

**BID SUBMISSION FORM**

**ITB # 269-2020-031**

**FIREFIGHTING TURNOUT GEAR**

This Bid is submitted by:

Company Name: Newton's Fire & Safety Equipment, Inc.

Representative (printed): Seth Newton

Address: 2724 Darrell Newton Drive

City/State/Zip: Graham, NC 27253

Email address: seth@newtonsfire.com

Telephone: (336) 578-3931  
(Area Code) Telephone Number

Facsimile: (336) 578-1982  
(Area Code) Fax Number

By signing above, the Bidder agrees that the City reserves the right to reject any and all Bids, to award multiple Contracts by line item, combination of items, or grand total according to the best interest of the City, to waive formalities, technicalities, to recover and re-bid this ITB. Bids are valid for one hundred twenty (120) calendar days from Bid Opening.

The representative signing above hereby certifies and agrees that the following information is correct:

1. Bid/Bid document has been signed by authorized bidder/proposer official.
2. Bid/Bid package has been properly labeled per the instructions. (See Section 1.6)
3. Bid/Bid package contains all of the Bid/Bid Response Package Forms:
  - Bid Submission - Form Two
  - Addenda Acknowledgement - Form Three
  - Exceptions – Form Four
  - Pricing Sheet - Form Five
  - Non-Discrimination Certification Compliance - Form Six
  - Bidder References - Form Seven
  - Debarment Certification – Form Eight
  - Byrd Anti-Lobbying Certification – Form Nine
  - CCPA Plan – Form Ten
  - Specification Compliance Pages – To be submitted with Alternate Samples

**ADDENDA ACKNOWLEDGEMENT FORM**

**ITB # 269-2020-031**

**FIREFIGHTING TURNOUT GEAR**

Please acknowledge receipt of all addenda by including this form with your Bid. All addenda will be posted to the NC IPS website at [www.ips.state.nc.us](http://www.ips.state.nc.us), the City's Contract Opportunities Site at <http://charlottenc.gov/DoingBusiness/Pages/ContractOpportunities.aspx>, and/or <https://ncadmin.nc.gov/businesses/hub/events>.

**ADDENDUM #:**

**DATE ADDENDUM  
DOWNLOADED FROM NC IPS:**

      #1        
      #2        
      #3        
      #4      

                    
                    
      3/23/20        
      3/23/20      

I certify that this Bid complies with the Specifications and conditions issued by the City except as clearly marked in the attached copy.

      Seth Newton        
(Please Print Name)

      3/23/2020        
Date

              
Authorized Signature

      Vice President        
Title

      Newton's Fire & Safety Equipment, Inc.        
Company Name

**EXCEPTIONS FORM**

**ITB # 269-2020-031**

**FIREFIGHTING TURNOUT GEAR**

The undersigned Bidder agrees to provide all Products and Services requested in the ITB for the price(s) set forth in the Pricing Sheet, all in strict conformity with the terms, conditions and specifications set forth in the ITB (including any addenda or amendments), subject only to the exceptions stated in the chart below. Exceptions representing material changes to Bid terms are grounds for rejection of the Bidder's Bid.

ITB Section Number	ITB Section Title	Exception and Proposed Change to ITB

Section 4 - Required Forms  
Form Four

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I, the undersigned, hereby acknowledge that my company was given the opportunity to provide exceptions to the Sample Terms as included herein as Section 5. As such, I have elected to do the following:

Include exceptions to the sample contract in the following section of my Bid: \_\_\_\_\_

Not include any exceptions to the Sample Terms.

I, the undersigned, hereby acknowledge that my company was given the opportunity to indicate any Trade Secret materials or Personally Identifiable Information ("PII") as detailed in Section 1.8. I understand that the City is legally obligated to provide my Bid documents, excluding any appropriately marked Trade Secret information and PII, upon request by any member of the public. As such, my company has elected as follows:

The following section(s) of the Bid are marked as Trade Secret or PII: \_\_\_\_\_

No portion of the Bid is marked as Trade Secret or PII.

