



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: 07-02-2025

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 0603 0603 ADJ2400000014 7                    | Change Order No: | 4 | Procurement Folder:  | 1417198    |
| Document Name:        | MCA South Insulated Steel Multi-Purpose Building |                  |   | Reason for Modification:<br>Change Order NO. 3<br>To Cancel Contract |            |
| Document Description: | MCA South Insulated Steel Multi-Purpose Building |                  |   |  |            |
| Procurement Type:     | Central Purchase Order                           |                  |   |  |            |
| Buyer Name:           | David H Pauline                                  |                  |   |  |            |
| Telephone:            | 304-558-0067                                     |                  |   |  |            |
| Email:                | david.h.pauline@wv.gov                           |                  |   |  |            |
| Shipping Method:      | Best Way   |                  |   | Effective Start Date:  | 2024-08-29 |
| Free on Board:        | FOB Dest, Freight Prepaid                        |                  |   | Effective End Date:  | 2025-06-15 |

| VENDOR  | DEPARTMENT CONTACT |                     |                     |               |    |    |        |   |    |             |  |  |    |             |  |  |    |             |  |  |   |
|---|--------------------|---------------------|---------------------|---------------|----|----|--------|---|----|-------------|--|--|----|-------------|--|--|----|-------------|--|--|---|
| Vendor Customer Code: 000000227155<br>VERITAS CONTRACTING LLC<br>72 DISTRIBUTOR DR<br><br>MORGANTOWN WV 26501<br>US<br>Vendor Contact Phone: 999-999-9999 Extension:<br>Discount Details:<br><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: Nancy C Baire<br>Requestor Phone: 304-561-6449<br>Requestor Email: baire4@yahoo.com<br><br><b>2026</b><br>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  |
|---|--|
| STATE FINANCE<br>ADJUTANT GENERALS OFFICE<br>1703 COONSKIN DR<br><br>CHARLESTON WV 25311-1085<br>US | MOUNTAINEER CHALLENGE PROGRAM - SOUTH<br>ADJUTANT GENERALS OFFICE<br>305 FAYETTE PIKE<br><br>MONTGOMERY WV 25136<br>US |

CR 7-31-25

|                     |              |
|---------------------|--------------|
| Total Order Amount: | \$140,375.82 |
|---------------------|--------------|

Purchasing Division's File Copy

|  |   |  |
|--|---|--|
| PURCHASING DIVISION AUTHORIZATION<br>DATE: 7/31/25<br>ELECTRONIC SIGNATURE ON FILE | ATTORNEY GENERAL APPROVAL AS TO FORM<br>DATE: 7/31/25<br>ELECTRONIC SIGNATURE ON FILE | ENCUMBRANCE CERTIFICATION<br>DATE: 7-31-25<br>ELECTRONIC SIGNATURE ON FILE |
|--|---|--|

**Extended Description:**  
CHANGE ORDER NO 3

Change order No. 3 is issued to cancel this contract/purchase order in its entirety and all funds associated with the contract.

Effective date of cancellation: 06/05/2025

| Line         | Commodity Code | Quantity     | Unit | Unit Price | Total Price |
|--------------|----------------|--------------|------|------------|-------------|
| 2            | 72000000       | 0.00000      |      | 0.000000   | 140375.82   |
| Service From | Service To     | Manufacturer |      | Model No   |             |
|              |                |              |      |            |             |

**Commodity Line Description:** Alternate Bid-No. 1- Provide/construct 80' x 120' building

**Extended Description:**  
See Attached Exhibit "A" Pricing Page

Contract Item #2- ALTERNATE BID #1 Lump Sum Price for purchase and construction of an 80' x 120' insulated steel multi-purpose building, per the attached documentation.



