HENRY MCMASTER, CHAIR GOVERNOR CURTIS M. LOFTIS, JR. STATE TREASURER BRIAN J. GAINES COMPTROLLER GENERAL



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EVECULIAR DIRECTOR

THE DIVISION OF PROCUREMENT SERVICES

DELBERT H. SINGLETON, JR.
DIVISION DIRECTOR

(803) 734-8018

JOHN ST. C. WHITE MATERIALS MANAGEMENT OFFICER (803) 737-0600 FAX: (803) 737-0639

Protest Dismissal and Cancellation of Intended Awards of Sole Source Contracts

Matter of: NETZSCH Instruments North America, LLC

File No.: 2026-111 & 112

Posting Date: December 5, 2025

Contracting Entity: Clemson University

Solicitation No.: N/A

Description: Sole Sources for thermogravimetric analyzer (TGA),

differential scanning calorimeter (DSC), dilatometer and thermal

conductivity/diffusivity equipment

DIGEST

The Chief Procurement Officer (CPO) dismisses as moot the protests of NETZSCH Instruments North America, LLC (NETZSCH) challenging Clemson University's (Clemson) intent to award two sole source contracts to TA Instruments for a thermogravimetric analyzer (TGA), differential scanning calorimeter (DSC), dilatometer, and thermal conductivity/diffusivity equipment (the Equipment) where Clemson has subsequently issued a solicitation for competitive bids for the Equipment. NETZSCH's protests are attached as Exhibit A.

AUTHORITY

The Chief Procurement Officer (CPO) conducted an administrative review per S.C. Code Ann. § 11-35-4210. This decision is based on materials in the procurement file and applicable law and precedents.

Protest Decision, page 2 Case No. 2026-111 & 112 December 5, 2025

BACKGROUND

On September 11, 2025, Clemson advertised its intent to award two sole source contracts to TA Instruments for the Equipment. [Exhibit B] On September 16, 2025, NETZSCH protested asserting that it could provide the Equipment. On October 15, 2025, Clemson issued a competitive solicitation for the Equipment. [Exhibit C] The same day, Clemson notified both NETZSCH and the CPO of this solicitation. [Exhibit D] No one protested this solicitation. By the deadline for bidding, Clemson received only one bid, one submitted by TA Instruments. [Exhibit E] On November 13, 2025, Clemson posted a notice of its intent to award a contract to TA Instruments. [Exhibit F]

DISCUSSION

Where, the "supplies... being procured are no longer required," the CPO may cancel the intended award of a contract. Reg. 19.445-2085C. By issuing a competitive solicitation for the Equipment and awarding a contract per that solicitation, Clemson no longer has a need for the proposed sole source contracts. Therefore, it is appropriate for the CPO to cancel Clemson's intended award of two sole source contracts to TA Instruments for the equipment. Moreover, both Clemson's subsequent competitive procurement and the CPO's cancellation of the two intended awards of sole source contracts to TA Instruments render NETZSCH's protests moot.

DECISION

For the reason stated above, the CPO cancels Clemson's intended award of two sole source contracts to TA Instruments for the Equipment and dismisses NETZSCH's protests as moot.

6hn St. C. White

Chief Procurement Officer

n St. Chile

Columbia, South Carolina

STATEMENT OF RIGHT TO FURTHER ADMINISTRATIVE REVIEW

Protest Appeal Notice (Revised July 2025)

The South Carolina Procurement Code, in Section 11-35-4210, subsection 6, states:

(6) Finality of Decision. A decision pursuant to subsection (4) is final and conclusive, unless fraudulent or unless a person adversely affected by the decision requests a further administrative review by the Procurement Review Panel pursuant to Section 11-35-4410(1) within ten days of posting of the decision in accordance with subsection (5). The request for review must be directed to the appropriate chief procurement officer, who shall forward the request to the panel or to the Procurement Review Panel, and must be in writing, setting forth the reasons for disagreement with the decision of the appropriate chief procurement officer. The person also may request a hearing before the Procurement Review Panel. The appropriate chief procurement officer and an affected governmental body shall have the opportunity to participate fully in a later review or appeal, administrative or judicial.

Copies of the Panel's decisions and other additional information regarding the protest process is available on the internet at the following web site: http://procurement.sc.gov

FILING FEE: Pursuant to Proviso 111.1 of the 2025 General Appropriations Act, "[r]equests for administrative review before the South Carolina Procurement Review Panel shall be accompanied by a filing fee of two hundred and fifty dollars (\$250.00), payable to the SC Procurement Review Panel. The panel is authorized to charge the party requesting an administrative review under the South 11-35-4210(6), 11-35-4220(5), Code Sections 11-35-4230(6) and/or 4410...Withdrawal of an appeal will result in the filing fee being forfeited to the panel. If a party desiring to file an appeal is unable to pay the filing fee because of financial hardship, the party shall submit a completed Request for Filing Fee Waiver form at the same time the request for review is filed. [The Request for Filing Fee Waiver form is attached to this Decision.] If the filing fee is not waived, the party must pay the filing fee within fifteen days of the date of receipt of the order denying waiver of the filing fee. Requests for administrative review will not be accepted unless accompanied by the filing fee or a completed Request for Filing Fee Waiver form at the time of filing." PLEASE MAKE YOUR CHECK PAYABLE TO THE "SC PROCUREMENT REVIEW PANEL."

LEGAL REPRESENTATION: In order to prosecute an appeal before the Panel, business entities organized and registered as corporations, limited liability companies, and limited partnerships must be represented by a lawyer. Failure to obtain counsel will result in dismissal of your appeal. *Protest of Lighting Services*, Case No. 2002-10 (Proc. Rev. Panel Nov. 6, 2002) and *Protest of The Kardon Corporation*, Case No. 2002-13 (Proc. Rev. Panel Jan. 31, 2003); and *Protest of PC&C NETZSCHs*, *LLC*, Case No. 2012-1 (Proc. Rev. Panel April 2, 2012). However, individuals and those operating as an individual doing business under a trade name may proceed without counsel, if desired.