The signature below certifies that: (a) the Bidder's Bid complies with the requirements of this Invitation to Bid; and (b) that the Bidder takes no exception to the terms of the ITB other than those listed in the chart contained in this Form.

**Date:** 3/23/2020

**Company:** Newton's Fire & Safety Equipment, Inc.

**By:** Seth Newton, Vice President  
Print name and title of signatory

**Signature:** 

**PRICING SHEET**

**ITB # 269-2020-031**

**FIREFIGHTING TURNOUT GEAR**

The undersigned proposes to furnish the following items in strict conformance to the bid specifications and bid invitation issued by the City of Charlotte for this Bid. Any exceptions are clearly marked in the attached copy of bid specifications. Please do not include taxes in your Bid.

**BIDS ARE DUE NO LATER THAN 11:00 A.M., on MARCH 26, 2020**

ITEM	DESCRIPTION	BRAND NAME	STYLE NUMBER	UOM	EST ANNUAL QTY	UNIT PRICE	EXTENDED PRICE	BIDDER'S EQUIVALENT	EQUIVALENT UNIT PRICE	EQUIVALENT EXTENDED PRICE
1	Kombat Flex Turnout Coat	Globe	D2257G	EA	250	1,305.00	\$ 326,250.00			
2	Athletix Turnout Coat	Globe	A42NG10	EA	250	1,855.00	\$ 463,750.00			
3	Nomex Coat	Globe	D0757G	EA	10	1,115.00	\$ 11,150.00			
4	GPS Turnout Pants	Globe	F2257G	EA	250	1,210.00	\$ 302,500.00			
5	PBI Max 7oz. Turnout Coat	FireDex	FXRCTPBI7EF	EA	250	NO BID				
6	PBI Max 7oz. Turnout Pants	FireDex	FXRPTPBI7EF	EA	250	NO BID				
7	Tecgen 71 Turnout Coat	FireDex	FXRCTTG71EF	EA	250	NO BID				
8	Tecgen 71 Turnout Pants	FireDex	FXRPTTG71EF	EA	250	NO BID				
9	Tecgen 51 Technical Rescue Coat	FireDex	TECGEN 51	EA	100	NO BID				

Section 4 - Required Forms  
Form Five

10	Tecgen 51 Technical Rescue Pants	FireDex	TECGEN 51	EA	100	NO BID				
11	Energy Turnout Coat	Innotex	Energy	EA	250	NO BID				
12	Energy Turnout Pant	Innotex	Energy	EA	250	NO BID				
13	Particulate Barrier Hood	FireDex	H-41	EA	1200	NO BID				
14	Particulate Barrier Hood	PGI	BarriAire Gold 3979471-7	EA	1200	\$ 83.50	\$ 100,200.00			
15	Particulate Blocking Hood	Innotex	Gray 35	EA	1200	NO BID				
16	Asheville - Turnout Gear Coat	Morning Pride	LTO-4li3TB	EA	50	\$ 1,625.00	\$ 81,250.00			
17	Asheville - Turnout Gear Pant	Morning Pride	LTO-4li3PB	EA	50	\$ 1,070.00	\$ 53,500.00			
						<b>TOTAL:</b>			<b>TOTAL:</b>	
<b>PRICING OPTIONS:</b>										
18	Guard Jacket Component	Globe				\$ 62.00				
19	Guard Pant Fly Component	Globe				\$ 60.00				
20	Guard Pant Cuff Component	Globe				included in "Guard Pant Fly Component"				

Total Bid Price must include all equipment, labor, delivery, installation, consultation, vendor profit and all other costs associated with this project. No additional costs will be allowed.