DEPARTMENT OF THE ARMY  
ADJUTANT GENERAL'S OFFICE  
JOINT FORCES HEADQUARTERS WEST VIRGINIA  
1707 COONSKIN DRIVE  
CHARLESTON, WEST VIRGINIA 25311-1026

NGWV-FMO-PROC

28 May 2025

MEMORANDUM FOR

Samuel O. Proctor  
Veritas Contracting, LLC  
246 Business Park Drive  
Fairmont, WV 26554

Subject: Official Contract Closeout for Contract #CPO-ADJ2400000014/ **MCA South Insulated Steel Multi-Purpose Building**

Dear Mr. Proctor:

The West Virginia Adjutant General's Office and the West Virginia Army National Guard's Construction and Facilities Management Office certifies to the best of their knowledge that all employees, subcontractors, and suppliers of all materials for work performed on the project noted above known as the **(MCA South Insulated Steel Multi-Purpose Building)** located at (Mountaineer Challenge Academy-South, Montgomery, WV) under the contract number noted above, have been paid in full. The work has been accepted up to this point in time by the West Virginia Adjutant General's Office and the West Virginia Army National Guard's Construction and Facilities Management Office as follows.

Current contract status is:

MCA South Insulated Steel Multi-Purpose Building

Original contract amount: \$1,113,834.00

Current contract total amount: \$1,113,834.00

Paid to Date: \$81,986.40

Final Invoice Amount: \$58,389.42 (to be paid upon execution of this agreement)

**Balance: \$973,458.18 (To be unobligated via deductive change order)**

In order for the West Virginia Adjutant General's Office and the West Virginia Army National Guard ("Agency/Owner") to officially close out the contract, a change order must be processed to the original contract issued by the State of West Virginia Purchasing Division to state the information noted above is correct and mutually agreed upon by the Agency/Owner and Veritas Contracting, LLC., Vendor/Contractor.

The undersigned Vendor/Contractor for the project and contract noted above hereby covenants and warrants that the Agency/Owner has paid in full all submitted invoices for labor and materials provided and work completed to date, that no further invoices will be submitted, and there are no other pending claims, demands, liens or causes of action related to the project. The undersigned Vendor/Contractor does hereby waive, release, and relinquish any and all claims, demands, liens, causes of action and the like, which it may have against the West Virginia Adjutant General's Office, the West Virginia Adjutant General, the State Armory Board, and the West Virginia Army National Guard, its successors and assigns, in connection with the construction of improvements relating to this project. Likewise, the undersigned on behalf of the West Virginia Adjutant General's Office, the West Virginia Adjutant General, the State Armory Board, the West Virginia Army National Guard and the Department of Administration Purchasing Division does hereby waive, release, and relinquish any and all claims, demands, liens, causes of action and the like, which any of the same may have against the Veritas Contracting, LLC, its successors and assigns, in connection with the construction of improvements relating to this project.

The undersigned Vendor/Contractor further covenants and warrants to the Agency/Owner that all subcontractors, materialmen, and laborers who have furnished goods or services in connection with construction of improvements relating to the above-referenced project have been fully paid. The undersigned does hereby agree to indemnify, defend and save harmless the West Virginia Adjutant General's Office, the West Virginia Adjutant General, the State Armory Board and the West Virginia Army National Guard from any and all claims, demands, liens, causes of action and the like, which may arise in connection with construction of improvements to the above-referenced property by the undersigned Contractor/Vendor.

The Agency/Owner and the Vendor/Contractor further agree to the following:

Veritas Contracting LLC ("Veritas"), the Agency/Owner, West Virginia Adjutant General's Office, the West Virginia Adjutant General, the State Armory Board and the West Virginia Army National Guard and the Dept. of Administration Purchasing Division (the "State") has mutually agreed to terminate the agreement regarding the MCA South Metal Insulated Steel Building contract, subject to the following conditions:

In consideration of payment for the final invoice, terminating the agreement and the parties mutually releasing each other from any further obligations related to the Agreement, Veritas has agreed to make the final payment due on the metal building and retain the building. The State has agreed to pay Veritas for the work performed up until the date of the cease and desist letter in the amount of \$58,389.42.

Subject to Agency/Owner's compliance with its statutory obligations regarding public records, including but not limited to W.Va. § 29B-1-1 et seq., and the Freedom of Information Act, the Vendor/Contractor and the Agency/Owner covenant and agree that the facts relating to the existence of this Agreement, the negotiations leading to the execution of this Agreement, and the terms of this Agreement shall be held in confidence, and shall not be disclosed, communicated or

divulged, to any person other than those who must perform tasks to effectuate this Agreement and to refrain from taking any action or making any comments to disparage or damage the other party.