South Carolina Procurement Review Panel Request for Filing Fee Waiver E Pandleton Street, Suite 366, Columbia, SC 20

1205 Pendleton Street, Suite 366, Columbia, SC 29201

| Name of F | Requestor | | Address | |
|--|------------------------------------|------------------------|--|---|
| City | State | Zip | Business Phone | |
| 1. What is | your/your comp | any's monthly income | ?? | |
| 2. What ar | e your/your com | pany's monthly exper | ises? | |
| 3. List any | other circumsta | nces which you think | affect your/your company's ability to pay the filing fee | : |
| | | | | _ |
| misreprese administra Sworn to l | ent my/my comp tive review be w | oany's financial condi | above is true and accurate. I have made no attempt ition. I hereby request that the filing fee for request | |
| Notary Pu | blic of South Car | rolina | Requestor/Appellant | |
| | | | | |
| For officia | ıl use only: | Fee Waived | Waiver Denied | |
| Chairman | or Vice Chairma | n, SC Procurement Re | eview Panel | |
| This Columbia. | _ day of South Carolina | , 20 | | |

NOTE: If your filing fee request is denied, you will be expected to pay the filing fee within fifteen (15) days of the date of receipt of the order denying the waiver.



Ness, Daniel van Protest-MMO [External] Clemson University Intent to sole source Tuesday, September 16, 2025 6:53:51 PM

jmage.png netzsch logo signatur 350 neu 78120491-c775-428f-829e-48022f3bcab7.png

To whom it may concern:

This is a protest to the intent to sole source for the following:

| Notice Of Intent To Sole Source By: Clemson University | | | | | | | | | |
|--|---------------------------------|----------------------------|---------------------------|----------------------|--------------------|--|--|--|--|
| Vendor Name: TA Instruments | | Contract Amount: | \$324,442.15 | Notice Publish Date: | September 11, 2025 | | | | |
| Agency Procurement Manager: SC Young | Email: | scy@clen | nson.edu Te | elephone: 864-6 | 56-2830 | | | | |
| The Agency hereby provides notice that it intends to enter into a sole source contract per S.C. Code Ann. §11-35-1560 with Vendor for the following supplies, services, information technology, or construction: | | | | | | | | | |
| The new Advanced Materials Innovation Complex (AMIC) has an immediate need for expanded analytical instrumentation in our new innovative teaching labs for thermal analysis. We need to accurately analyze materials (e.g., ceramics and composities) at a high-temperature range (higher than or equal to 1200 °C). We need to understand the material's thermal properties, such as mass change, phase change, sintenting behavior, heat flow change, dimension change, thermal conductivity(diffusivity at programmed temperatures under specific forming gas atmospheres, which need to be fully satisfied at the mentioned high temperature range. Therefore, we need to purchase a TGNDSC, a dilationeter, and thermal conductivity/diffusivity equipment. Historical data generated on existing thermal analysis instruments is also compatible with the free TRIOS software provided by TA. For the reasons of research continuity and compatibility, seamless integration into our lab teaching curriculum, and thus the ability to better serve our students and industry partners, we are requesting the TA instruments proposal as a sole source procurement. TA is the only instrument manufacturer of the proposed compatible instrumentation and sells directly to customers. For these reasons, this is a sole source procurement. | | | | | | | | | |
| Agency's justification for a sole source procurement may be viewed or immedia | itely obtained at: SC Young | g - <u>scy@clemson.edu</u> | | | | | | | |
| PROTESTS: Any actual or prospective bidder, offeror, contractor, or subcontractor aggrieved in connection with the intended award or award of this sole source contract, shall notify the appropriate chief Procurement officer in writing of its intent to protest within five (5) business days of the date this notice is posted. Any actual or prospective bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of this sole source contract and has timely notified the appropriate chief procurement officer of its intent to protest, may protest to the appropriate chief procurement officer in the manner set forth below within fifteen days of the date this notice is posted, except that a matter that could have been raised as a protest of the solicitation may not be raised as a protest of the solicitation may not be raised as a protest of intended award of a contract. A protest must be in writing, filed with the appropriate chief procurement officer, and set forth the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided. The protest must be received by the appropriate chief procurement officer within the time provided above. Days are calculated as provided in S.C. Code Ann. §11-35-310(13). | | | | | | | | | |
| Any notice of intent to protest and protest must be addressed to the chief process. | rement officer: | Materials Managem | ent Officer | | | | | | |
| (a) by email to: Protest-MMO@mmo.sc.gov | (b) by post or hand delivery to | 1201 Main Street, Su | te 600, Columbia, SC 2920 | 01 | PRINT AD | | | | |

The basis of this sole source is based upon the deisre to continue to use a software to analyze data they already obtained and can analyze on the TA instruments software. This is entirely to block other vendors from bidding on this opportunity and stopping competitive bids. THe older data can be used with their current softtware and at worst case scenario the data can be exported and imported into another software. Netzsch Instruments can provide state of the art solutions to this project.

Best Regards, Dan Van Ness Mid Atlantic Sales Manager 302-379-9521

Daniel van Ness

Mid-Atlantic Sales Manager

Phone: +1 302 379 9521 Email: Daniel.vanNess@netzsch.com NETZSCH Instruments North America, LLC 129 Middlesex Turnpike Burlington, Massachusetts 01803 United States

NETZSCH Proven Excellence.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE PARTY TO WHOM IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND PROTECTED FROM DISCLOSURE UNDER LAW. If you are not the addressee, or a person authorized to deliver the document to the addressee, you are hereby notified that any review, disclosure, dissemination, copying, or other action based on the content of this communication is not authorized. If you have received this document in error, please immediately notify the sender by e-mail or phone.

