



Department of Administration  
Purchasing Division  
2019 Washington Street East  
Post Office Box 50130  
Charleston, WV 25305-0130

State of West Virginia  
**Purchase Order**

Order Date: 12-13-2024

CORRECT ORDER NUMBER MUST APPEAR  
ON ALL PACKAGES, INVOICES, AND  
SHIPPING PAPERS. QUESTIONS  
CONCERNING THIS ORDER SHOULD BE  
DIRECTED TO THE DEPARTMENT  
CONTACT.

Order Number:	CPO 0313 0313 DEP2400000007 3	Procurement Folder:	1284547
Document Name:	REAP Service Body, Topper, and Winch for 4500 Series Chassis	Reason for Modification:	Change Order 01
Document Description:	REAP Service Body, Topper, and Winch for 4500 Series Chassis	Partial Contract Cancellation	
Procurement Type:	Central Purchase Order		
Buyer Name:	Joseph E Hager III		
Telephone:	(304) 558-2306		
Email:	joseph.e.hageriii@wv.gov		
Shipping Method:	Best Way	Effective Start Date:	
Free on Board:	FOB Dest, Freight Prepaid	Effective End Date:	

VENDOR	DEPARTMENT CONTACT																				
Vendor Customer Code: 000000207508 BAKER TRUCK EQUIPMENT CO 6111 RT 60  HURRICANE WV 25526 US Vendor Contact Phone: 304-722-3814 Extension:  Discount Details: <table><thead><tr><th></th><th>Discount Allowed</th><th>Discount Percentage</th><th>Discount Days</th></tr></thead><tbody><tr><td>#1</td><td>No</td><td>0.0000</td><td>0</td></tr><tr><td>#2</td><td>Not Entered</td><td></td><td></td></tr><tr><td>#3</td><td>Not Entered</td><td></td><td></td></tr><tr><td>#4</td><td>Not Entered</td><td></td><td></td></tr></tbody></table>		Discount Allowed	Discount Percentage	Discount Days	#1	No	0.0000	0	#2	Not Entered			#3	Not Entered			#4	Not Entered			Requestor Name: Michael S Brightwell Requestor Phone: (304) 414-1138 Requestor Email: michael.s.brightwell@wv.gov  <b>2025</b> FILE LOCATION _____
	Discount Allowed	Discount Percentage	Discount Days																		
#1	No	0.0000	0																		
#2	Not Entered																				
#3	Not Entered																				
#4	Not Entered																				

INVOICE TO	SHIP TO
ENVIRONMENTAL PROTECTION REAP OFFICE  601 57TH ST SE  CHARLESTON WV 25304  US	ENVIRONMENTAL PROTECTION REAP OFFICE  601 57TH ST SE  CHARLESTON WV 25304  US

CR 12-19-24

Total Order Amount: \$30,350.00

Purchasing Division's File Copy

PURCHASING DIVISION AUTHORIZATION DATE: 12/18/24 ELECTRONIC SIGNATURE ON FILE	ATTORNEY GENERAL APPROVAL AS TO FORM DATE: 12/20/24 ELECTRONIC SIGNATURE ON FILE	ENCUMBRANCE CERTIFICATION DATE: 12-20-24 ELECTRONIC SIGNATURE ON FILE
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**Extended Description:**

Change Order

Change Order No. 01 is issued to cancel this contract/purchase order for undelivered commodities and funds associated with the undelivered commodities.

All remaining provisions of the original contract and subsequent change orders not modified herein shall remain in full force and effect.

Original Contract: \$71,090.00

CO#1: -\$40,740.00

New Contract Amount: \$30,350.00

No Other Changes

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
1	25170000	0.00000	EA	40740.000000	0.00
Service From	Service To	Manufacturer	Model No		

**Commodity Line Description:** Knapheide Std Enclosed Utility or equiv- Veh. 1**Extended Description:**

One (1) Standard Enclosed Utility or equivalent, for a 1 1/2 -ton, 60" CA Chassis Cab (Vehicle #1) - per attached specifications

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
2	25170000	1.00000	EA	6974.000000	6974.00
Service From	Service To	Manufacturer	Model No		

**Commodity Line Description:** 1-75-52000C HI Series Hydraulic Winch or equiv. - Vehicle 1**Extended Description:**

1-75-52000C HI Series Hydraulic Winch or equiv. for a 1 1/2 -ton, 60" CA Chassis Cab (Vehicle #1) - Per attached specifications

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
3	25170000	1.00000	EA	16320.000000	16320.00
Service From	Service To	Manufacturer	Model No		

**Commodity Line Description:** 1 DCU-Max26 Aluminum Truck Topper or equiv - Vehicle 2**Extended Description:**

1 DCU-Max26 Aluminum Truck Topper or equivalent for Existing 2023 Ford F-350 (Vehicle #2)- per attached specifications.

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
4	25170000	1.00000	EA	6974.000000	6974.00
Service From	Service To	Manufacturer	Model No		

**Commodity Line Description:** 1-75-52000C HI Series Hydraulic Winch or equiv. - Vehicle 2**Extended Description:**One (1) 1-75-52000C "HI Series" Hydraulic Winch or equivalent for Existing 2023 Ford F-350 (Vehicle #2)  
- Per attached specifications

Line	Commodity Code	Quantity	Unit	Unit Price	Total Price
5	78121600	1.00000	EA	82.000000	82.00
Service From	Service To	Manufacturer	Model No		

**Commodity Line Description:**     Installation and Delivery

**Extended Description:**  
Installation and Delivery, per attached specifications



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west virginia department of environmental protection

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Business and Technology Office  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304-2345  
Phone: 304-926-0499

Harold D. Ward, Cabinet Secretary  
[dep.wv.gov](http://dep.wv.gov)

December 5, 2024

**TO:** Joseph Hager, Senior Buyer  
WV Purchasing Division

**FROM:** Jessica Chambers Smith, Procurement Manager *JCS*  
WV Department of Environmental Protection

**Re:** **Request to Partial Cancellation of Contract**  
**Contract # CPO DEP2400000007 for REAP Service Body, Topper, and Winch for 4500**  
**Series Chassis**

The WV DEP is requesting to cancel commodity line 1 of CPO DEP2400000007, for vehicle 1 modifications, due to the vendor not meeting the contract requirements. The original contract amount is \$71,090.00 and the amount after the partial cancellation will be \$30,350.00

The vendor, Baker Truck Equipment Co., is in breach of its contractual obligations under the above identified contract. More specifically, Baker Truck Equipment Co. failed to provide the service bed and other components advertised in the solicitation and failed to meet the delivery requirements as required by section 3.1.1 of the contract for the service bed and winch for vehicle (1) one, and section 6.1 for the delivery deadline.

The vendor was given the opportunity to remedy the situation and meet the contract requirements as listed in the contract, no later than November 8, 2024, but failed to do so. More than a year has passed since this contract was awarded and the WV DEP is still unable to utilize the truck that these modifications were meant for, due to the vendor failing to meet the contract requirements. To support this request, I am including the office request to cancel the contract, the vendor email stating that they cannot meet the contract requirements until March of 2025, the Vendor Non-Performance Notification and the Notice of Breach of Contract and Opportunity to Cure.

Should you have any questions regarding this matter or need additional information, please contact me.



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west virginia department of environmental protection


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Office of Environmental Advocate  
Rehabilitation Environmental Action Plan (REAP)  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304  
Phone: 1.800.322.5530

Harold D. Ward Cabinet Secretary  
dep.wv.gov

MEMORANDUM

TO: B.J. Chestnut, Assistant Chief  
Administrative Services- Business Operations Office

FROM: Dennis Stottlemeyer, Deputy Advocate  
Office of Environmental Advocate 

SUBJECT: Status of Agency Contract CPO 0313 0313 DEP24\*7 (10/19/23)

DATE: December 5, 2024

The Office of Environmental Advocate is requesting that CPO 0313 0313 DEP24\*7 be cancelled due to a breach of contract terms. The contract in question was issued to Baker Equipment in October 2023 to cover the purchase and installation of a truck topper on a Ford F350 (Vehicle 2), a service body on a Ford F450 (Vehicle 1), as well as bed slides and hydraulic winch and bumper packages on both trucks. At the time of this memo, some terms of the contract have still not been fulfilled by Baker Equipment.