City of Charlotte | Department of General Services – City Procurement | 600 East Fourth Street Charlotte, NC 28202 | PH: 704.336.2256

Section 4 - Required Forms  
Form Five

**1. Administrative Fees:**

The Company shall submit a minimum of one (1) percent of overall CCPA Program spend by the City and Participating Public Agencies during the term of the Contract to the City as an Administrative Fee. The Administrative Fee shall be paid no later than thirty (30) days after both parties mutually agree to the quarterly report outlining the CCPA spend. The Company shall indicate their Administrative Fee below:

1 %

**2. Non-Core Items – Fixed Percentage Discount**

The Company shall provide a fixed percentage discount from the List Price (list price less discount) included in the Company's most current full line catalog identified in the Specifications for all other items (Non-Core) included in the catalog for the life of the Contract.

**Globe Current List Price (non-catalog)**

a. Insert the verifiable catalog name/edition: Morning Pride Tails Retail Price List (current version)

**Globe: 50%**

b. Insert the fixed percentage discount for Non-Core Items: Morning Pride: 30%

**3. Pricing Incentives and Rebates:**

Please identify any incentive and rebates offered based on volume, dollar amounts, core credits or other criteria below:

Rebate Description	Amount or Percentage

Payment Terms: Net/30 Days

Delivery After Receipt of Order: Standard Delivery: 45-55 days; New Recruits < 30 Days The undersigned hereby certifies the Bidder has read the terms of this Bid document, including the sample Contract (Section 5) and is authorized to bind the firm to the information herein set forth.

**Date:** 3/23/2020

**Company:** Newton's Fire & Safety Equipment, Inc.

**By:** Seth Newton, Vice President  
Print name and title of signatory

**Signature:** 

**NON-DISCRIMINATION PROVISION**

**ITB # 269-2020-031**

**FIREFIGHTING TURNOUT GEAR**

All requests for bids or Bids issued for City contracts shall include a certification to be completed by the Bidder or Proposer in substantially the following form:

The undersigned Bidder or Proposer hereby certifies and agrees that the following information is correct:

1. In preparing the enclosed Bid, the Bidder has considered all bids submitted from qualified, potential subcontractors and suppliers, and has not engaged in discrimination as defined in **Section 2**.
2. For purposes of this Section, discrimination means discrimination in the solicitation, selection, or treatment of any subcontractor, vendor or supplier on the basis of race, ethnicity, gender, age, religion, national origin, marital status, familial status, sexual orientation, gender identity, gender expression or disability or any otherwise unlawful form of discrimination. Without limiting the foregoing, discrimination also includes retaliating against any person or other entity for reporting any incident of discrimination.
3. Without limiting any other remedies that the City may have for a false certification, it is understood and agreed that, if this certification is false, such false certification will constitute grounds for the City to reject the Bid submitted with this certification, and terminate any contract awarded based on such Bid. It shall also constitute a violation of the City's Commercial Non-Discrimination Ordinance and shall subject the Bidder to any remedies allowed thereunder, including possible disqualification from participating in City contracts or bid processes for up to two years.
4. As a condition of contracting with the City, the Bidder agrees to promptly provide to the City all information and documentation that may be requested by the City from time to time regarding the solicitation and selection of suppliers and subcontractors in connection with this solicitation process. Failure to maintain or failure to provide such information shall constitute grounds for the City to reject the Bid and to any contract awarded on such bid or Bid. It shall also constitute a violation of the City's Commercial Non-Discrimination Ordinance, and shall subject the Bidder to any remedies that are allowed thereunder.
5. As part of its bid, the Bidder shall provide to the City a list of all instances within the past ten years where a complaint was filed or pending against Bidder in a legal or administrative proceeding alleging that Bidder discriminated against its subcontractors, vendors or suppliers, and a description of the status or resolution of that complaint, including any remedial action taken.
6. As a condition of submitting a bid to the City, the Bidder or Proposer agrees to comply with the City's Commercial Non-Discrimination Policy as described in Section 2, Article V of the Charlotte City Code, and consents to be bound by the award of any arbitration conducted thereunder.