Protest-MM)

[External] Sole Source Protest for Clemson University TGA

Tuesday, September 16, 2025 6:56:33 PM

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To whom it may concern:

This is a protest to the intent to sole source for the following :

| Notice Of Intent To Sole Source By: | Clemson University | | | | | | | |
|--|---|------------------|--------------------|-------------------------|------------------|------------|--------------------|--|
| Vendor Name: TA Instruments | | Cor | ntract Amount: | \$89,051.00 | Notice Publish D | ate: | September 11, 2025 | |
| Agency Procurement Manager: SC Young | | Email: | scy@clem | son.edu | Telephone: | 864-656-28 | 330 | |
| The Agency hereby provides notice that it intends to enter into a sole source contract per S.C. Code Ann. §11-35-1560 with Vendor for the following supplies, services, information technology, or construction: | | | | | | | | |
| The Clemson Materials Characterization and Processing Center has an immediate need to replace our existing research-grade Thermal Gravimetric Analyzer (TGA) that is at the end of its service life. A core capability of our center is to help both industry partners and faculty collaborators with problem solving in thermal and mechanical analysis. Of equal importance is our ability to utilize our industry-related problem-solving experience to provide subject and graduate lab classes real world analytical challenges as part of their curriculum. The proposed TA Discovery TGA 5500 is the direct replacement of the center's existing Q5000 TCA model. The TGA 5500 allows high temperature testing up to 1200C with high heating rates (>1500Cimin) provided by infrared heating through the Internal quartz liner and with a built-in electromagnetic coll for automated temperature calibration. The TGA 5500 are reprovides high resolution and modulated techniques as standard features which are unique capabilities that allow separation of overlapping transitions. The compatibility of the TGA 5500 model will also allow for the transfer of historical/current data files to the new software platform (TRIOS) so that data already collected will not be invalidated, and ongoing teaching and research can be continuous. In addition, there are numerous procedures that will seamlessly transfer to the new TGA 5500 internal manufacture of the TGA 5500 internal analysis instruments which can utilize the same TRIOS software, and a common computer will be utilized for existing instruments including the new TGA 5500. The ability to process and analyze data using the same software across multiple techniques is critical for our materials development in our laboratory. TA is the only instrument manufacturer of the TGA 5500 and sells directly to customers. | | | | | | | | |
| Agency's justification for a sole source procurement r | nay be viewed or immediately obtained at: | SC Young - scy | @clemson.edu | | | | | |
| PROTESTS: Any actual or prospective bidder, offeror, contractor, or subcontractor aggrieved in connection with the intended award or award of this sole source contract, shall notify the appropriate chief Procurement officer in writing of its intent to protest within five (5) business days of the date this notice is posted. Any actual or prospective bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of this sole source contract and has timely notified the appropriate chief procurement officer of its intent to protest, may protest to the appropriate chief procurement officer in the manner set forth below within fifteen days of the date this notice is posted; except that a matter that could have been raised as a protest of the solicitation may not be raised as a protest of the solicitation may not be raised as a protest of the solicitation may not be raised as a protest of the solicitation may not be raised as a protest of the solicitation may not be raised as a protest of the solicitation may not be raised as a protest of the solicitation may not be raised as a protest of the solicitation may not be raised as a protest of the solicitation may not be raised as a forth of the protest must be received by the appropriate chief procurement officer within the time provided above. Days are calculated as protein as CA. Solicitation may not forth of the protest must be received by the appropriate chief procurement officer within the time provided above. Days are calculated as protein of the A.S. 17.36-310(13). | | | | | | | | |
| Any notice of intent to protest and protest must be ad | dressed to the chief procurement officer: | M | aterials Manageme | ent Officer | | | | |
| (a) by email to: Protest-MMO@mmo.s | c.gov (b) by post or hand o | lelivery to: 120 | 1 Main Street, Sui | te 600, Columbia, SC 29 | 9201 | | PRINT AD | |

The basis of this sole source is based upon the deisre to continue to use a software to analyze data they already obtained and can analyze on the TA instruments software. This is entirely to block other vendors from bidding on this opportunity and stopping competitive bids. The older data can be used with their current softtware and at worst case scenario the data can be exported and imported into another software. Netzsch Instruments can provide state of the art solutions to this project.

Best Regards, Dan Van Ness Mid Atlantic Sales Manager 302-379-9521

Daniel van Ness Mid-Atlantic Sales Manager

Phone: +1 302 379 9521 Email: Daniel.vanNess@netzsch.com NETZSCH Instruments North America, LLC 129 Middlesex Turnpike Burlington, Massachusetts 01803 United States

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South Carolina Business Opportunities

Published by Division of Procurement Services - Delbert H. Singleton, Jr., Division Director

Notice Of Intent To Sole Source By: Clemson University

Ad Category: Sole Source and Emergency Notice Start Date: September 11, 2025 Notice End Date: September 26, 2025

Vendor Name: TA Instruments
Contract Amount: \$324,442.15

Agency Procurement Manager: SC Young

Agency Procurement Manager Email: scy@clemson.edu

Agency Procurement Manager Telephone#: 864-656-2830

The Agency hereby provides notice that it intends to enter into a sole source contract per S.C. Code Ann. §11-35-1560 with Vendor for the following supplies, services, information technology, or construction:

The new Advanced Materials Innovation Complex (AMIC) has an immediate need for expanded analytical instrumentation in our new innovative teaching labs for thermal analysis. We need to accurately analyze materials (e.g., ceramics and composites) at a high-temperature range (higher than or equal to 1200 °C). We need to understand the material's thermal properties, such as mass change, phase change, sintering behavior, heat flow change, dimension change, thermal conductivity/diffusivity at programmed temperatures under specific forming gas atmospheres, which need to be fully satisfied at the mentioned high temperature range. Therefore, we need to purchase a TGNDSC, a dilatometer, and thermal conductivity/diffusivity equipment.

Historical data generated on existing thermal analysis instruments is also compatible with the free TRIOS software provided by TA. For the reasons of research continuity and compatibility, seamless integration into our lab teaching curriculum, and thus the ability to better serve our students and industry partners, we are requesting the TA Instruments instrument proposal as a sole source procurement. TA is the only instrument manufacturer of the proposed compatible instrumentation and sells directly to customers. For these reasons, this is a sole source procurement.