After numerous delays (including the topper having to be re-ordered by Baker due to the one received being the wrong length) and missed promised delivery dates, installation of the contract items for Vehicle 2 was finally completed to specifications on October 7, 2024, nearly a year after the original award.

More than a year after the contract was awarded, Baker Equipment has yet to complete the installation of all specified contract items for Vehicle 1. At this time, Vehicle 1 is located in the vehicle lockup at the DEP's Kanawha City Office with the wrong service body and no bed slide installed. On November 1, 2024, WVDEP Procurement sent Baker Equipment "Notice of Breach and Opportunity to Cure" documentation and Baker was given until November 5, 2024, to respond. After missing this deadline, Baker eventually responded that the "build date" for the service body meeting the contract specifications is March 2025. A timeline of the process showing the failure of Baker Equipment to adhere to promised delivery dates and contract specification for Vehicle 1 can be found in Attachment 1.

## **Attachment 1: Timeline of Actions Relating to Vehicle 1 (Ford F450)**

10/19/23	Contract CPO 0313 0313 DEP24*7 issued
10/19/23 to 4/30/24	Numerous calls to Baker requesting status updates for Vehicle 1 and Vehicle 2. Most times, calls to Baker employee Virgil Mayes go to voicemail with no return call. When able to be reached, Mr. Mayes is rarely able to provide any hard dates for when contract items will be received and/or installed.
5/1/24	REAP receives notification from Baker Equipment that service body for Vehicle 1 had been received and needed a modification for the fuel filler neck and needed to be painted.
06/17/24	After repeated requests for a status update, Baker stated that Vehicle 1 is "next on the schedule to be painted". REAP was also informed that Baker's regular painter had become ill and that there would be an additional delay as they needed to hire a new painter.
7/10/24	Vehicle 1 delivered to Baker Equipment for installation of service body and remaining accessories as outlined in the contract.
7/24/24	Agency notified that Vehicle 1 was ready to be picked up.
7/25/24	WVDEP employee Lisa Desposito and REAP employee Greg Rote traveled to Baker to inspect Vehicle 1 and return the truck to the office. Upon inspection it was determined that there were several items missing or not included that should have been. Rote agreed to provide a detailed list. At the time of inspection, it was clearly communicated to Baker that our taking possession of the F450 was by no means "Acceptance of Delivery" of the contract terms and that the understanding in the room at the time was that Baker agreed to make the corrections for the deficient items. Vehicle 1 has remained in the DEP vehicle lockup in Kanawha City since this day.
7/25/24	Email sent to Virgil Mayes (Baker Equipment) by Greg Rote listing deficiencies with vehicle. Email referenced bed height of service body not being the height specified.
7/26/24	DEP employees Dennis Stottlemeyer and Lisa Desposito verify door plate on the service indicates a Medium (M) size as opposed to the Low (L) that should have been installed
10/7/24	After having to reorder the topper for Vehicle 2 (first topper installed was the wrong length), Baker Equipment finally finishes installation of all contract items on Truck 1.
10/7/24	DEP employee Lisa Desposito speaks to Baker Equipment regarding status of Truck 1's service body. Virgil Mayes explains that the

## **Attachment 2: Status of Contract Deliverables**

Commodity line 1 Knapheide Enclosed Utility Bed (Vehicle 1) \$40,740.0. Not delivered.

Commodity line 2 Hydraulic Winch and Bumper (Vehicle 1) \$6,974.00. Delivered and installed

Commodity line 3 Aluminum Truck Topper (Vehicle 2) \$16,320.00. Delivered and installed

Commodity line 4 Hydraulic Winch and Bumper (Vehicle 2) \$6,974.00. Delivered and installed

Commodity line 5 Installation and Delivery (Both Vehicles) \$82. Delivered



Weathersbee, Sherri <sherri.weathersbee@wv.gov>

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**wd: utility body**

message

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Chambers Smith, Jessica <jessica.chamberssmith@wv.gov>

Wed, Nov 20, 2024 at 8:47 A

o: Dennis O Stottlemeyer <dennis.o.stottlemeyer@wv.gov>

c: "B.J. Chestnut" <b.j.chestnut@wv.gov>, "Weathersbee, Sherri" <sherri.weathersbee@wv.gov>, "Procurement, DEP"  
deprocurement@wv.gov>

----- Forwarded message -----

From: **Virgil Mayse** <virgil@bakerwv.com>

Date: Tue, Nov 19, 2024 at 4:38 PM

Subject: utility body

To: Chambers Smith, Jessica <jessica.chamberssmith@wv.gov>, Eric Read <eric@bakerwv.com>

Jessica,

We currently have a build date on the enclosed utility body that is 3-12.

A transportation load date usually will be available about a week prior to the build date.

We have tried several avenues to move this date up in production, but at this time this order is showing the above build date.

We will let you know if we see any changes.

Thanks

**BAKER TRUCK EQUIPMENT**

6111 ROUTE 60 / **P.O. BOX 482**

**HURRICANE, W.V. 25526**

**PHONE: 304-722-3814**

**PHONE: 800-342-3119**

**VIRGIL MAYSE : CUSTOMER SERVICE / TECH SUPPORT**

**CELL PHONE: 304-419-1439**

**“WE SERVICE WHAT WE SELL”**





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west virginia department of environmental protection

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Business and Technology Office  
601 57<sup>th</sup> Street, S.E.  
Charleston, WV 25304-2345  
Phone: 304-926-0499

Harold D. Ward, Cabinet Secretary  
dep.wv.gov

October 31, 2024

Baker Truck Equipment Co.  
Attn: Eric Read  
6111 Rt. 60  
Hurricane, WV 25526

**Re: Notice of Breach and Opportunity to Cure  
Contract # CPO DEP2400000007 for REAP Service Body, Topper, and Winch  
for 4500 Series Chassis**

Eric Read

Please consider this letter as notice that Baker Truck Equipment Co. is in breach of its contractual obligations under the above identified contract. More specifically, Baker Truck Equipment Co. failed to provide the service bed and other components advertised in the solicitation and failed to meet the delivery requirements as required by section 3.1.1 of the contract for the service bed and winch for vehicle (1) one, and section 6.1 for the delivery deadline. Please refer to Attachment A for details of our attempts to help your company rectify this issue.

This failure must be remedied by the vendor meeting the mandatory requirements as listed in the contract, no later than November 8, 2024, or the State will be forced to pursue all available remedies, including but not limited to, contract cancellation, breach of contract suit, vendor suspension, and vendor debarment. Should you have any questions regarding this matter, please contact me.

Respectfully,

A handwritten signature in dark ink, reading 'Jessica Chambers Smith', is written over a light blue horizontal line.