Please sign, date, and notarize this letter and return the original copy to my attention by mail to the address on this letterhead.

WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: VERITAS Contracting LLC

Authorized Signature: [Signature] Date: 6-4-25

Print Name: Samuel O Proctor

Title: member

State of West Virginia

County of Marion, to-wit:

Taken, subscribed, and sworn to before me this 4th day of June, 2025

My Commission expires September 14, 2025

AFFIX SEAL HERE



OFFICIAL SEAL  
STATE OF WEST VIRGINIA  
NOTARY PUBLIC  
Jesse L. Ayers II

911 Shelby Avenue, Fairmont, WV 26554-3555  
My Commission Expires September 14, 2025

Notary Public [Signature]

The point of contact for this correspondence is the undersigned at 304-561-6629 or email at claude.d.wingerd.nfg@army.mil.

Sincerely,

[Signature]

COL MELVIN P. "ROCKY" HODGES

Director of Construction and Facilities Management Office  
304.561.6349



Whittaker, Frank M <frank.m.whittaker@wv.gov>

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## Re: Response to Cease & Desist Request - Solicitation No. CPO ADJ24\*14

1 message

---

Willis, Samantha L <samantha.l.willis@wv.gov>

Mon, May 19, 2025 at 4:07 PM

To: "Pauline, David H" <david.h.pauline@wv.gov>

Cc: Frank M Whittaker <frank.m.whittaker@wv.gov>, Joseph E Hager III <joseph.e.hageriii@wv.gov>

Wonderful news. Much appreciated

On Mon, May 19, 2025 at 12:55 PM Pauline, David H <david.h.pauline@wv.gov> wrote:

Sam,

Dean just emailed me to provide an update, their legal counsel is reviewing and preparing their response and will be in contact as soon as possible.

God Bless,

**David Pauline**

Senior Buyer, Purchasing Division

304-558-0067 • David.H.Pauline@wv.gov



On Mon, May 19, 2025 at 12:14 PM Willis, Samantha L <samantha.l.willis@wv.gov> wrote:

Excellent! Thank you!

On Mon, May 19, 2025 at 4:58 AM Pauline, David H <david.h.pauline@wv.gov> wrote:

Sam,

I forwarded your email and followed up with a call to Dean. I explained everything to him. He is going to read over it, follow his command, and get back to us ASAP! I will let you know as soon as I hear back from him.

God Bless,

**David Pauline**

Senior Buyer, Purchasing Division

304-558-0067 • David.H.Pauline@wv.gov



On Fri, May 16, 2025 at 9:22 PM Willis, Samantha L <samantha.l.willis@wv.gov> wrote:

I need you all to look over this Monday and get with the ADJ. we need to find out what the issue is exactly and how it lines up with the contract, as well as how they want to proceed.

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

From: **rssummers** <rsummers@mountain.net>

Date: Fri, May 16, 2025 at 3:56 PM

Subject: Response to Cease & Desist Request - Solicitation No. CPO ADJ24\*14

To: <samantha.l.willis@wv.gov>

CC: Sproctor <sproctor@veritaswv.com>

Ms. Willis - Please find a response to your letter dated yesterday, May 15th, regarding the above referenced Solicitation.

Please confirm receipt of this email.

We look forward to hearing back from you soon.

Thanks, Scott

R. Scott Summers, P.L.L.C.  
Attorney at Law  
119 Firehouse Rd., Suite 201  
Fairmont, WV 26554  
304.282.3463



Whittaker, Frank M <frank.m.whittaker@wv.gov>

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## Fwd: Response to Cease & Desist Request - Solicitation No. CPO ADJ24\*14

1 message

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**Willis, Samantha L** <samantha.l.willis@wv.gov>

Fri, May 16, 2025 at 9:22 PM

To: Frank M Whittaker <frank.m.whittaker@wv.gov>, Joseph E Hager III <joseph.e.hageriii@wv.gov>, David H Pauline <david.h.pauline@wv.gov>

I need you all to look over this Monday and get with the ADJ. we need to find out what the issue is exactly and how it lines up with the contract, as well as how they want to proceed.