Agency's justification for a sole source procurement may be viewed or immediately obtained at: Agency Procurement Manager (Listed Above)

PROTESTS:

Any actual or prospective bidder, offeror, contractor, or subcontractor aggrieved in connection with the intended award or award of this sole source contract, shall notify the appropriate chief Procurement officer in writing of its intent to protest within five (5) business days of the date this notice is posted. Any actual or prospective bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of this sole source contract and has timely notified the appropriate chief procurement officer of its intent to protest, may protest to the appropriate chief procurement officer in the manner set forth below within fifteen days of the date this notice is posted; except that a matter that could have been raised as a protest of the solicitation may not be raised as a protest of the award or intended award of a contract.

A protest must be in writing, filed with the appropriate chief procurement officer, and set forth the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided. The protest must be received by the appropriate chief procurement officer within the time provided above. Days are calculated as provided in S.C. Code Ann. § 11-35-310(13).

Any Notice Of Intent To Protest And Protest Must Be Addressed To: Materials Management Officer

South Carolina Business Opportunities • SCBO Team • 1201 Main Street, Suite 600 • Columbia, SC 29201 803-737-0600 • scbo@mmo.sc.gov • https://scbo.sc.gov • https://procurement.sc.gov



South Carolina Business Opportunities

Published by Division of Procurement Services - Delbert H. Singleton, Jr., Division Director

Notice Of Intent To Sole Source By: Clemson University

Ad Category: Sole Source and Emergency
Notice Start Date: September 11, 2025
Notice End Date: September 19, 2025

Vendor Name: TA Instruments
Contract Amount: \$89,051.00

Agency Procurement Manager: SC Young

Agency Procurement Manager Email: scy@clemson.edu

Agency Procurement Manager Telephone#: 864-656-2830

The Agency hereby provides notice that it intends to enter into a sole source contract per S.C. Code Ann. §11-35-1560 with Vendor for the following supplies, services, information technology, or construction:

The Clemson Materials Characterization and Processing Center has an immediate need to replace our existing research-grade Thermal Gravimetric Analyzer (TGA) that is at the end of its service life. A core capability of our center is to help both industry partners and faculty collaborators with problem solving in thermal and mechanical analysis. Of equal importance is our ability to utilize our industry-related problem-solving experience to provide students in our undergraduate and graduate lab classes real world analytical challenges as part of their curriculum. The proposed TA Discovery TGA 5500 is the direct replacement of the center's existing Q5000 TGA model. The TGA 5500 allows high temperature testing up to 1200C with high heating rates (>1500C/min) provided by infrared heating through the internal quartz liner and with a built-in electromagnetic coil for automated temperature calibration. The TA 5500 TGA provides high resolution and modulated techniques as standard features which are unique capabilities that allow separation of overlapping transitions. The compatibility of the TGA 5500 model will also allow for the transfer of historical/current data files to the new software platform (TRIOS) so that data already collected will not be invalidated, and ongoing teaching and research can be continuous. In addition, there are numerous procedures that will seamlessly transfer to the new TGA 5500 instrument model. The center also has other TA thermal analysis instruments which can utilize the same TRIOS software, and a common computer will be utilized for existing instruments including the new TGA 5500. The ability to process and analyze data using the same software across multiple techniques is critical for our materials development in our laboratory. TA is the only instrument manufacturer of the TGA 5500 and sells directly to customers. For research continuity, compatibility and integration into our lab, this is a sole source.

Agency's justification for a sole source procurement may be viewed or immediately obtained at: Agency Procurement Manager (Listed Above)

PROTESTS:

Any actual or prospective bidder, offeror, contractor, or subcontractor aggrieved in connection with the intended award or award of this sole source contract, shall notify the appropriate chief Procurement officer in writing of its intent to protest within five (5) business days of the date this notice is posted. Any actual or prospective bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of this sole source contract and has timely notified the appropriate chief procurement officer of its intent to protest, may protest to the appropriate chief procurement officer in the manner set forth below within fifteen days of the date this notice is posted; except that a matter that could have been raised as a protest of the solicitation may not be raised as a protest of the award or intended award of a contract.

A protest must be in writing, filed with the appropriate chief procurement officer, and set forth the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided. The protest must be received by the appropriate chief procurement officer within the time provided above. Days are calculated as provided in S.C. Code Ann. § 11-35-310(13).

Any Notice Of Intent To Protest And Protest Must Be Addressed To: Materials Management Officer

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South Carolina Business Opportunities

Published by Division of Procurement Services - Delbert H. Singleton, Jr., Division Director

Ad Category: Equipment

Ad Start Date: October 15, 2025

Title: Differential Vertical Dilatometer, DSC TGA & Related Accessories)

Purchasing Agent/Entity: Clemson University

Bid/Submittal Due Date: November 6, 2025 - 2:15pm

Description:

Clemson University's Materials Science and Engineering Department seeks to purchase a true differential vertical dilatometer for operation with forming gas in the range of RT-1700°C as well as a DSC TGA with autosampler and other related equipment and accessories.

Solicitation #: 207372067

Direct Inquiries To: SC Young
Buyer Phone#: 864-656-2830
Buyer Email: scy@clemson.edu

Pre-Bid Information:

N/A

Full Details / Download: https://clemson.ionwave.net

South Carolina Business Opportunities • SCBO Team • 1333 Main Street, Suite 700 • Columbia, SC 29201 803-737-0600 • scbo@mmo.sc.gov • https://scbo.sc.gov • https://procurement.sc.gov



Scope of Work

- I. Scope of Solicitation
- **II.** Instructions to Offerors
- III. Scope of Work / Specifications
- IV. Terms and Conditions Special

I. SCOPE OF SOLICITATION

Clemson University's Materials Science and Engineering Department seeks to purchase a true differential vertical dilatometer for operation with forming gas in the range of RT-1700°C as well as a DSC TGA with autosampler and other related equipment and accessories.

This is a one-time purchase and will be awarded to one vendor.

All equipment must be new.