Jessica Chambers Smith  
WVDEP Procurement Manager

Cc BJ Chestnut, Assistant Chief of Business Operations, Administrative Services DEP  
Josh Hager, Buyer Supervisor, WV Purchasing Division  
Frank Whittaker, Assistant Director, WV Purchasing Division  
Samantha Willis, Director, WV Purchasing Division

## **Attachment 1: Timeline of Actions Relating to Vehicle 1 (Ford F450)**

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7/25/24	Email sent to Virgil Mayes (Baker Equipment) by Greg Rote listing deficiencies with vehicle. Email referenced bed height of service body not being the height specified.
7/26/24	DEP employees Dennis Stottlemeyer and Lisa Desposito verify door plate on the service indicates a Medium (M) size as opposed to the Low (L) that should have been installed
10/7/24	After having to reorder the topper for Vehicle 2 (first topper installed was the wrong length), Baker Equipment finally finishes installation of all contract items on Truck 1.
10/7/24	DEP employee Lisa Desposito speaks to Baker Equipment regarding status of Truck 1's service body. Virgil Mayes explains that the

Attachment A

Timeline of Written/Verbal Contact with Baker Truck Equipment Co  
Pertaining to the Breach of Contract # CPO DEP2400000007  
REAP Service Body, Topper, and Winch for 4500 Series Chassis

**October 15, 2024** - Virgil called to let me know that he didn't get a definite answer from Knapheide for the date switch so he was going to place a call to inquiry further.

**October 7, 2024** - Got an email to call to ask about Status on Augustus' topper. Called Baker and spoke to the shop manager, (cannot remember his name, Joseph or Steve maybe) to ask and he told me that it was ready on October 3rd. Dennis' email to me mentioned about the light on the truck, so I did grab the contract and reviewed the portion about the lights with him. He said they would pull it back in and add the other lights to the back of the truck. Inquired about the F450s service body and was transferred to Virgil. He told me that he had found out the dates that were set with Knapahide for when production on the parts were supposed to start (March 2025). He then told me that they have another truck that is set to have their parts manufactured in December and he was going to email the manufacturer and see if they would switch the dates for the two builds, so we would get ours sooner.

**September 24, 2024** - Called Baker to let him know that REAP would be dropping on the truck on Sept. 30th. I had been asked to get any updates on the service body for the F-450, so I asked, and he said that he would send an email to ask about it.

**September 23, 2024** - Virgil called to tell me the new topper for Augutus' truck was in, and that they could drop it off on Monday the 30th or Tuesday the 1st. I told him I would confirm with REAP on a date, and would get back to him.

**September 5, 2024** - Phone call from Virgil, confirming the correct topper was ordered and that for some reason it just didn't fit.

**September 5, 2024** - Repeat email inquiry about pick-up incident, because no reply was received, additionally I was directed to ask what topper was ordered to determine if it was the correct one from the contract.

**September 4, 2024** - Email inquiry to Virgil asking why REAP was not able to pick up their vehicle after being told it was ready for pick-up. This email also confirmed that REAP agreed to leave out the pack rat.

**September 3, 2024** - Call from Virgil to tell me that the topper didn't fit. Sent Virgil an email asking him to reply and provide a detailed account of what he told me on the phone; Virgil, sent an email stating the agency requested to omit the pack rat out and that the topper length was too short and provided a date for the new topper to be installed.

**August 23, 2024 @ 2:37pm** - Jessica Chambers received the following email from Mr. Read.

Eric Read <eric@bakerwv.com>

Fri, Aug 23, 2024 at 2:37 PM

To: "Chambers Smith, Jessica" <jessica.chamberssmith@wv.gov>

Cc: "B.J. Chestnut" <b.j.chestnut@wv.gov>, "Weathersbee, Sherri" <sherri.weathersbee@wv.gov>

Afternoon, According to Virgil, I have nothing in writing around this, Chris asked to have the Pack Rat Drawer unit removed as it was not used/made the cargo glide too tall. Lisa ok'd this request over the phone.

Virgil was to remove the associated items from the Invoice once it was billed.

The replacement body has been ordered and we will update once we have an estimate on delivery time. Thank you, **Eric Read**

**August 23, 2024 @ 2:00pm** - Jessica Chambers and Sherri Weathersbee met via phone with Eric Read, General Manager, regarding the issues DEP is having with Baker not fulfilling the contractual obligations.

**August 22, 2024** - Jessica Chambers responded to Mr. Read's email as follows: On Thu, Aug 22, 2024 at 4:25 PM Chambers Smith, Jessica

<jessica.chamberssmith@wv.gov> wrote:

Let me know if you are available to discuss this tomorrow and I can give you a call...

**August 22, 2024** – Jessica Chambers received the following email from Eric Read

On Thu, Aug 22, 2024 at 1:53 PM Eric Read <eric@bakerwv.com> wrote:

Afternoon, Have there been previous emails around this past the ones shown below?

If so, could you please forward them to me? I'll speak with Virgil and be in touch once I'm up to speed. Thank you, **Eric Read**

**August 22, 2024** – Jessica Chambers emailed the following to Virgil Mayse - Aug 22, 2024 10:57 AM, "Chambers Smith, Jessica" <jessica.chamberssmith@wv.gov> wrote:

Virgil, I have not heard from you regarding this issue. REAP is currently unable to use their brand-new truck because Baker did not fulfill their contractual obligations and what was installed was either or equal products or were omitted altogether without our knowledge or approval. Furthermore, the service body was not the model specified and Baker did not note in their submitted bid that this was the service body that they were providing was not our requested model for evaluation.

We need a resolution to this situation by the close of business today. Failure to do so will result in us filing a Vendor Complaint with the WV Purchasing Division.

**August 12, 2024** – Virgil responded to Jessica's email list of questions, that he would be on vacation the following week and would get back to her after that but did not.

**August 12, 2024** - Jessica Chambers replied to Virgil's email from the 5<sup>th</sup> as follows - Hi Virgil, I have reviewed your list of outstanding items and have some questions.

Your list states to deduct the pack rat drawer, does that mean you are not providing this item that we requested?

Your list states to deduct the support frame for the bed slide, does this mean that you are not providing the item that we requested?

Also, the service body that was installed is the wrong model number (please see the attached photo) and will not work for REAP. Does Baker plan on replacing the service body with the model that was listed in our specifications (model #KC108L2094)?

Please advise no later than close of business on Friday August 16, 2024.

**August 5, 2024** Jessica Chambers received the following email from Virgil Mayes  
On Mon, Aug 5, 2024 at 3:09 PM Virgil Mayse <[virgil@bakerwv.com](mailto:virgil@bakerwv.com)> wrote:  
Jessica,  
Attached is the list of items / sorry I had trouble with the scanner.  
Hope this helps.  
Thanks

**August 5, 2024** – Jessica Chambers emailed the following to Virgil Mayse - Follow-up  
Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500  
Series Chassis

Virgil, I spoke to you on Friday regarding the issues we have with the above  
referenced contract and you were going to send me an email detailing those items. I  
have not received your email, so I am following up.

**July 26, 2024-** Dennis and I went to review the door plate from the service body because  
there was a concern about the height of the service body. Plate indicated a Medium  
(M) size as opposed to the Low (L) that should have been installed.

**July 25, 2024** - Email from Greg was sent to Baker with the deficiency list. w/ side note  
about bed height

**July 25, 2024** - Picked up F450 from Baker's. Had Greg Rote with me, per the request of  
REAP, so he could review the vehicle and specification on the contract to ensure  
they delivered the vehicle as requested. There were several items missing or not  
included that should have been. While Greg and Virgil and another gentleman were  
in the office I was calling BJ and Dennis to ask what needed to be done.  
Procurement told me that since the bid price wasn't itemized any changes could  
happen and the adjustments to the final bill could be made. REAP said to have Greg  
walk around the vehicle and review it item by item and then just go with what Greg  
says he absolutely needs. This was communicated to Greg. They made a mocked up  
list in the office and Greg said that he would provide this list to Virgil in a written  
format when we got back to the office. At this time it was communicated VERY  
CLEARLY to Virgil and the other gentleman that was in the office that our taking  
possession of the F450 was by no means "ACCEPTANCE of DELIVERY" of the  
contract terms and that the understanding in the room at the time was that Baker  
agreed to make the corrections for the deficient items. I drove the vehicle back to KC  
and parked it in the cage. It has not moved since.