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

From: **rssummers** <rsummers@mountain.net>

Date: Fri, May 16, 2025 at 3:56 PM

Subject: Response to Cease & Desist Request - Solicitation No. CPO ADJ24\*14

To: <samantha.l.willis@wv.gov>

CC: Sproctor <sproctor@veritaswv.com>

Ms. Willis - Please find a response to your letter dated yesterday, May 15th, regarding the above referenced Solicitation.

Please confirm receipt of this email.

We look forward to hearing back from you soon.

Thanks, Scott

R. Scott Summers, P.L.L.C.  
Attorney at Law  
119 Firehouse Rd., Suite 201  
Fairmont, WV 26554  
304.282.3463

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### 2 attachments

 **Response to CD Request - 5.16.25 - S.pdf**  
347K

 **Addendum 3 - Highlighted Areas.pdf**  
451K



**R. SCOTT SUMMERS, P.L.L.C.**  
**~ ATTORNEY AT LAW ~**  
**119 FIREHOUSE ROAD, SUITE 201**  
**FAIRMONT, WEST VIRGINIA 26554**

**304.282.3463**

**rssummers@mountain.net**

May 16, 2025

**VIA EMAIL ONLY TO: *samantha.l.willis@wv.gov***

Samantha L. Willis  
Director & General Counsel  
West Virginia Purchasing Division  
2019 Washington Street, East  
Building 15  
Charleston, WV 25305-0130

RE: Cease and Desist Request dated 5/15/25  
Solicitation Number CPO ADJ24\*14 ("Solicitation")

Ms. Willis:

I am writing as legal counsel for Veritas Contracting LLC to confirm my client received your Cease and Desist request dated yesterday, May 15, 2025.

Contrary to your assertion, my client is able to fulfill the above referenced contract as bid and awarded, however excavation work not called for in the Solicitation is needed in order for my client to do so.

The Solicitation is clear that only an 80' x 120' x 6" area is to be excavated and that was what was bid on and awarded. As a result of the Floor Foundation Elevation (F.F.E.) not being determined at the time of bidding (see Question and Response 9 of Addendum 3 attached hereto), the limits of cut/fill for bidding purposes other than said area of excavation were not known or set forth in the Solicitation or any addendums thereto. Furthermore, as confirmed by Questions 46 and 47 in Addendum 3, the excavation was for an 80' x 120' by 6" pad and the topsoil was to remain onsite and 6" of gravel was to be installed although only 2" was specified (see Questions and Responses 46 and 47 in Addendum 3 attached hereto).

Ms. Samantha L. Willis

May 16, 2025

Page 2 of 2

Without the excavation work set forth in Additional Work Requests #1 and #2, which requests were denied and received by my client just last week on May 7th, it is impossible for my client (or any other party) to perform the excavation required by the Solicitation and prepare the necessary concrete pad for the metal building. As you should be aware, the metal building has already been ordered after approval was received from Jim Skaggs, the project manager for the Department of the Army Adjutant General's Office, and is set to arrive on site May 28<sup>th</sup> from the manufacturer and will need to be unloaded on site that day.

Although we are aware you may cancel any purchase or contract upon 30 days written notice to the vendor in accordance with West Virginia Code of State Rules § 148-1-5.2.b, after a quick review we are not finding any law or provision in the Solicitation documents permitting the Purchasing Division Director to issue a cease and desist request, but my client will honor your request.

We are hopeful your investigation in this matter is concluded quickly so that the building set for delivery can be constructed as bid and awarded to my client.

If you have any questions or concerns I can help you with, please let me know.

Sincerely,



R. SCOTT SUMMERS, P.L.L.C.

cc: Samuel O. Proctor

Enclosure (1): (Addendum 3 - highlighted in pertinent areas)



Hager III, Joseph E <joseph.e.hageriii@wv.gov>

## Fwd: FW: Contract cancellation CPO-ADJ24\*14 MCA South Insulated Steel Multi-Purpose Building

1 message

Pauline, David H <david.h.pauline@wv.gov>  
To: Joseph E Hager III <joseph.e.hageriii@wv.gov>