NAME OF COMPANY: Newton's Fire & Safety Equipment, Inc.

BY: Seth Newton TITLE: Vice President

SIGNATURE OF AUTHORIZED OFFICIAL: *Seth Newton*

DATE: 3/23/2020



**REFERENCES**

**ITB # 269-2020-031**

**FIREFIGHTING TURNOUT GEAR**

Company Name: Newton's Fire & Safety Equipment, Inc.

List three (3) clients excluding the City of Charlotte, for whom you have provided services similar to those outlined in this Invitation to Bid, for reference check:

NAME OF FIRM:	City of Raleigh Fire Department
ADDRESS OF FIRM:	
CONTACT PERSON:	Rob Horton
TELEPHONE NUMBER:	919-996-5981
FAX NUMBER:	
NAME OF FIRM:	City of Concord Fire Dept.
ADDRESS OF FIRM:	
CONTACT PERSON:	Scott Payne
TELEPHONE NUMBER:	704-920-5523
FAX NUMBER:	
NAME OF FIRM:	City of Fayetteville Fire Dept.
ADDRESS OF FIRM:	
CONTACT PERSON:	Bobby Brinson
TELEPHONE NUMBER:	910-433-1729
FAX NUMBER:	

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER  
RESPONSIBILITY MATTERS**

**ITB # 269-2020-031**

**FIREFIGHTING TURNOUT GEAR**

The bidder, contractor, or subcontractor, as appropriate, certifies to the best of its knowledge and belief that neither it nor any of its officers, directors, or managers who will be working under the Contract, or persons or entities holding a greater than 10% equity interest in it (collectively "Principals"):

1. Are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal or state department or agency in the United States;
2. Have within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state anti-trust or procurement statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are presently indicted for or otherwise criminally or civilly charged by a government entity, (federal, state or local) with commission of any of the offenses enumerated in paragraph 2 of this certification; and
4. Have within a three-year period preceding this application/proposal had one or more public transactions (federal, state or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award or in some instances, criminal prosecution.

**I hereby certify as stated above:**

\_\_\_\_\_  
Seth Newton  
(Print Name)

\_\_\_\_\_  
Vice President  
Title

\_\_\_\_\_  
*Seth Newton*  
Signature

\_\_\_\_\_  
3/23/2020  
Date

**I am unable to certify to one or more the above statements. Attached is my explanation. [Check box if applicable]**

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**BYRD ANTI-LOBBYING CERTIFICATION**

**ITB # 269-2020-031**

**FIREFIGHTING TURNOUT GEAR**

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of and Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form—LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96)].
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including all subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Newton's Fire & Safety Equipment, Inc. (the "Company"), certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Company understands and agrees that the provisions of 31 U.S.C. A 3801, et seq., apply to this certification and disclosure, if any.

Seth Newton

(Print Name)



Authorized Signature

3/23/2020

Date

Newton's Fire & Safety Equipment, Inc.

Company Name

2724 Darrell Newton Drive

Address

Graham, NC 27253

City/State/Zip

**CCPA PLAN**

**ITB # 269-2020-031**

**FIREFIGHTING TURNOUT GEAR**

Pursuant to N.C. G.S. 160A-461 and 143-129(e)(3), the City of Charlotte, Finance Department - City Procurement has established the Charlotte Cooperative Purchasing Alliance (CCPA). The purpose of the CCPA is to allow other public agencies regionally and nationwide to use contracts competitively solicited and awarded by the City of Charlotte (herein "City"). Combining the volumes of government agencies achieves cost effective pricing and reduces the administrative and overhead costs of suppliers and public agencies alike. By providing a comprehensive and competitively solicited Contract through a single bid process, county, city, special district, local government, school district, private K-12 school, technical or vocational school, higher education institution (including community colleges, colleges and universities, both public and private), state, other government agency or nonprofit organization can utilize the subsequent contract(s) without the need for further solicitation. Companies should consider the potential volumes when responding to this ITB. Participation by other entities is strictly voluntary and no volumes are guaranteed. Participating Public Agencies will be required to register to purchase products or services through the CCPA.