**Weathersbee, Sherri** <sherri.weathersbee@wv.gov>

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## Contract with Baker - Truck Equipment

1 message

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**Stottlemeyer, Dennis O** <dennis.o.stottlemeyer@wv.gov>

Wed, Jul 10, 2024 at 9:28 AM

To: Gregory A Rote <gregory.a.rote@wv.gov>, "Weathersbee, Sherri" <Sherri.Weathersbee@wv.gov>, Jessica Chambers Smith <jessica.chamberssmith@wv.gov>, Sandra D Rogers <sandra.d.rogers@wv.gov>

Sherri and Jessica,

CPO 0313 0313 DEP2400000007 1. This contract with Baker is for the service bed for a Ford F-450 and other components for a Ford F-350. Baker has not met any of the deadlines for installing this equipment. We are stuck with them for the F-450 service bed and winch. We would like to cancel the portion of the contract for the F-350 equipment and source it elsewhere. Not having a topper on the F-350 makes it very hard for the Project Manager to perform his duties.

Please advise.

Thanks,

Dennis

**Dennis O. Stottlemeyer**

Deputy Environmental Advocate

WV Department of Environmental Protection

601 57<sup>th</sup> Street S.E.

Charleston, WV 25304

(304) 926-0440 ext. 49764



Weathersbee, Sherri &lt;sherri.weathersbee@wv.gov&gt;

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**Re: Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series Chassis**

1 message

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**Chambers Smith, Jessica** <jessica.chamberssmith@wv.gov>

Mon, Aug 12, 2024 at 4:43 PM

To: Virgil Mayse &lt;virgil@bakerwv.com&gt;

Cc: "Weathersbee, Sherri" &lt;sherri.weathersbee@wv.gov&gt;, "B.J. Chestnut" &lt;b.j.chestnut@wv.gov&gt;

Hi Virgil,

I have reviewed your list of outstanding items and have some questions.

- Your list states to deduct the pack rat drawer, does that mean you are not providing this item that we requested?
- Your list states to deduct the support frame for the bed slide, does this mean that you are not providing the item that we requested?

Also, the service body that was installed is the wrong model number (please see the attached photo) and will not work for REAP. Does Baker plan on replacing the service body with the model that was listed in our specifications (model #KC108L2094)?

Please advise no later than close of business on **Friday August 16, 2024**.

Sincerely,

Jessica Chambers-Smith, DEP Procurement Manager

601 57th Street SE

Charleston, WV 25304

(304)926-0499 ext.41140

On Mon, Aug 5, 2024 at 3:09 PM Virgil Mayse <virgil@bakerwv.com> wrote:

Jessica,

Attached is the list of items / sorry I had trouble with the scanner.

Hope this helps.

Thanks

**BAKER TRUCK EQUIPMENT**6111 ROUTE 60 / **P.O. BOX 482****HURRICANE, W.V. 25526****PHONE: 304-722-3814****PHONE: 800-342-3119**

10/30/24, 2:13 PM

State of West Virginia Mail - Re: Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series ...

**VIRGIL MAYSE : CUSTOMER SERVICE / TECH SUPPORT**

**CELL PHONE: 304-419-1439**

**"WE SERVICE WHAT WE SELL"**

**From:** Chambers Smith, Jessica <jessica.chamberssmith@wv.gov>

**Sent:** Monday, August 05, 2024 9:44 AM

**To:** Virgil Mayse <virgil@bakerwv.com>

**Subject:** Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series Chassis

Virgil,

I spoke to you on Friday regarding the issues we have with the above referenced contract and you were going to send me an email detailing those items. I have not received your email so I am following up.

Thanks,

Jessica Chambers-Smith, DEP Procurement Manager

601 57th Street SE

Charleston, WV 25304

(304)926-0499 ext.41140

---

**2 attachments**



**Service Body.jpg**  
3027K



**DOC080524-08052024150627.pdf**  
699K





**Weathersbee, Sherri** <sherri.weathersbee@wv.gov>

---

## Invitation: Meeting to Discuss Baker Contract Issues @ Fri Aug 23, 2024 2pm - 2:30pm (EDT) (Sherri Weathersbee)

1 message

---

**Jessica Chambers Smith** <jessica.chamberssmith@wv.gov>

Fri, Aug 23, 2024 at 11:44 AM

Reply-To: Jessica Chambers Smith <jessica.chamberssmith@wv.gov>

To: Sherri Weathersbee <sherri.weathersbee@wv.gov>, B J Chestnut <b.j.chestnut@wv.gov>, eric@bakerwv.com

[Join with Google Meet](#)

### Meeting link

[meet.google.com/gzo-zyjs-qim](https://meet.google.com/gzo-zyjs-qim)

### Join by phone

(US) +1 786-540-4302

PIN: 297771961

[More phone numbers](#)

### When

Friday Aug 23, 2024 · 2pm – 2:30pm (Eastern Time - New York)

### Guests

Jessica Chambers Smith - organizer

B J Chestnut

Sherri Weathersbee

[eric@bakerwv.com](mailto:eric@bakerwv.com)

[View all guest info](#)

**Reply** for sherri.weathersbee@wv.gov

☐ Yes   ☐ No   ☐ Maybe   [More options](#)

10/30/24, 2:11 PM

State of West Virginia Mail - Invitation: Meeting to Discuss Baker Contract Issues @ Fri Aug 23, 2024 2pm - 2:30pm (EDT) (Sherri ...

Invitation from Google Calendar

You are receiving this email because you are subscribed to calendar notifications. To stop receiving these emails, go to Calendar settings, select this calendar, and change "Other notifications".

Forwarding this invitation could allow any recipient to send a response to the organizer, be added to the guest list, invite others regardless of their own invitation status, or modify your RSVP. [Learn more](#)

---

 **invite.ics**  
3K



**Weathersbee, Sherri** <sherri.weathersbee@wv.gov>

---

**RE: Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series Chassis**

1 message

---

**Eric Read** <eric@bakerwv.com>

Fri, Aug 23, 2024 at 2:37 PM

To: "Chambers Smith, Jessica" <jessica.chamberssmith@wv.gov>

Cc: "B.J. Chestnut" <b.j.chestnut@wv.gov>, "Weathersbee, Sherri" <sherri.weathersbee@wv.gov>

Afternoon,

According to Virgil, I have nothing in writing around this, Chris asked to have the Pack Rat Drawer unit removed as it was not used/made the cargo glide too tall. Lisa ok'd this request over the phone.

Virgil was to remove the associated items from the Invoice once it was billed.

The replacement body has been ordered and we will update once we have an estimate on delivery time

Thank you,

**Eric Read**

Managing Director

Baker Truck Equipment

6111 US Route 60

Hurricane, WV 25526

o: 304-722-3814

f: 304-722-3829

www.bakerwv.com



This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited. If you have received this e-mail in error, please immediately notify sender and permanently delete the original and any copy of this e-mail.

**From:** Chambers Smith, Jessica <jessica.chamberssmith@wv.gov>  
**Sent:** Friday, August 23, 2024 10:01 AM  
**To:** Eric Read <eric@bakerwv.com>  
**Cc:** B.J. Chestnut <b.j.chestnut@wv.gov>; Weathersbee, Sherri <sherri.weathersbee@wv.gov>  
**Subject:** Re: Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series Chassis

Please let us know ASAP if you are available to discuss these issues today so we can have the proper staff involved.

--

Thanks,

Jessica Chambers-Smith, DEP Procurement Manager

601 57th Street SE

Charleston, WV 25304

(304)926-0499 ext.41140

On Thu, Aug 22, 2024 at 4:25 PM Chambers Smith, Jessica <jessica.chamberssmith@wv.gov> wrote:

Let me know if you are available to discuss this tomorrow and I can give you a call...

On Thu, Aug 22, 2024 at 1:53 PM Eric Read <eric@bakerwv.com> wrote:

Afternoon,

Have there been previous emails around this past the ones shown below? If so, could you please forward them to me? I'll speak with Virgil and be in touch once I'm up to speed.