All equipment proposed must meet or exceed the specifications. Comparable equipment will be considered only if proof of comparability is contained in your bid proposal. It is the responsibility of the bidders to furnish such specifications, catalog pages and brochures with your bid. This information must also provide an adequate basis for determining the quality and functional capabilities of the product offered. Comparable equipment must also be of equal or greater specification, quality & value than the preferred brand list in this bid. Failure to provide proof of comparability will be considered valid justification for rejection of bid and could deem your proposal as non-responsive.

Any reference to brand names, trade names, model numbers or other descriptions to specific brand products are made to establish a required level of quality and functional capabilities; it is not intended to exclude other products at that level.

II. INSTRUCTIONS TO OFFERORS

Regardless of specific requirements below or in this document, Offerors are required to submit their proposal electronically through the Clemson University online bidding system. To do so you must log in (registering first) at https://clemson.ionwave.net/ and follow specific instructions for this solicitation. You should register several days in advance of the bid closing date so you can be approved and login in time to submit a response.

INFORMATION FOR OFFERORS TO SUBMIT:

- 1. The successful Offeror shall provide satisfactory evidence of all required insurance coverage and licenses PRIOR TO PERFORMANCE.
- 2. All Offerors must submit a written quotation. Your written quotation must include:

- a. the specifications of the product you are offering,
- b. the price of the equipment written as the MSRP or list price minus any special discount or price reduction being offered
- c. details of all shipping requirements and list the delivery schedule after receipt of order
- d. listing of all pertinent information regarding installation and training, if required.
- e. details of all other information in your written quotation that can be used to evaluate your offer.
- 3. All Offerors must enter their pricing into the online bid event where designated.
- 4. Questions shall be submitted, in writing, to Sam Young at scy@clemson.edu by date and time listed in the online bid event in the "Activities" tab. Answers will be submitted as an addendum to this bid. All Offerors are charged with a duty to inquire. By submitting an Offer, the Offeror represents that submitter has read and understood the Solicitation and that the Offer is made in compliance with the Solicitation. Offerors are expected to examine the Solicitation thoroughly and should request an explanation of any ambiguities, discrepancies, errors, omissions or conflicting statements in the Solicitation. Failure to do so will be at the Offeror's risk.
- 5. Supplier Registration in buyWays Unless the successful Offeror is currently an active supplier in Clemson University's buyWays system, you will be invited to complete a new supplier registration. You must complete registration within three business days of receiving the email invitation. Registration will require the successful Offeror to provide information about its company and to receive electronic payment as outlined in the registration.

III. SCOPE OF WORK / SPECIFICATIONS

Qty 1: True Differential Vertical Dilatometer

(Basis of specification: TA Instruments Discovery DIL 822)

- Differential Vertical Dilatometer for operation with Forming Gas, in the range of RT-1700°C
- Vertical pushrod dilatometer equipped with furnace capable of reaching 1700°C
- The thermally stabilized measuring head mechanically compensates for the expansion of the measuring system and significantly increases the measurement accuracy. This must not include software calculated differential compensation techniques.
- Instrument must be capable of measuring sintering, softening and fragile samples.
- Must have capability to operate with forming gas (5% H2 in N2)
- Capable of performing measurements with metal and other oxidizing samples in a reducing atmosphere.
- Sample load range of 0.01 N to 1.00 N with a force resolution of 0.01 N with a linearity better than 0.01 N across the total measuring range of 5000 μm. Sample load is user controlled via the software.
- Detector must be an optical incremental encoder with an absolute measurement, bringing the length measuring resolution down to 1 nm.
- Motorized Furnace with CTE accuracy of 0.01 E-06 1/K.
- Maximum sample length is 25 mm, and the maximum diameter is 6 mm.

- Water-cooled furnace with a maximum heating rate of 50 K/min and cool down from 1700°C to RT in approximately 1 hour.
- System must include measuring system that consists of two pushrods and one sample holder equipped with type B thermocouple, sample holder equipped with type S thermocouple, a 20 mm sapphire reference sample, and the thermostat system for the measuring head's housing.
- Software suite shall be comprised of method set up, sample measurement and evaluation, and the RCS (Rate Controlled Sintering) tool. Ability to automatically adjust the heating profile in real time during the test and achieve a constant sintering rate (shrinkage versus time) of ceramics and metals.
- Data analysis software should be unkeyed to allow for unlimited installations (free and unlicensed software) and available for all students and industry partners. The data-file format should easily allow sharing/transferring of data-files as individual electronic documents which are readable by the same data analysis package.
- Instrument display to show measurement parameters, PC connection status and test time-to-completion.
- Measurements carried out in air, inert gas, forming gas or vacuum.

Qty 1: Circulating Cooler (Air Cooled) 1KW

- Circulating Cooler (water-to-air)
- Suitable to cool water-cooled furnaces and to stabilize measuring head when tap or industrial water is not available
- Cooling Capacity: 1000 W
- User selectable water temperature: 15 + 25 °C; Accuracy: 0.1 °C
- Discharge Pressure: 3 bar at 40 I/h flow, Max. pump Capacity: 240 I/h
- Flow and water lack indicator; Quick-seal coupling
- Mains Supply: 230 V/50 Hz; Power Input: 650 W
- Dimension: 695 H x 430 W x 470 D mm
- On wheels

Qty 1: Gas Supply Module with Purge Gas Outlet

- Reactive (Forming) Gas Supply Module
- Input 2 gases: inert (e.g. N2 or Ar) and reactive (e.g. 5% H2 in N2)
- Input pressure: max. 2 bar; Output: 2 gases
- Automatically switching between inert purge gas and reactive forming gas
- Reactive gas dosed in the sample cell and furnace, inert purge gas used for purging the measuring head
- Flow: max. 1 O Uh
- Mass flow controller for furnace and sample cell gas
- Bypass for rapid purge; Pressure observation
- Outflow valve

Qty 1: Vacuum Unit

- Vacuum Unit for 10**-3 mbar: Two-Stage Mechanical Vacuum Pump, 220 V, 50 Hz/60
 Hz
- Pumping Speed: 2.5 m3/h; Vacuum Gauge, Measuring Range: 10**-3 mbar
- Measured Vacuum Level displayed in Software
- Connecting Elements; Connecting Hose
- Software Controlled Operation

Qty 1: 4-Port Broadband Router

• DSL Router with 4-Port Switch: for communication between an external controller and Thermal and Rheology instruments.