Wed, May 14, 2025 at 10:50 AM

Josh,

See below

*David Pauline*

Senior Buyer, Purchasing Division  
304-558-0067 • David.H.Pauline@wv.gov



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

From: **Wingerd, Claude D NFG NG WVARNG (USA)** <clauded.wingerd.nfg@army.mil>  
Date: Wed, May 14, 2025 at 10:48 AM  
Subject: RE: FW: Contract cancellation CPO-ADJ24\*14 MCA South Insulated Steel Multi-Purpose Building  
To: Pauline, David H <david.h.pauline@wv.gov>

David

The bottom line is we are trying to avoid legal action and cut our losses, which could further delay a solution for the Challenge Academy plus the vendor asked for a substantial change order which we have denied to process. We wish to terminate the contract before any ground is broken and before the steel building shows up on a truck to be installed. See below from our Project Manager.

"During the meeting it became apparent that Veritas had bid this project low in order to win the award for construction. At the onset of the meeting, we were presented with additional work requests (attached) in the total amount of \$381,180.19, stating that Veritas had not incorporated the civil work into their bids for the project."

Thanks

Dean Wingerd

Procurement Analyst

WV Military Authority

Construction & Facilities Management Office

PH) 304-561-6629

clauded.wingerd.nfg@army.mil

**From:** Pauline, David H <david.h.pauline@wv.gov>

**Sent:** Wednesday, May 14, 2025 10:39 AM

**To:** Wingerd, Claude D NFG NG WVARNG (USA) <clauded.wingerd.nfg@army.mil>

**Subject:** Re: FW: Contract cancellation CPO-ADJ24\*14 MCA South Insulated Steel Multi-Purpose Building

Can you tell me why the Guard needs to cancel it?

**David Pauline**

*Senior Buyer, Purchasing Division*

304-558-0067 • David.H.Pauline@wv.gov



On Wed, May 14, 2025 at 10:33 AM Wingerd, Claude D NFG NG WVARNG (USA) <clauded.wingerd.nfg@army.mil> wrote:

David

We need the cancellation to be effective immediately before they even break ground on the project, can you run that up the chain before we do that. I understand we have to give them 30 days notice but can Director Sam issue a Cease and Desist to the contractor to stop any and all work during this 30 day window? Does that make sense?

Thanks

Dean Wingerd

Procurement Analyst

WV Military Authority

Construction & Facilities Management Office

PH) 304-561-6629

clauded.wingerd.nfg@army.mil

---

**From:** Pauline, David H <david.h.pauline@wv.gov>

**Sent:** Wednesday, May 14, 2025 10:20 AM

**To:** Wingerd, Claude D NFG NG WVARNG (USA) <clauded.wingerd.nfg@army.mil>

**Subject:** Re: FW: Contract cancellation CPO-ADJ24\*14 MCA South Insulated Steel Multi-Purpose Building

Dean, I am going to reject this back, the effective date on the ext desc. says 5/13/25 and it should be probably 6/16 to allow time for processing. That gives the required 30 days notice. I will correct it just wanting to get your input

*David Pauline*

*Senior Buyer, Purchasing Division*

*304-558-0067 • David.H.Pauline@wv.gov*



On Wed, May 14, 2025 at 9:55 AM Wingerd, Claude D NFG NG WVARNG (USA) <clauded.wingerd.nfg@army.mil> wrote:

Thank you!

---

**From:** Pauline, David H <david.h.pauline@wv.gov>

**Sent:** Wednesday, May 14, 2025 9:46 AM

**To:** Wingerd, Claude D NFG NG WVARNG (USA) <clauded.wingerd.nfg@army.mil>

**Subject:** Re: FW: Contract cancellation CPO-ADJ24\*14 MCA South Insulated Steel Multi-Purpose Building

Working on it now!

*David Pauline*

*Senior Buyer, Purchasing Division*

*304-558-0067 • David.H.Pauline@wv.gov*



On Wed, May 14, 2025 at 9:39 AM Wingerd, Claude D NFG NG WVARNG (USA) <clauded.wingerd.nfg@army.mil> wrote:

David

Good morning. I hate when they do this to me, but now the urgency factor for this one has been cranked up, can you make this a priority for us so it gets out of your office and over to the AG's office for approval as soon as possible? Sorry about that.