Thank you,

**Eric Read**

Managing Director

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On Aug 22, 2024 10:57 AM, "Chambers Smith, Jessica" <jessica.chamberssmith@wv.gov> wrote:

Virgil,

I have not heard from you regarding this issue. REAP is currently unable to use their brand new truck because Baker did not fulfill their contractual obligations and what was installed was either or equal products or were omitted altogether without our knowledge or approval. Furthermore, the service body was not the model specified and Baker did not note in their submitted bid that this was the service body that they were providing was not our requested model for evaluation.

We need a resolution to this situation by the close of business today. Failure to do so will result in us filing a Vendor Complaint with the WV Purchasing Division.

*Jessica Chambers-Smith*

WV Department of Environmental Protection

Business Operations Office- Administrative Services

Procurement Manager

601 57<sup>th</sup> Street, SE  
Charleston, WV 25304

(304) 926-0499 ext. 41140

On Mon, Aug 12, 2024 at 5:12 PM Virgil Mayse <virgil@bakerwv.com> wrote:

Jessic

If possible I will get with you next week when I get back from vacation

Thank

Virgil

Get Outlook for iOS

**From:** Chambers Smith, Jessica <jessica.chamberssmith@wv.gov>  
**Sent:** Monday, August 12, 2024 4:43:18 PM  
**To:** Virgil Mayse <virgil@bakerwv.com>  
**Cc:** Weathersbee, Sherri <sherri.weathersbee@wv.gov>; B.J. Chestnut <b.j.chestnut@wv.gov>  
**Subject:** Re: Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series Chassis

Hi Virgil,

I have reviewed your list of outstanding items and have some questions.

- Your list states to deduct the pack rat drawer, does that mean you are not providing this item that we requested?
- Your list states to deduct the support frame for the bed slide, does this mean that you are not providing the item that we requested?

Also, the service body that was installed is the wrong model number (please see the attached photo) and will not work for REAP. Does Baker plan on replacing the service body with the model that was listed in our specifications (model #KC108L2094)?

Please advise no later than close of business on **Friday August 16, 2024**.

Sincerely,

Jessica Chambers-Smith, DEP Procurement Manager

601 57th Street SE

Charleston, WV 25304

(304)926-0499 ext.41140

On Mon, Aug 5, 2024 at 3:09 PM Virgil Mayse <virgil@bakerwv.com> wrote:

Jessica,

Attached is the list of items / sorry I had trouble with the scanner.

Hope this helps.

Thanks

**BAKER TRUCK EQUIPMENT**

6111 ROUTE 60 / **P.O. BOX 482**

**HURRICANE, W.V. 25526**

10/30/24, 2:09 PM

State of West Virginia Mail - RE: Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series ...

**PHONE: 304-722-3814**

**PHONE: 800-342-3119**

**VIRGIL MAYSE : CUSTOMER SERVICE / TECH SUPPORT**

**CELL PHONE: 304-419-1439**

**"WE SERVICE WHAT WE SELL"**

**From:** Chambers Smith, Jessica <jessica.chamberssmith@wv.gov>

**Sent:** Monday, August 05, 2024 9:44 AM

**To:** Virgil Mayse <virgil@bakerwv.com>

**Subject:** Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series Chassis

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Thanks,

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Charleston, WV 25304

(304)926-0499 ext.41140

--



**Weathersbee, Sherri** <sherri.weathersbee@wv.gov>

## Re: Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series Chassis

1 message

**Chambers Smith, Jessica** <jessica.chamberssmith@wv.gov>

Thu, Oct 3, 2024 at 11:10 AM

To: Eric Read <eric@bakerwv.com>

Cc: "B.J. Chestnut" <b.j.chestnut@wv.gov>, "Weathersbee, Sherri" <sherri.weathersbee@wv.gov>

Please provide a status (from the manufacturer) of the new service body by close of business today. When we spoke last you indicated that it would take roughly a month to come in and I have not been provided with an update.

The agency is still unable to drive the truck due to these issues.

—

Thanks,

Jessica Chambers-Smith, DEP Procurement Manager

601 57th Street SE

Charleston, WV 25304

(304)926-0499 ext.41140

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Managing Director

Baker Truck Equipment

6111 US Route 60

Hurricane, WV 25526



10/30/24, 2:01 PM

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o: 304-722-3814

f: 304-722-3829

www.bakerwv.com



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WV Department of Environmental Protection

Business Operations Office- Administrative Services

Procurement Manager

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6111 ROUTE 60 / **P.O. BOX 482**

**HURRICANE, W.V. 25526**

**PHONE: 304-722-3814**

**PHONE: 800-342-3119**

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**CELL PHONE: 304-419-1439**

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**To:** Virgil Mayse <virgil@bakerwv.com>

**Subject:** Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series Chassis

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Charleston, WV 25304

(304)926-0499 ext.41140

10/30/24, 2:01 PM

State of West Virginia Mail - Re: Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series ...

# VENDOR NON-PERFORMANCE NOTIFICATION FORM

Rev. 4/5/2022  
WV-82

PO No. CPO DEP24\*007  
Procurement Folder No. 1284547

The purpose of this form is to formalize the notification from West Virginia state agencies to contract holders/vendors of contract-related and general performance issues and to memorialize any agreed to resolution.

## PART I:

### REPORTING DEPARTMENT/AGENCY INFORMATION

REPORTING DEPARTMENT/AGENCY NAME: WV Department of Environmental Protection  
NAME OF CONTRACT ADMINISTRATOR/AGENCY CONTACT: Jessica Chambers Smith  
TELEPHONE NUMBER: 304-926-0499 ext. 41140 EMAIL ADDRESS: jessica.chamberssmith@wv.gov

### VENDOR INFORMATION

VENDOR/BUSINESS NAME: BAKER TRUCK EQUIPMENT CO  
VENDOR CONTACT NAME: Eric Read, General Manager  
VENDOR CUSTOMER CODE: 000000207508  
ADDRESS (STREET, CITY, STATE, ZIP CODE): 6111 RT 60, Hurricane WV 25526  
TELEPHONE NUMBER: 304-722-3814 EMAIL ADDRESS: eric@bakerwv.com

#### COMPLAINT DESCRIPTION:

Baker Truck Equipment Co. failed to provide the service body specified and failed to meet the delivery requirements on all items specified in the contract.

#### CONTRACT CLAUSE(S)/PROVISION(S) BREACHED:

Section 3.1.1 for the truck service body and bed slide for vehicle (1) one and section 6.1 for the delivery deadline. The vendor's submitted bid did not include an alternate model for the agency to evaluate to ensure that it met all the mandatory requirements. Baker Equipment installed a different model service body than what the agency specified. Email attached in Attachment A includes a picture of the model that they installed. This specific model is too tall for our staff to drive. The truck has been parked since it was purchased for this reason. We met with Baker via phone and explained to them the situation with the service body and they told us it would take approximately 30 days to get the correct service body from the manufacturer. To date, the service body has not been installed and Baker did not respond to my email requesting an update from the manufacturer on the ETA of the service body. I followed up with a phone call and left a message for Eric Read to call me and he has never returned my call.

# VENDOR NON-PERFORMANCE RESOLUTION

Rev. 4/5/2022  
WV-82

PO No. CPO DEP24\*007

Procurement Folder No. 1284547

## PART 2:

VENDOR PROPOSED RESOLUTION:

VENDOR REPRESENTATIVE (Signature): \_\_\_\_\_ Date: \_\_\_\_\_

VENDOR REPRESENTATIVE NAME AND TITLE (Printed): \_\_\_\_\_

By signing below, the Agency agrees that it has determined that the proposed resolution is consistent with contractual requirements, does not require a change order, and is an acceptable way to resolve the identified complaint.

