong-Maonan/SWL1536/2019  
(H1N1)pdm09-like virus

Strain 2: A/Hong Kong/2671/2019 (H3N2)-like virus

Strain 3: B/Washington/02/2019 (Victoria lineage)-like virus

Strain 4: B/Phuket/3073/2013 (Yamagata lineage)-like virus

**2. Pneumonia Vaccine** – Pneumococcal Polysaccharide vaccine per 0.5ml prefilled syringe, 25 mcg of each polysaccharide type

b. Vaccines should be packed in a **pre-filled sterile syringe with attached sterile needle or individual single-dose glass vials with two (2) sterile needles and one (1) sterile syringe.**

c. **Suspension for injection is clear and slightly opalescent in color;**

d. Expiration date of **at least six (6) months for item A and eighteen (18) months for item B** from the date of delivery;

e. Submit the following requirements;

1. Copy of current and valid **Certificate of Product Registration (CPR)** for the items;
2. Copy of valid, current **License to Operate** from FDA and/or **DOH Accreditation** as Supplier, Distributor or Manufacturer for Drugs and Medicines;
3. **Lot Release Certificate** issued by the Bureau of Food and Drugs (BFAD/FDA) in accordance with latest BFAD Circular;
4. **Statement of the bidder** specifying that the **expiry dates of the medicines must be at least six (6) months for item A and at least eighteen (18) months for item B from the date of delivery;** and
5. **Product Certification** for Point of Origin from the manufacturer.


## **VI. TERMS OF PAYMENT**

- a. Payment shall be made **within thirty (30) calendar days from receipt of the procured vaccines** following the delivery schedule stated under IV.2 hereof.
- b. Payment shall be made through **List of Due and Demandable Accounts Payable with Advice to Debit Account (LDDAP-ADA)**.

- c. The Supplier shall provide the bank Account wherein payment will be credited.

## **VII. LIQUIDATED DAMAGES**

- a. Where the Contractor refuses or fails to satisfactorily complete the delivery within the specified contract time, plus any extension time duly granted and is hereby in default under the contract, the Contractor shall pay ERC for liquidated damages, and not by way of penalty, an amount, as provided in the conditions of the contract, equal to one tenth (1/10) of one percent (1%) of the cost of the unperformed portion for every day of delay. Once the cumulative amount of liquidated damages reaches ten percent (10%) of the amount of the contract, the ERC may rescind or terminate the contract, without prejudice to other courses of action and remedies available under the circumstances such as but not limited to forfeiture of performance security and/or blacklisting of the latter.
- b. For entitlement to such liquidated damages, ERC need not prove the damages actually incurred. Said damages in any amount shall be deducted from any money due or which may become due to the Contractor under the Contract and/or collect such liquidated damages from the retention money or other securities posted by the service Contractor at the ERC's convenience.

 RMG / CLSG / JLM