Thanks

Dean Wingerd

Procurement Analyst

WV Military Authority

Construction & Facilities Management Office

PH) 304-561-6629

clauded.wingerd.nfg@army.mil

---

**From:** Wingerd, Claude D NFG NG WVARNG (USA) <clauded.wingerd.nfg@army.mil>

**Sent:** Tuesday, May 13, 2025 2:39 PM

**To:** Pauline, David H <david.h.pauline@wv.gov>

**Cc:** Wingerd, Claude D NFG NG WVARNG (USA) <clauded.wingerd.nfg@army.mil>

**Subject:** RE: Contract cancellation CPO-ADJ24\*14 MCA South Insulated Steel Multi-Purpose Building

David

We have submitted Change Order # 3 for CPO-ADJ24\*14 which is a cancellation change order. Please review and let me know if you have any questions or need any other information.

Thanks

Dean Wingerd

Procurement Analyst

WV Military Authority

Construction & Facilities Management Office

PH) 304-561-6629

claude.d.wingerd.nfg@army.mil

---

**From:** Pauline, David H <david.h.pauline@wv.gov>

**Sent:** Tuesday, May 13, 2025 9:23 AM

**To:** Wingerd, Claude D NFG NG WVARNG (USA) <claude.d.wingerd.nfg@army.mil>

**Subject:** Fwd: Contract cancellation CPO-ADJ24\*14 MCA South Insulated Steel Multi-Purpose Building

Dean,

Please Josh's response below.

God Bless,

*David Pauline*

*Senior Buyer, Purchasing Division*

304-558-0067 • David.H.Pauline@wv.gov



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

**From:** Hager III, Joseph E <joseph.e.hageriii@wv.gov>

**Date:** Tue, May 13, 2025 at 9:20 AM

**Subject:** Re: Contract cancellation CPO-ADJ24\*14 MCA South Insulated Steel Multi-Purpose Building

**To:** Pauline, David H <david.h.pauline@wv.gov>

They don't need to provide a reason, nor does it require approval from Frank or Sam. They just have to issue a change order giving the vendor a 30 day notice utilizing the cancellation language in the change order guideline document, or if they can get a two party agreement stating both parties are in agreement, there are no outstanding invoices, etc., then they can cancel immediately.

*Josh Hager*

*Buyer Supervisor, Purchasing Division*

304-558-5501 • Joseph.E.HagerIII@wv.gov



On Tue, May 13, 2025 at 8:17 AM Pauline, David H <david.h.pauline@wv.gov> wrote:

Josh, see Dean's email and let me know what you think, how should I respond? I would think that they need to provide a reason for canceling the contract.

God Bless,

**David Pauline**

Senior Buyer, Purchasing Division  
304-558-0067 • David.H.Pauline@wv.gov



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

From: **Wingerd, Claude D NFG NG WVARNG (USA)** <claude.d.wingerd.nfg@army.mil>

Date: Tue, May 13, 2025 at 7:32 AM

Subject: Contract cancellation CPO-ADJ24\*14 MCA South Insulated Steel Multi-Purpose Building

To: Pauline, David H <david.h.pauline@wv.gov>

Cc: Wingerd, Claude D NFG NG WVARNG (USA) <claude.d.wingerd.nfg@army.mil>

David

Good morning. I have a process question on this one. Attached you will see our letter requesting Director Sam to cancel the remainder of CPO-ADJ24\*14 MCA South Insulated Steel Multi-Purpose Building, I am sending it to you via email so she or Frank can approve it and stamp it etc., then I will submit that approved copy with the change order that I am working now using the cancellation language from the handbook. Is this the correct way to do it, or should I just go ahead and submit the change order with the letter attached to the header? Just let me know how you want me to do it.

Thanks

Dean Wingerd

Procurement Analyst

WV Military Authority

Construction & Facilities Management Office

PH) 304-561-6629

claude.d.wingerd.nfg@army.mil





Atkins, James W &lt;james.w.atkins@wv.gov&gt;

**Fwd: FW: FW: Response to Cease & Desist Request - Solicitation No. CPO ADJ24\*14**

1 message

**Pauline, David H** <david.h.pauline@wv.gov>

Tue, Jul 8, 2025 at 8:50 AM

To: Tara L Lyle &lt;tara.l.lyle@wv.gov&gt;, James W Atkins &lt;james.w.atkins@wv.gov&gt;

Here is the email from Dean for the Change Order I just gave James.