AGENCY REPRESENTATIVE (Signature): Jessica Chambers-Smith Date: 10/31/2024

AGENCY REPRESENTATIVE NAME AND TITLE (Printed): Jessica Chambers-Smith

Timeline of Written/Verbal Contact with Baker Truck Equipment Co  
Pertaining to the Breach of Contract # CPO DEP2400000007  
REAP Service Body, Topper, and Winch for 4500 Series Chassis

**October 15, 2024** - Virgil called to let me know that he didn't get a definite answer from Knapheide for the date switch so he was going to place a call to inquiry further.

**October 7, 2024** - Got an email to call to ask about Status on Augustus' topper. Called Baker and spoke to the shop manager, (cannot remember his name, Joseph or Steve maybe) to ask and he told me that it was ready on October 3rd. Dennis' email to me mentioned about the light on the truck, so I did grab the contract and reviewed the portion about the lights with him. He said they would pull it back in and add the other lights to the back of the truck. Inquired about the F450s service body and was transferred to Virgil. He told me that he had found out the dates that were set with Knapahide for when production on the parts were supposed to start (March 2025). He then told me that they have another truck that is set to have their parts manufactured in December and he was going to email the manufacturer and see if they would switch the dates for the two builds, so we would get ours sooner.

**September 24, 2024** - Called Baker to let him know that REAP would be dropping on the truck on Sept. 30th. I had been asked to get any updates on the service body for the F-450, so I asked, and he said that he would send an email to ask about it.

**September 23, 2024** - Virgil called to tell me the new topper for Augustus' truck was in, and that they could drop it off on Monday the 30th or Tuesday the 1st. I told him I would confirm with REAP on a date, and would get back to him.

**September 5, 2024** - Phone call from Virgil, confirming the correct topper was ordered and that for some reason it just didn't fit.

**September 5, 2024** - Repeat email inquiry about pick-up incident, because no reply was received, additionally I was directed to ask what topper was ordered to determine if it was the correct one from the contract.

**September 4, 2024**- Email inquiry to Virgil asking why REAP was not able to pick up their vehicle after being told it was ready for pick-up. This email also confirmed that REAP agreed to leave out the pack rat.

**September 3, 2024** - Call from Virgil to tell me that the topper didn't fit. Sent Virgil an email asking him to reply and provide a detailed account of what he told me on the phone; Virgil, sent an email stating the agency requested to omit the pack rat out and that the topper length was too short and provided a date for the new topper to be installed.

**August 23, 2024 @ 2:37pm** – Jessica Chambers received the following email from Mr. Read.

**Eric Read** <eric@bakerwv.com>

Fri, Aug 23, 2024 at 2:37 PM

To: "Chambers Smith, Jessica" <jessica.chamberssmith@wv.gov>



Afternoon, According to Virgil, I have nothing in writing around this, Chris asked to have the Pack Rat Drawer unit removed as it was not used/made the cargo glide too tall. Lisa ok'd this request over the phone.

Virgil was to remove the associated items from the Invoice once it was billed.

The replacement body has been ordered and we will update once we have an estimate on delivery time. Thank you, **Eric Read**

**August 23, 2024 @ 2:00pm** - Jessica Chambers and Sherri Weathersbee met via phone with Eric Read, General Manager, regarding the issues DEP is having with Baker not fulfilling the contractual obligations.

**August 22, 2024** - Jessica Chambers responded to Mr. Read's email as follows: On Thu, Aug 22, 2024 at 4:25 PM Chambers Smith, Jessica <[jessica.chamberssmith@wv.gov](mailto:jessica.chamberssmith@wv.gov)> wrote:  
Let me know if you are available to discuss this tomorrow and I can give you a call...

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We need a resolution to this situation by the close of business today. Failure to do so will result in us filing a Vendor Complaint with the WV Purchasing Division.

**August 12, 2024** - Virgil responded to Jessica's email list of questions, that he would be on vacation the following week and would get back to her after that but did not.

**August 12, 2024** - Jessica Chambers replied to Virgil's email from the 5<sup>th</sup> as follows - Hi Virgil, I have reviewed your list of outstanding items and have some questions.

Your list states to deduct the pack rat drawer, does that mean you are not providing this item that we requested?

Your list states to deduct the support frame for the bed slide, does this mean that you are not providing the item that we requested?

Also, the service body that was installed is the wrong model number (please see the attached photo) and will not work for REAP. Does Baker plan on replacing the service body with the model that was listed in our specifications (model #KC108L2094)?

Please advise no later than close of business on Friday August 16, 2024.

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Jessica,  
Attached is the list of items / sorry I had trouble with the scanner.  
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**August 5, 2024** – Jessica Chambers emailed the following to Virgil Mayse - Follow-up  
Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500  
Series Chassis

Virgil, I spoke to you on Friday regarding the issues we have with the above  
referenced contract and you were going to send me an email detailing those items. I  
have not received your email, so I am following up.

**July 26, 2024-** Dennis and I went to review the door plate from the service body because  
there was a concern about the height of the service body. Plate indicated a Medium  
(M) size as opposed to the Low (L) that should have been installed.

**July 25, 2024** - Email from Greg was sent to Baker with the deficiency list. w/ side note  
about bed height

**July 25, 2024** - Picked up F450 from Baker's. Had Greg Rote with me, per the request of  
REAP, so he could review the vehicle and specification on the contract to ensure  
they delivered the vehicle as requested. There were several items missing or not  
included that should have been. While Greg and Virgil and another gentleman were  
in the office I was calling BJ and Dennis to ask what needed to be done.  
Procurement told me that since the bid price wasn't itemized any changes could  
happen and the adjustments to the final bill could be made. REAP said to have Greg  
walk around the vehicle and review it item by item and then just go with what Greg  
says he absolutely needs. This was communicated to Greg. They made a mocked up  
list in the office and Greg said that he would provide this list to Virgil in a written  
format when we got back to the office. At this time it was communicated VERY  
CLEARLY to Virgil and the other gentleman that was in the office that our taking  
possession of the F450 was by no means "ACCEPTANCE of DELIVERY" of the  
contract terms and that the understanding in the room at the time was that Baker  
agreed to make the corrections for the deficient items. I drove the vehicle back to KC  
and parked it in the cage. It has not moved since.

**Weathersbee, Sherri** <sherri.weathersbee@wv.gov>

---

**Contract with Baker - Truck Equipment**

1 message

**Stottlemeyer, Dennis O** <dennis.o.stottlemeyer@wv.gov>

Wed, Jul 10, 2024 at 9:28 AM

To: Gregory A Rote &lt;gregory.a.rote@wv.gov&gt;, "Weathersbee, Sherri" &lt;Sherri.Weathersbee@wv.gov&gt;, Jessica Chambers Smith &lt;jessica.chamberssmith@wv.gov&gt;, Sandra D Rogers &lt;sandra.d.rogers@wv.gov&gt;

Sherri and Jessica,

CPO 0313 0313 DEP2400000007 1. This contract with Baker is for the service bed for a Ford F-450 and other components for a Ford F-350. Baker has not met any of the deadlines for installing this equipment. We are stuck with them for the F-450 service bed and winch. We would like to cancel the portion of the contract for the F-350 equipment and source it elsewhere. Not having a topper on the F-350 makes it very hard for the Project Manager to perform his duties.

Please advise.

Thanks,

Dennis

**Dennis O. Stottlemeyer**

Deputy Environmental Advocate

WV Department of Environmental Protection

601 57<sup>th</sup> Street S.E.

Charleston, WV 25304

(304) 926-0440 ext. 49764



Weathersbee, Sherri &lt;sherri.weathersbee@wv.gov&gt;

**Re: Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series Chassis**

1 message

**Chambers Smith, Jessica** <jessica.chamberssmith@wv.gov>

Mon, Aug 12, 2024 at 4:43 PM

To: Virgil Mayse &lt;virgil@bakerwv.com&gt;

Cc: "Weathersbee, Sherri" &lt;sherri.weathersbee@wv.gov&gt;, "B.J. Chestnut" &lt;b.j.chestnut@wv.gov&gt;

Hi Virgil,

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Also, the service body that was installed is the wrong model number (please see the attached photo) and will not work for REAP. Does Baker plan on replacing the service body with the model that was listed in our specifications (model #KC108L2094)?