More information about the CCPA can be found on the CCPA website at: [www.charlottealliance.org](http://www.charlottealliance.org).

The objective of this ITB is to utilize participation among the City, as well as various other Participating Public Agencies, to provide low cost reliable Products and Services. The Company must agree to receive orders from the City and all Participating Public Agencies and to provide all Services ordered to a specified City and Participating Public Agency address.

Companies shall include in detail how they will serve all Participating Public Agencies as it relates to the CCPA. Currently the CCPA has approximately 380 registered Participating Public Agencies in Arizona, California, Connecticut, District of Columbia, Florida, Georgia, Illinois, Maryland, Massachusetts, Michigan, Missouri, New York, North Carolina, Ohio, South Carolina, Tennessee, Texas, Virginia, Washington, and West Virginia.

Please address the following:

1. Describe your company's ability to provide Products/Services to any Participating Public Agencies in the contiguous 48 states; and the ability to deliver Products/Services in Alaska and Hawaii.
2. Address if your company has a national sales force, dealer network or distributor with the ability to serve Participating Public Agencies in all 50 U.S. states.
3. How will you monitor and report all spend by City/Participating Public Agencies to the City for auditing purposes?

The City will post all awarded contracts on the CCPA website, along with the respective vendor information. Please address the following accordingly:

1. Will your company allow the City to utilize their organization's logo on the CCPA website?
2. Will your company be willing to advertise the CCPA logo and website on your organization's website?
3. How do you plan to market the Contract(s) to other Participating Public Agencies?



**NEWTON'S**  
FIRE & SAFETY EQUIPMENT, INC.

2724 Darrell Newton Drive  
Graham, NC 27253

800.672.5918  
336.578.3931  
FAX 336.578.1982

March 23, 2020

**RE: ITB 269-2020-031 Section 4, Form 10, CCPA Plan**

*Describe your company's ability to provide Products/Services to any Participating Public Agencies in the contiguous 48 states; and the ability to deliver Products/Services in Alaska and Hawaii.*

**With regards to the Products/Services offered in response to this Invitation to Bid, Newton's Fire & Safety is authorized by the manufacturers (GLOBE, Morning Pride (Honeywell), and PGI, Inc.) to sell firefighter turnout gear in North and South Carolina only. We are not authorized to sell in any other state.**

*Address if your company has a national sales force, dealer network or distributor with the ability to serve Participating Public Agencies in all 50 U.S. states.*

**Newton's Fire & Safety does not have a national sales force, dealer network or distributor with the ability to serve Participating Public Agencies in all 50 U.S. states. Newton's employs regionally-based "outside" sales representatives throughout North and South Carolina. Sales outside of the Carolinas are handled by an internal sales representative.**

*How will you monitor and report all spend by City/Participating Public Agencies to the City for auditing purposes?*

**Newton's Fire & Safety will be able to track and monitor sales contracts issued in connection with ITB # 269-2020-031 through our accounting software, Traverse. This software allows us to "tag" orders with corresponding contract numbers or purchase orders furthering allowing us to track orders by a specific contract. We will provide a quarterly report to the CCPA summarizing completed (delivered and invoiced) sales orders associated with any contract awarded in connection to ITB # 269-2020-031.**

*Will your company allow the City to utilize their organization's logo on the CCPA website?*

**Yes.**



**NEWTON'S**  
FIRE & SAFETY EQUIPMENT, INC.

2724 Darrell Newton Drive  
Graham, NC 27253

800.672.5918  
336.578.3931  
FAX 336.578.1982

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*Will your company be willing to advertise the CCPA logo and website on your organization's website?*

**Not at this time.**

*How do you plan to market the Contract(s) to other Participating Public Agencies?.*

**Newton's will market any contract(s) as a result of this ITB directly through our "outside" sales representatives, and pursuant to any territory restrictions imposed through dealer/distributor agreements with manufacturers. The contract(s) will be shared with our team of sales representatives at regular sales meetings and the sales reps will have the responsibility of marketing the contract to existing and potential customers in their assigned sales territories.**

Should you have any further questions or need anything further please do not hesitate to let me know.

