

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY



Contract Number
20-284

SAP Number

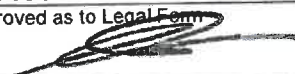
Arrowhead Regional Medical Center

Department Contract Representative William L. Gilbert
Telephone Number (909) 580-6150

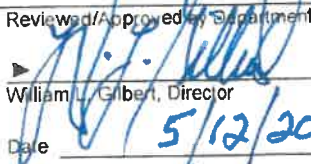
Contractor Mallinckrodt
Contractor Representative Lori Donohue
Telephone Number 908.238.6668
Contract Term June 1, 2019 through May 31, 2021
Original Contract Amount \$84,328
Amendment Amount \$77,664
Total Contract Amount \$161,992
Cost Center 7720

Briefly describe the general nature of the contract: An Amendment to Contract No. 4400012056 with INO Therapeutics LLC, d/b/a Mallinckrodt ("Mallinckrodt") to extend the contract period from May 31, 2020 to May 31, 2021, for total contract period of June 1, 2019 through May 31, 2021, and increase the contract amount by \$77,664, for a total contract amount of \$161,992, for the provision of INOtherapy services at Arrowhead Regional Medical Center.

FOR COUNTY USE ONLY

Approved as to Legal Form

Charles Phan, Deputy County Counsel
Date 5/11/2020

Reviewed for Contract Compliance
Date _____

Reviewed/Approved by Department

William L. Gilbert, Director
Date 5/12/2020



May 8, 2020

Re: Renewal of INOtherapy Services Agreement for INOtherapy Services

Dear Valued Customer,

The current pricing under our INOtherapy Services Agreement is expiring on May 31, 2020. Attached is a renewal document which offers new pricing and extends the provision of INOtherapy Services to your hospital for an additional term.

The offered pricing set forth in the attached document is *only valid until May 31, 2020*. In order for your hospital to obtain this new pricing for a June 1, 2020 start, this document must be signed and returned to Mallinckrodt on or prior to this stated valid date.

To expedite processing, a scanned (by email) or faxed signed copy is acceptable. Listed below is the return address information.

- by email to – critcare-contracts@mnk.com
- by fax to - (877) 422-1059
- by overnight or mail to – Lori Donohue, Contracts Manager
INO Therapeutics c/o Mallinckrodt
1425 U.S. Route 206, 2nd Floor
Bedminster, NJ 07921

Also if a new PO is required in order for your hospital to make the new payments, kindly include it with your signed document.

Should you have any questions regarding this renewal, please contact your local Mallinckrodt representative.

Regards,

A handwritten signature in black ink that reads "Lori Donohue".

Lori Donohue Contracts
Manager [critcare-
contracts@mnk.com](mailto:critcare-contracts@mnk.com)

Attachment

FIRST AMENDMENT TO INOTHERAPY® SERVICES AGREEMENT

THIS AMENDMENT TO INOTHERAPY SERVICES AGREEMENT (this “First Amendment”) is entered into the later of the dates in the signature block below (the “First Amendment Effective Date”) by and between INO Therapeutics LLC, d/b/a Mallinckrodt, a Delaware limited liability company having a place of business at 1425 U.S. Route 206, Bedminster, NJ 07921 (“Mallinckrodt”), and the party indicated below (“Customer”).

Customer Name:	County of San Bernardino
Address:	400 North Pepper Avenue Colton, CA 92324
Authorized Representative:	Curt Hagman, Chairman of the Board
Fax:	N/A
E-Mail:	reception@pur.sbcounty.gov

- Background. Mallinckrodt and Customer are party to an INOtherapy Services Agreement with an effective date of June 1, 2019 (the “Agreement”). Mallinckrodt and Customer wish to, among other things, amend the Agreement to renew the pricing for the next term of the Agreement and amend and/or update other sections of the Agreement as set forth below.
- Renewal of Agreement. Mallinckrodt and Customer agree that the next Renewal Term (as defined in the Agreement) shall commence on June 1, 2020 and remain in effect for a period of one year. Thereafter, the Agreement shall renew in accordance with the terms of the Agreement.
- Modification of INOtherapy Pricing Tier Table of Section 2 of Exhibit A to the Agreement. The following new pricing comes into effect the first day of the next Renewal Term:

Customer Facility:

Arrowhead Regional Medical Center – 400 North Pepper Avenue, Colton, CA 92324 (1000390)

	<u>Pricing Tier</u>	<u>Monthly or Hourly Fee</u>	<u>Annual Total</u>	<u>Hours Included</u>	<u>Payment Terms</u>
<input type="checkbox"/>	Platinum	\$8,333/month	\$99,996/year	Unlimited	45 Days
<input checked="" type="checkbox"/>	Bronze	\$6,472/month	\$77,664/year	350	30 Days
<input type="checkbox"/>	Net Hourly Price	\$3,000/month plus \$231.88/hour for each hour used as specified in the Hours Included column	\$36,000/year	0 hours included. Each hour used shall be at the Net Hourly Price listed.	30 Days

- Modification of Section 4.2 Termination. The last sentence of Section 4.2 of the Agreement is hereby deleted in its entirety and replaced with the following:

“In addition, either party may terminate this Agreement (either on a facility-by-facility basis or in whole) without cause upon 60 days’ prior written notice to the other party.”

- Modification of Section 7.7 Notices. The last sentence of Section 7.7 of the Agreement is hereby deleted in its entirety and replaced with the following:

“Notices to Mallinckrodt shall be sent to INO Therapeutics LLC d/b/a Mallinckrodt at 1425 U.S. Route 206, Bedminster, NJ 07921, Attn: INOmax Contract Administrator, with a copy to General Counsel, Commercial Operations.”