Please advise no later than close of business on **Friday August 16, 2024**.

Sincerely,

Jessica Chambers-Smith, DEP Procurement Manager

601 57th Street SE

Charleston, WV 25304

(304)926-0499 ext.41140

On Mon, Aug 5, 2024 at 3:09 PM Virgil Mayse &lt;virgil@bakerwv.com&gt; wrote:

Jessica,

Attached is the list of items / sorry I had trouble with the scanner.

Hope this helps.

Thanks

**BAKER TRUCK EQUIPMENT**6111 ROUTE 60 / **P.O. BOX 482****HURRICANE, W.V. 25526****PHONE: 304-722-3814****PHONE: 800-342-3119**

**VIRGIL MAYSE : CUSTOMER SERVICE / TECH SUPPORT****CELL PHONE: 304-419-1439****"WE SERVICE WHAT WE SELL"**

---

**From:** Chambers Smith, Jessica <jessica.chamberssmith@wv.gov>**Sent:** Monday, August 05, 2024 9:44 AM**To:** Virgil Mayse <virgil@bakerwv.com>**Subject:** Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series Chassis

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I spoke to you on Friday regarding the issues we have with the above referenced contract and you were going to send me an email detailing those items. I have not received your email so I am following up.

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Charleston, WV 25304

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---

**2 attachments****Service Body.jpg**  
3027K**DOC080524-08052024150627.pdf**  
699K



Weathersbee, Sherri &lt;sherri.weathersbee@wv.gov&gt;

**Invitation: Meeting to Discuss Baker Contract Issues @ Fri Aug 23, 2024 2pm - 2:30pm (EDT) (Sherri Weathersbee)**

1 message

Jessica Chambers Smith &lt;jessica.chamberssmith@wv.gov&gt;

Fri, Aug 23, 2024 at 11:44 AM

Reply-To: Jessica Chambers Smith &lt;jessica.chamberssmith@wv.gov&gt;

To: Sherri Weathersbee &lt;sherri.weathersbee@wv.gov&gt;, B J Chestnut &lt;b.j.chestnut@wv.gov&gt;, eric@bakerwv.com

**Join with Google Meet****Meeting link**[meet.google.com/gzo-zyjs-qim](https://meet.google.com/gzo-zyjs-qim)**Join by phone**

(US) +1 786-540-4302

PIN: 297771961

[More phone numbers](#)**When**

Friday Aug 23, 2024 · 2pm – 2:30pm (Eastern Time - New York)

**Guests**

Jessica Chambers Smith - organizer

B J Chestnut

Sherri Weathersbee

[eric@bakerwv.com](mailto:eric@bakerwv.com)**[View all guest info](#)****Reply** for sherri.weathersbee@wv.gov

Yes

No

Maybe

[More options](#)

## Invitation from Google Calendar

You are receiving this email because you are subscribed to calendar notifications. To stop receiving these emails, go to [Calendar settings](#), select this calendar, and change "Other notifications".

Forwarding this invitation could allow any recipient to send a response to the organizer, be added to the guest list, invite others regardless of their own invitation status, or modify your RSVP. [Learn more](#)

**invite.ics**

3K



Weathersbee, Sherri &lt;sherri.weathersbee@wv.gov&gt;

**RE: Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series Chassis**

1 message

Eric Read &lt;eric@bakerwv.com&gt;

Fri, Aug 23, 2024 at 2:37 PM

To: "Chambers Smith, Jessica" &lt;jessica.chamberssmith@wv.gov&gt;

Cc: "B.J. Chestnut" &lt;b.j.chestnut@wv.gov&gt;, "Weathersbee, Sherri" &lt;sherri.weathersbee@wv.gov&gt;

Afternoon,

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Virgil was to remove the associated items from the Invoice once it was billed.

The replacement body has been ordered and we will update once we have an estimate on delivery time

Thank you,

**Eric Read**

Managing Director

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---

**From:** Chambers Smith, Jessica <jessica.chamberssmith@wv.gov>  
**Sent:** Friday, August 23, 2024 10:01 AM  
**To:** Eric Read <eric@bakerwv.com>  
**Cc:** B.J. Chestnut <b.j.chestnut@wv.gov>; Weathersbee, Sherri <sherri.weathersbee@wv.gov>  
**Subject:** Re: Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series Chassis

Please let us know ASAP if you are available to discuss these issues today so we can have the proper staff involved.

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On Aug 22, 2024 10:57 AM, "Chambers Smith, Jessica" <jessica.chamberssmith@wv.gov> wrote:

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I have not heard from you regarding this issue. REAP is currently unable to use their brand new truck because Baker did not fulfill their contractual obligations and what was installed was either or equal products or were omitted altogether without our knowledge or approval. Furthermore, the service body was not the model specified and Baker did not note in their submitted bid that this was the service body that they were providing was not our requested model for evaluation.

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WV Department of Environmental Protection

Business Operations Office- Administrative Services

Procurement Manager

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If possible I will get with you next week when I get back from vacation

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Virgil

Get Outlook for iOS

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1 message

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Thu, Oct 3, 2024 at 11:10 AM

To: Eric Read &lt;eric@bakerwv.com&gt;

Cc: "B.J. Chestnut" &lt;b.j.chestnut@wv.gov&gt;, "Weathersbee, Sherri" &lt;sherri.weathersbee@wv.gov&gt;

Please provide a status (from the manufacturer) of the new service body by close of business today. When we spoke last you indicated that it would take roughly a month to come in and I have not been provided with an update.

The agency is still unable to drive the truck due to these issues.

--

Thanks,

Jessica Chambers-Smith, DEP Procurement Manager

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Charleston, WV 25304

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10/30/24, 2:01 PM

State of West Virginia Mail - Re: Follow-up Email Regarding CPO DEP24\*7/REAP Service Body, Topper, & Winch for 4500 Series ...



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## West Virginia Secretary of State — Online Data Services

### Business and Licensing

Online Data Services Help

### Business Organization Detail

*NOTICE: The West Virginia Secretary of State's Office makes every reasonable effort to ensure the accuracy of information. However, we make no representation or warranty as to the correctness or completeness of the information. If information is missing from this page, it is not in the The West Virginia Secretary of State's database.*

#### ACE TRUCK OF WEST VIRGINIA, INC.

##### Organization Information

Org Type	Effective Date	Established Date	Filing Date	Charter	Class	Sec Type	Termination Date	Termination Reason
C   Corporation	11/22/1991		11/22/1991	Foreign	Profit			

##### Organization Information

Business Purpose		Capital Stock	0.0000
Charter County		Control Number	0
Charter State	OH	Excess Acres	0
At Will Term		Member Managed	
At Will Term Years		Par Value	0.000000 <span>× Close</span>
Authorized Shares	0	Entr	Hi, I'm SOLO! I can help you file your Annual Report.