Qty 1: DSC-TGA

(Basis of specification: TA Instruments Discovery SDT 650 Auto)

- Simultaneous measurement of heat flow (DSC) and weight change (TGA) on the same sample from ambient to 1500°C.
- Heat flux DSC design with separate sample and reference pans and calibrated for heat flow measurements using sapphire.
- The ability to apply sinusoidal temperature wave to a sample. Amplitude of sine wave \pm 0.01 to 10 $^{\circ}$ C; period from 100 to 1000 seconds.
- Must include the ability to perform quasi-isothermal experiments, i.e. holding isothermal with a small temperature modulation.
- Thermobalance beam design to allow two independent TGA samples to be measured simultaneously.
- Horizontal sample and reference beams to be changed by user with tool (no service technician needed). Instruction manual must be included.
- "App-style" touch screen
- Linear autosampler with programmable tray positions (30)
- Automated furnace movement and a horizontal purge gas system with integrated Gas Delivery Manifold (GDM) utilizing separate balance and sample gas flows.
- GDM shall be software programmable and allow switching between two simultaneously installed gases.
- Separate Inconel tube to permit introduction of reactive gases into the sample chamber.
- Control and analysis software package featuring interface for programming experiments, managing and analyzing data files, spreadsheet views for autosampler control and sequencing, and automated calibration and verification programming.
- Data analysis software should be unkeyed to allow for unlimited installations (free and
 unlicensed software) and available for all students and industry partners. The data-file
 format should easily allow sharing/transferring of data-files as individual electronic
 documents which are readable by the same data analysis package. The data generated
 must also be backwards compatible to legacy software (Universal Analysis) in original
 unmanipulated format to allow for comparison to historical data files and ongoing
 research.
- Included five year warranty on furnaces.

Qty 3: Sample Cups

- Alumina Sample Cups; 90 μL (pkg. of 3)
- Cups for use over the temperature range of ambient to 1500°C.

Qty 3: Ceramic Sample Cups

- Alumina Sample Cups, Disposable, 90 μL (pkg. of 20)
- Disposable SOT and HP-TGA alumina sample cups.

Oty 1: Laser Flash Diffusivity System

(Basis of specification: TA Instruments Discovery Flash Diffusivity System DLF1200 Reman.)

(Note: Factory remanufactured system proposal accepted for this item only)

- Compact bench-top laser flash instrument suitable for R&D and QC laboratories.
- Laser Design must include Flash source to consist of custom, class 1, Neodymium-glass (Nd: glass) laser pulse source that provides collimated, monochromatic energy pulse of narrow width (300 to 400 μs).
- Pulse energy variable up to a maximum of 25 J.
- Full-time pulse mapping and recording capability.
- System to include Mullite sample configurable for either four samples of 12.7 mm diameter, or two samples of 25.4 mm diameter
- Interchangeable adapter sample holders for 8 and 10 mm square and round samples, and an in-plane holder for thin samples.
- Temperature rise on the face of sample opposite from the light pulse to be measured by a liquid nitrogen cooled infrared (IR) detector.
- Ceramic fiber resistance heating furnace for reliable temperature control to 1200°C. Can be operated in air, inert gas, or under vacuum.
- Windows-based PC to be included with software.
- Data analysis software should be unkeyed to allow for unlimited installations (free and unlicensed software) and available for all students and industry partners. The data-file format should easily allow sharing/transferring of data-files as individual electronic documents which are readable by the same data analysis package.

Qty 1: Moderate Vacuum Module

• Vacuum Module to include vacuum pump, thermocouple, and gauge.

Qty 1: Flash Diffusivity Circulator

- Flash Diffusivity Circulator for 500-1600 °C Furnaces
- 115/230V, 50/60Hz for Flash Diffusivity 500 -1600 °C Furnaces
- For use with furnace with maximum temperatures between 500 °C and 1600 °C.

Differential Vertical Dilatometer, DSC TGA & Related Accessories

Rev. 0

Bid #207372067

Qty 1: Graphite Spray

Qty 1: Alumina Reference with Data 12.7mm OD x 3.175mm thick

Qty 1: OFHC Copper Reference (w/data) 12.7mm OD x 5.08mm thick

Qty 1: Electrolytic Iron Reference (w/data) 12.7mm Square x 2.54mm thick thermal diffusivity reference material for laser flash instrument

Installation and Training

Dilatometers, DSC TGA, Laser Installation & Basic Training:

- Installation will be provided according to ISO 9001 procedure
- Installation to include calibration with a traceable standard and a certificate of calibration.
- Basic Operational training and overview of the equipment to be provided after installation.

Shipping

- Shipping terms shall be Delivered Duties Paid (DDP).
- Shipping will be the responsibility of the Offeror.
- Offerors must enter a Not-To-Exceed (NTE) shipping cost for all items listed in this scope of work.
- Shipping charges must include all related shipping costs, packaging, handling, duties, etc.

Tariffs

- If applicable, all tariffs that apply to the order must be detailed in your written quotation.
- Tariff details must include the equipment with tariff, the tariff charges, the country of origin, etc.

IV. TERMS AND CONDITIONS - SPECIAL

Award Criteria: An award will be made to the lowest responsible and responsive Offeror.

All Offerors must enter their pricing into the online bid event as indicated.



m; Grier, Manton; Craig, Kin

The bid event for the analytical instrumentation in its new innovative teaching labs for thermal analysis launches today @ 5pm EST and has been advertised in SCBO.