**God Bless,  
David Pauline**

Senior Buyer

Purchasing Division

304-558-0067 | David.h.pauline@wv.gov

2019 Washington St. E., Charleston, WV 25305



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

From: **Wingerd, Claude D NFG NG WVARNG (USA)** <clauded.wingerd.nfg@army.mil>

Date: Wed, Jul 2, 2025 at 2:03 PM

Subject: FW: FW: Response to Cease &amp; Desist Request - Solicitation No. CPO ADJ24\*14

To: Pauline, David H &lt;david.h.pauline@wv.gov&gt;

David

We have resubmitted the cancellation change order for this one for the steel Building at MCA South and the 2 party letter is attached per your request.

Thanks

Dean Wingerd

Procurement Analyst

WV Military Authority

Construction &amp; Facilities Management Office

PH) 304-561-6629

claude.d.wingerd.nfg@army.mil

**From:** Pauline, David H <david.h.pauline@wv.gov>

**Sent:** Monday, June 2, 2025 2:55 PM

**To:** Wingerd, Claude D NFG NG WVARNG (USA) <claude.d.wingerd.nfg@army.mil>

**Subject:** Re: FW: Response to Cease & Desist Request - Solicitation No. CPO ADJ24\*14

Dean,

Just spoke to Frank and we are good to move forward, just get everything signed and send it to me along with the request to cancel the contract and we will get taken care of.

God Bless,

**David Pauline**

Senior Buyer, Purchasing Division  
304-558-0067 • David.H.Pauline@wv.gov



On Mon, Jun 2, 2025 at 1:40 PM Wingerd, Claude D NFG NG WVARNG (USA) <claude.d.wingerd.nfg@army.mil> wrote:

David

We had a staff meeting and I was asked for the status on this, has Director Sam reviewed this yet? Please advise.

Thanks

Dean Wingerd

Procurement Analyst

WV Military Authority

Construction & Facilities Management Office

PH) 304-561-6629

claude.d.wingerd.nfg@army.mil

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**From:** Wingerd, Claude D NFG NG WVARNG (USA) <claude.d.wingerd.nfg@army.mil>  
**Sent:** Thursday, May 29, 2025 12:49 PM  
**To:** Pauline, David H <david.h.pauline@wv.gov>  
**Cc:** Wingerd, Claude D NFG NG WVARNG (USA) <claude.d.wingerd.nfg@army.mil>  
**Subject:** FW: Response to Cease & Desist Request - Solicitation No. CPO ADJ24\*14  
**Importance:** High

David

They wanted me to follow up and see if Director Sam had reviewed this yet? Does she have any questions?

Thanks

Dean Wingerd  
Procurement Analyst  
WV Military Authority  
Construction & Facilities Management Office  
PH) 304-561-6629  
claude.d.wingerd.nfg@army.mil

---

**From:** Wingerd, Claude D NFG NG WVARNG (USA) <claude.d.wingerd.nfg@army.mil>  
**Sent:** Wednesday, May 28, 2025 12:36 PM  
**To:** Pauline, David H <david.h.pauline@wv.gov>  
**Cc:** Bowman, Charles A Jr NFG NG WVARNG (USA) <charles.a.bowman26.nfg@army.mil>; Wingerd, Claude D NFG NG WVARNG (USA) <claude.d.wingerd.nfg@army.mil>  
**Subject:** RE: Response to Cease & Desist Request - Solicitation No. CPO ADJ24\*14  
**Importance:** High

David

Good afternoon. Please see below and attached our response to the Vendor's Attorney and how our Agency and the Vendor propose to resolve this dispute and cancel the contract immediately after all actions are completed.

1. See attached Draft agreement between the parties. Once the Director approves, we will sign it and send it to the Vendor for signature and Notary.
2. Once the agency gets the signed and Notarized letter, we will pay the outstanding Invoice
3. We will make changes to the Draft cancellation Change order currently in Oasis per your direction, and we would ask that Director Sam immediately cancel the contract.

Please let me know if you have any questions or need more information.