##### Addresses

Type	Address
<b>Local Office Address</b>	6111 US 60 HURRICANE, WV, 25526
<b>Mailing Address</b>	P O BOX 2605 ZANESVILLE, OH, 437022605 USA
<b>Notice of Process Address</b>	DAVID R. BEITZEL 1130 NEWARK ROAD ZANESVILLE, OH, 43701
<b>Principal Office Address</b>	1130 NEWARK ROAD ZANESVILLE, OH, 43701 USA
Type	Address

Officers	
Type	Name/Address
<b>President</b>	DAVID R. BEITZEL 3665 ROSEWOOD DRIVE ZANESVILLE, OH, 43701
<b>Secretary</b>	ROBERT BEITZEL 555 WEST RAY DRIVE ZANESVILLE, OH, 43701
<b>Vice-President</b>	GARY LEASURE 4780 SAINT ANDREWS DRIVE GROVE CITY, OH, 43123
Type	Name/Address

DBA			
DBA Name	Description	Effective Date	Termination Date
BAKER TRUCK EQUIPMENT	TRADENAME	2/6/1992	
DBA Name	Description	Effective Date	Termination Date

Annual Reports	
<b>Filed For</b>	Hi, I'm SOLO! I can help you file your Annual Report.
2024	
2023	
2022	
2021	



**Entity Validation** [Show Details](#)  
Nov 20, 2024



[See All Alerts](#)

**Databank: Delay on First Use** [Show Details](#)  
Aug 26, 2024



[Home](#) [Search](#) [Data Bank](#) [Data Services](#) [Help](#)

**Search**

All Words

e.g. 1606N020Q02

[Search Results](#)

[Saved Searches](#)



Select Domain  
**Entity Information**



All Entity Information

Entities

Disaster Response Registry

Responsibility / Qualification

Exclusions

**Filter By**



**Keyword Search**

For more information on how to use our keyword search, visit our [help guide](#)

[Simple Search](#)

[Search Editor](#)

- ☒ Any Words ⓘ
- ☐ All Words ⓘ
- ☐ Exact Phrase ⓘ

e.g. 123456789, Smith Corp

"BAKER TRUCK EQUIPMENT CO"



Classification



Excluded Individual



Excluded Entity



Federal Organizations



Exclusion Type



Exclusion Program



Location



Dates



Reset



## No matches found

We couldn't find a match for your search criteria.

Please try another search or go back to previous results.

[Go Back](#)



Feedback

# COMPLIANCE VERIFICATION CHECKLIST FOR REQUISITION SUBMISSION

<i>Purchasing Division Use:</i> Buyer: <u>CPO DEP24*007</u> Date: <u>12-18-24</u>  Solicitation No. <u>J. Mason</u>	Agency: <b>WV Dept of Environmental Protection</b>  Procurement Officer Submitting Requisition: Jessica Chambers Smith  Requisition No. CPO DEP24*007  PF No.: 1284547
--	--

This checklist **MUST** be completed by a state agency's designated procurement officer and submitted with the Purchase Requisition to the Purchasing Division. The purpose of the checklist is to verify that an agency procurement officer has obtained and included required documentation necessary for the Purchasing Division to process the requisition without future processing disruptions. At the agency's preference, the agency **MUST** either submit the checklist by attaching it to the requisition's Header **OR** by placing it in the requisition's Procurement Folder.

## FOR ALL SOLICITATION TYPES:

	Compliance Check Type	Required	Provided, if Required	Not Required	Purch. Div. Confirmation
1	Specifications and Pricing Page included	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Use of correct specification template	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3	Use of correct requisition type [CRQS → CCT or CPO] or [CRQM → CMA]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Use of most current terms and conditions ( <a href="http://www.state.wv.us/admin/purchase/TCP.pdf">www.state.wv.us/admin/purchase/TCP.pdf</a> )	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5	Maximum budgeted amount in wvOASIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	Suggested vendors in wvOASIS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	Capitol Building Commission pre-approval	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8	Financing (Governor's Office) pre-approval	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Compliance Check Type	Required	Provided, if Required	Not Required	Purch. Div. Confirmation
9	Fleet Management Division pre-approval	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10	Insurance requirements				
	Commercial General Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Automobile Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Workers' Compensation/Employer's Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Cyber Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Builder's Risk/Installation Floater	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Professional Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11	Office of Technology CIO pre-approval	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12	Treasurer's Office (banking) pre-approval	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### FOR CHANGE ORDERS/RENEWALS:

13	Two-party agreement	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14	Standard change order language	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15	Office of Technology CIO approval	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16	Justification for price increases/backdating/other	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17	Bond Rider (Construction)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18	Secretary of State Verification	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19	State debarment verification	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20	Federal debarment verification	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

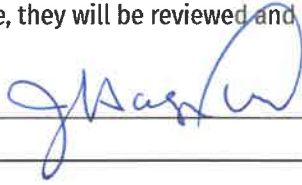
\*The items pre-checked are required before a Purchase Requisition may be submitted to the Purchasing Division. Failure to complete and verify this documentation may result in rejection of the requisition back to the agency. It is up to the agency procurement officer to determine if pre-approvals, insurance, or other documentation is needed for the purchase. The referenced information below may be used to make this determination.



*For Purchasing Division Use Only:*

I have reviewed the requisition identified above and find that it is sufficient to advertise publicly to the vendor community. My review does not preclude the possibility that the vendor community, or some other entity, will identify an area of concern; however, should such issues or concerns arise, they will be reviewed and addressed as may be appropriate.

Signature: \_\_\_\_\_



**REFERENCE:**

1. **Specifications and Pricing Page.** The specifications and intended pricing evaluation tool (wvOASIS line or pricing page) must be attached to the requisition for the Purchasing Division to review them.
2. **Usage of correct specification template.** The Purchasing Division maintains standard format templates on its website for various purchase types, including but not limited to one-time, services, and open-end RFQ purchases; RFPs; and EOIs. Using the correct specification template ensures language appropriate for the type of purchase will be contained in the final contract. A copy of these templates can be found on the Purchasing Division's website at [www.state.wv.us/admin/purchase/forms.html](http://www.state.wv.us/admin/purchase/forms.html).
3. **Use of correct requisition type.** Agencies must discern the type of contract needed prior to entering the requisition in wvOASIS. The requisition type will limit the type of award that can be issued for each solicitation. **Purchasing Division Procedures Handbook, Section 3.3.1.1.**
4. **Terms and conditions.** The agency must complete the General Terms and Conditions using the master copy maintained by the Purchasing Division, and the revision date on the terms and conditions document must not be removed or altered in any way. The Purchasing Master Terms and Conditions can be found on the Purchasing Division's website at [www.state.wv.us/admin/purchase/TCP.pdf](http://www.state.wv.us/admin/purchase/TCP.pdf). **Purchasing Division Procedures Handbook, Section 3.2.4.6.**
5. **Maximum budgeted amount.** This is the maximum amount of funding available for the purchase of the good or service as determined by the agency prior to requisition submission. This amount determines the agency's ability to negotiate and cannot be changed after the bid opening. **Purchasing Division Procedures Handbook, Section 6.9.3.1.**
6. **Suggested vendors.** Suggested vendors are identified at the time an agency conducts its market research and are placed in the Vendor List or Free Form Vendor fields within the requisition. This ensures the vendors are made aware of the bidding opportunity.
7. **Capitol Building Commission pre-approval.** Pre-approval from the Capitol Building Commission is required before any contract can be bid for work requiring a substantial physical change to the state capitol building or surrounding complex, before work begins to a building on the capitol complex if not done under a contract, and prior to processing change orders for work to buildings on the capitol complex above \$40,000. **Purchasing Division Procedures Handbook, Section 7.2.**
8. **Financing pre-approval.** Any loan or extension of credit from a bank or other financial institution by any state agency under the Executive Branch requires pre-approval from the Governor's Office and must be in the best financial interest of the state of West Virginia. **Per memorandum from the Governor's Office.**
9. **Fleet Management Division pre-approval.** Pre-approval by the Fleet Management Division (FMD) is required to purchase vehicles, unless statutorily exempt. Any request made under the authority of the Fleet Management Division to increase an agency's fleet size must be approved by the FMD executive director, and all vehicle purchases, regardless of dollar amount, must be processed through the Purchasing Division. **Purchasing Division Procedures Handbook, Section 7.8.**
10. **Insurance requirements.** **RE Purchasing Division Procedures Handbook, Section 3.2.5.3. Appendix C.**