SAM YOUNG | CLEMSON UNIVERSITY

PROCUREMENT MANAGER SCIENTIFIC & LABORATORY CLEMSON, SC 29634 864.656.2830

From: White, John <jswhite@mmo.sc.gov>

Sent: Wednesday, September 17, 2025 7:58 AM

To: Sam Young Jr <scy@clemson.edu>

Subject: FW: [External] Clemson University Intent to sole source

This Message Is From An External Sender: Use caution when opening links or attachments if you do not recognize the sender.

Please see the below protest of Clemson's intent to sole source analytical instrumentation in its new innovative teaching labs for thermal analysis and proceed in accordance with Section 11-35-4210(7).

Also, please provide a copy of Clemson's signed justification for this sole source procurement.

John White

SFAA

John St. C. White | Materials Management Officer and State Engineer Division of Procurement Services | SC State Fiscal Accountability Authority 1201 Main Street, Suite 600 | Columbia, SC 29201 | Office: (803) 737-0768 |

From: Ness, Daniel van < Daniel van Ness@netzsch.com Sent: Tuesday, September 16, 2025 6:51 PM To: Protest-MMO < Protest-MMO@mmo.sc.g Subject: [External] Clemson University Intent to sole source

To whom it may concern:

This is a protest to the intent to sole source for the following :

| Notice Of Intent To Sole Source By: | Clemson University | | | | | | | |
|---|--------------------|--|--|--|--|--------------------|-----|--|
| Vendor Name: TA Instruments Contract Amount: \$324,442.15 Notice Publish Date: September 11, 20 | | | | | | September 11, 2025 | | |
| Agency Procurement Manager: SC Young Email: scy@clemson.edu Telephone: 864-656-2830 | | | | | | | 330 | |
| The Agency hereby provides notice that it intends to enter into a sole source contract per S.C. Code Ann. \$11.35-1560 with Vendor for the following supplies, services, information technology, or construction: | | | | | | | | |

The new Advanced Materials Innovation Complex (AMIC) has an immediate need for expanded analytical instrumentation in our new innovative teaching labs for thermal analysis. We need to accurately analyze materials (e.g., ceramics and composities) at a high-temperature range (higher than or equal to 1200 °C). We need to understand the material's thermal properties, such as mass change, phase change, sintering behavior, heat flow change, dimension change, thermal conductivity/diffusivity at programmed temperatures under specific forming gas atmospheres, which need to be fully satisfied at the mentioned high temperature range. Therefore, we need to purchase a TGNDSC, a dilatometer, and thermal conductivity/diffusivity equipment. Historical data generated on existing thermal analysis instruments is also compatible with the free TRIOS software provided by TA. For the reasons of research continuity and compatibility, seamless integration into our lab teaching curriculum, and thus the ability to better serve our students and industry partners, we are requesting the TA Instruments instrument proposal as a sole source procurement. TA is the only instrument manufacturer of the proposed compatible instrumentation and sells directly to customers. For these reasons, this is a sole source procurement.

Agency's justification for a sole source procurement may be viewed or immediately obtained at: SC Young - scy@clemson.edu

PROTESTS:

PROTESTS: Any actual or prospective bidder, offeror, contractor, or subcontractor aggrieved in connection with the intended award or award of this sole source contract, shall notify the appropriate chief Procurement officer in writing of its intent to protest within five (5) business days of the date this notice is posted. Any actual or prospective bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of this sole source contract and has timely notified the appropriate chief procurement officer in the manner set forth below within fifteen days of the date this notice is posted, except that a matter that could have been raised as a protest of the solicitation may not be raised as a protest of the ward or intended award of a contract.

A protest must be in writing, filled with the appropriate chief procurement officer, and set forth the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided. The protest must be received by the appropriate chief procurement officer within the time provided above. Days are calculated as provided in S.C. Code Ann. §11-35-310(13).

Any notice of intent to protest and protest must be addressed to the chief procurement officer: Materials Management Officer (a) by email to: (b) by post or hand delivery to: 1201 Main Street, Suite 600, Columbia, SC 29201 PRINT AD

The basis of this sole source is based upon the deisre to continue to use a software to analyze data they already obtained and can analyze on the TA instruments software. This is entirely to block other vendors from bidding on this opportunity and stopping competitive bids. The older data can be used with their current software and at worst case scenario the data can be exported and imported into another software. Netzsch Instruments can provide state of the art solutions to this project.

Best Regards. Dan Van Ness Mid Atlantic Sales Manager

302-379-9521

Daniel van Ness

United States

Mid-Atlantic Sales Manager Phone: +1 302 379 9521

Email: Daniel.vanNess@netzsch.com NETZSCH Instruments North America, LLC 129 Middlesex Turnpike Burlington, Massachusetts 01803

NETZSCH Proven Excellence.

authorized to deliver the document to the addressee, you are hereby notified that any review, disclosure, dissemination, copying, or other action based on the content of this communication is not authorized. If you have received this document in error, please immediately notify the sender by e-mail or phone.

Mr. White:

This sole source for the Thermal Gravimetric Analyzer has been issued as a bid event and posted in SCBO.

SAM YOUNG I CLEMSON UNIVERSITY

CLEMSON, SC 29634 864.656.2830

From: White, John <jswhite@mmo.sc.gov>

Sent: Wednesday, September 17, 2025 8:00 AM

To: Sam Young Jr <scy@clemson.edu>

Cc: Michael J Nebesky <mnebesk@clemson.edu>: Daniel.vanNess@netzsch.com: Grier. Manton <mgrier@ogc.sc.gov>: Craig. Kimber <kcraig@mmo.sc.gov>

Subject: FW: [External] Sole Source Protest for Clemson University TGA

This Message Is From An External Sender: Use caution when opening links or attachments if you do not recognize the sender.

Please see the below protest of Clemson's intent to sole source a research-grade Thermal Gravimetric Analyzer and proceed in accordance with Section 11-35-4210(7).

Also, please provide a copy of Clemson's signed justification for this sole source procurement.