Thanks.

Seth Newton

Newton's Fire & Safety



February 22, 2020

To: Whom It May Concern,

Re: Newton's Fire and Safety

This letter is to confirm that Newton's Fire and Safety is an authorized distributor for Globe Manufacturing Co. LLC.

GLOBE MANUFACTURING COMPANY is a 133-year old business engaged in the manufacture of turnout clothing for the fire and rescue industry. We take great pride in the design and construction of our garments and strive to continue to make the best products available in today's marketplace. We do business as Globe Firefighter Suits, and Globe Foot Wear, servicing a variety of needs. In addition, we offer care & cleaning services and training.

Newton's and Globe are strong partners. By working together, we provide the high quality service that all of our customers expect and deserve.

We appreciate your interest in Globe Manufacturing Company products.

Sincerely,  
GLOBE MANUFACTURING COMPANY, LLC

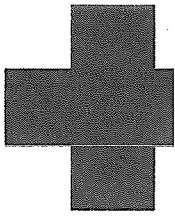
A handwritten signature in black ink, appearing to read "Mark Dolim", written over the printed name.

Mark Dolim  
Customer Support Services Manager

MD



PPE REDEFINED



March 23, 2020

Ms. Sheila Baily  
Charlotte-Mecklenburg Government Center  
Department of General Services  
City Procurement  
600 East Fourth Street, 9th Floor  
Charlotte, NC 28202

Re: Solicitation Number 269-2020-031

Ms. Bailey:

Please be advised that Newton's Fire & Safety Equipment Inc. located at 2724 Darrell Newton Drive Swepsonville, NC 27359 is a full-line distributor authorized to sell all PGI products & brands inclusive of BarriAire Gold Particulate Blocking hoods.

As an authorized distributor Newton's Fire & Safety Equipment Inc. will receive full factory support in product training, technical support and any claims of product warranty.

Please feel free to contact me for any further information.

Sincerely,

A handwritten signature in cursive script that reads 'Howard J. Fleming'.

Howard J. Fleming  
Director of Sales - Eastern United States  
Cell Phone: 864-594-1460  
Office: 864-576-6160  
[howard@pgi-inc.com](mailto:howard@pgi-inc.com)

P.O. Box 307  
550 Commercial Ave.  
Green Lake, WI 54941

800.558.8290

[mail@pgi-inc.com](mailto:mail@pgi-inc.com)  
[pgi-inc.com](http://pgi-inc.com)



**Honeywell First Responder Products**

#1 Innovation Court  
Dayton, OH 45414

800-688-6148  
937-264-2677 Fax

[www.HoneywellFirstResponder.com](http://www.HoneywellFirstResponder.com)

March 23, 2020

City of Charlotte  
600 East Fourth Street, CMGC – 9<sup>th</sup> Floor  
Charlotte, NC 28202-2850

Dear Finance Office,

This letter is being written to confirm that Newton Fire & Safety based out of Swepsonville, NC is an authorized dealer for Morning Pride Manufacturing LLC, dba, Honeywell First Responder Products.

If additional information would be helpful, please feel free to contact me directly at 937-581-5508 or at [Travis.Mikalauskas@Honeywell.com](mailto:Travis.Mikalauskas@Honeywell.com).

With Regards,  
Morning Pride Manufacturing dba Honeywell First Responder Products

Travis Mikalauskas  
Sr. Account Manager, Eastern US

(937) 581-5508  
[Travis.Mikalauskas@Honeywell.com](mailto:Travis.Mikalauskas@Honeywell.com)