SFAA

John St. C. White | Materials Management Officer and State Engineer Division of Procurement Services | SC State Fiscal Accountability Authority 1201 Main Street, Suite 600 | Columbia, SC 29201 | Office: (803) 737-0768 |

From: Protest-MMO <protest-mmo@mmo.sc.gov>

Sent: Tuesday, September 16, 2025 6:57 PM

To: _MMO - Procurement < <u>mmoprocurement@mmo.sc.gov</u>>; Shealy, Voight; Skinner, Gail < <u>GSkinner@bcbad.state.sc.us</u>>

Subject: FW: [External] Sole Source Protest for Clemson University TGA

To whom it may concern:

This is a protest to the intent to sole source for the following:

| Notice Of Intent To Sole Source By: | | Clemson University | | | | | | | |
|--|----------------|--------------------|---|--|----------|---------|------------|--------------------|-----|
| Vendor Name: | TA Instruments | | Contract Amount: \$89,051.00 Notice Publish Date: September | | | | | September 11, 2025 | |
| Agency Procurement Manager: SC Young Email: | | | | | scy@clem | son.edu | Telephone: | 864-656-2 | 830 |
| The Agency hereby provides notice that it intends to enter into a sole source contract per S.C. Code Ann. §11-35-1560 with Vendor for the following supplies, services, information technology, or construction: | | | | | | | | | |

The Clemson Materials Characterization and Processing Center has an immediate need to replace our existing research-grade Thermal Gravimetric Analyzer (TGA) that is at the end of its service life. A core capability of our center is to help both industry partners and faculty collaborators with problem solving in thermal and mechanical analysis. Of equal importance is our ability to utilize our industry-related problem-solving experience to provide students in our undergraduate and graduate lab classes real world analytical challenges as part of their curriculum. The proposed TA Discovery TGA 5500 is the direct replacement of the center's existing 05000 TGA model. The TGA 5500 allows high temperature testing up to 12000c with high heating rates (>15000 Cmin) provided by infrared heating through the internal quark liner and with a built-in electromagnegietic coll for automated temperature calibration. The TA 5500 TGA provides high resolution and modulated techniques as standard features which are unique capabilities that allow separation of overlapping transitions. The compatibility of the TGA 5500 model will also allow for the transfer of historical/current data files to the new software platform (TRIO5) so that data already collected will not be invalided, and ongoing teaching and research can be continuous. In addition, there are numerous procedures that will seamlessly transfer to the new TGA 5500 instrument model. The center also has other TA thermal analysis instruments which can utilize the same TRIOS software, and a common computer will be utilized for existing instruments founding the new TGA 5500. The ability to process and analyze data using the same software across multiple induces is critical for our materials development in our laboratory. TA is the only instrument manufacturer of the TGA 5500 and sells directly to customers. For research continuity, compatibility and integration into our lab, this is a sole source.

Agency's justification for a sole source procurement may be viewed or immediately obtained at: SC Young - scy@clemson.edu

PROTESTS:

PROLESTS:
Any actual or prospective bidder, offeror, contractor, or subcontractor aggrieved in connection with the intended award or award of this sole source contract, shall notify the appropriate chief Procurement officer in writing of its intent to protest within five (5) business days of the date this notice is posted. Any actual or prospective bidder, offeror, contractor, or subcontractor who is aggrieved in connection with the intended award or award of this sole source contract and has timely notified the appropriate chief procurement officer in the manner set forth below within fifteen days of the date this notice is posted, except that a matter that could have been raised as a protest of the solicitation may not be raised as a protest of the award or intended award of a contract.

A protest must be in writing, filled with the appropriate chief procurement officer, and set forth the grounds of the protest and the relief requested with enough particularity to give notice of the issues to be decided. The protest must be received by the appropriate chief procurement officer within the time provided above. Days are calculated as provided in S.C. Code Ann. §11-35-310(13).

Any notice of intent to protest and protest must be addressed to the chief procurement officer: Materials Management Officer (b) by post or hand delivery to: 1201 Main Street, Suite 600, Columbia, SC 29201 Protest-MMO@mmo.sc.gov (a) by email to:

The basis of this sole source is based upon the deigre to continue to use a software to analyze data they already obtained and can analyze on the TA instruments software. This is entirely to block other vendors from bidding on this opportunity and stopping competitive bids. THe older data can be used with their current softtware and at worst case scenario the data can be exported and imported into another software. Netzsch Instruments can provide state of the art solutions to this project.

Best Regards. Dan Van Ness Mid Atlantic Sales Manager 302-379-9521

Daniel van Ness Mid-Atlantic Sales Manager

Phone: +1 302 379 9521
Email: Daniel.vanNess@netzsch.com NETZSCH Instruments North America, LLC 129 Middlesex Turnpike Burlington, Massachusetts 01803 United States

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Exhibit E

Event Number 207372067 Organization
Event Title Differential Vertical Dilatometer, DSC TGA Workgroup
Event Description Clemson University's Materials Science and Event Owner

 Event Type
 Sealed Bid

 Issue Date
 10/15/2025 04:00:00 PM (ET)

 Close Date
 11/6/2025 02:15:00 PM (ET)

Organization
Workgroup
d Event Owner
Email
Phone
Fax

Clemson Procurement Services
Clemson Procurement and Business Services
Sam Young
scy@clemson.edu
(864) 656-2830
(864) 656-2394

| Responding Supplier | City | State | Response Submitted | Lines Responded | Response Total | |
|---------------------|------------|-------|----------------------------|------------------------|----------------|--|
| Ta Instruments | New Castle | DE | 11/5/2025 07:20:26 AM (ET) | 3 | \$315,100.00 | |

Please note: Lines Responded and Response Total only includes responses to specification. No alternate response data is included.

Exhibit F



Statement of Award Posting Date: 11/13/2025

Solicitation #: 207372067

Issue Date: 10/15/2025 Closing Date: 11/6/2025

Description: Differential Vertical Dilatometer, DSC TGA & Related Accessories

Awarded To:

TA Instruments - Waters LLC 159 Lukens Drive New Castle, DE 19720

Contract Amount: \$315,100.00

Michael Mbesky

Michael J. Nebesky,

Director, Procurement and Business Services