Respectfully

Dean Wingerd

Procurement Analyst

WV Military Authority

Construction & Facilities Management Office

PH) 304-561-6629

claude.d.wingerd.nfg@army.mil

---

**From:** Pauline, David H <david.h.pauline@wv.gov>

**Sent:** Monday, May 19, 2025 7:47 AM

**To:** Wingerd, Claude D NFG NG WVARNG (USA) <claude.d.wingerd.nfg@army.mil>

**Subject:** Fwd: Response to Cease & Desist Request - Solicitation No. CPO ADJ24\*14

Dean,

Please see the response below from the Vendor's Attorney and let us know how the Guard would like to proceed.

**David Pauline**

Senior Buyer, Purchasing Division  
304-558-0067 • David.H.Pauline@wv.gov



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

From: **Willis, Samantha L** <samantha.l.willis@wv.gov>

Date: Fri, May 16, 2025 at 9:22 PM

Subject: Fwd: Response to Cease & Desist Request - Solicitation No. CPO ADJ24\*14

To: Frank M Whittaker <frank.m.whittaker@wv.gov>, Joseph E Hager III <joseph.e.hageriii@wv.gov>, David H Pauline <david.h.pauline@wv.gov>

I need you all to look over this Monday and get with the ADJ. we need to find out what the issue is exactly and how it lines up with the contract, as well as how they want to proceed.

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

From: **rssummers** <rsummers@mountain.net>

Date: Fri, May 16, 2025 at 3:56 PM

Subject: Response to Cease & Desist Request - Solicitation No. CPO ADJ24\*14

To: <samantha.l.willis@wv.gov>

CC: Sproctor <sproctor@veritaswv.com>

Ms. Willis - Please find a response to your letter dated yesterday, May 15th, regarding the above referenced Solicitation.

Please confirm receipt of this email.

We look forward to hearing back from you soon.

Thanks, Scott

R. Scott Summers, P.L.L.C.

Attorney at Law

119 Firehouse Rd., Suite 201

Fairmont, WV 26554

304.282.3463



**CO3-ContractCancellation.pdf**

1199K

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## West Virginia Secretary of State — Online Data Services

### Business and Licensing

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### 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.*

#### VERITAS CONTRACTING, LLC

*see attached*

| Organization Information        |                |                  |             |          |        |          |                  |                    |
|---------------------------------|----------------|------------------|-------------|----------|--------|----------|------------------|--------------------|
| Org Type                        | Effective Date | Established Date | Filing Date | Charter  | Class  | Sec Type | Termination Date | Termination Reason |
| LLC   Limited Liability Company | 12/23/2003     |                  | 12/23/2003  | Domestic | Profit |          |                  |                    |

| Organization Information  |  |                           |                      |
|---------------------------|--|---------------------------|----------------------|
| <b>Business Purpose</b>   | 2362 - Construction - Construction of Buildings - Nonresidential Building Construction (industrial, commercial & institutional building) |                           | <b>Capital Stock</b> |
| <b>Charter County</b>     | Marion   | <b>Control Number</b>     | 62437                |
| <b>Charter State</b>      | WV   | <b>Excess Acres</b>       |                      |
| <b>At Will Term</b>       | A  | <b>Member Managed</b>     | MBR                  |
| <b>At Will Term Years</b> |  | <b>Par Value</b>          |                      |
| <b>Authorized Shares</b>  |  | <b>Young Entrepreneur</b> | Not Specified        |

| Addresses                        |   |
|----------------------------------|---|
| Type                             | Address   |
| <b>Designated Office Address</b> | 246 BUSINESS PARK DRIVE<br>FAIRMONT, WV, 26554                      |
| <b>Mailing Address</b>           | 246 BUSINESS PARK DRIVE<br>FAIRMONT, WV, 26554<br>USA               |
| <b>Mailing Address</b>           | DANIEL C MCCLAIN<br>PO BOX 1395<br>MORGANTOWN, WV, 26507<br>USA     |
| <b>Notice of Process Address</b> | SAMUEL O. PROCTOR<br>246 BUSINESS PARK DRIVE<br>FAIRMONT, WV, 26554 |
| <b>Principal Office Address</b>  | 246 BUSINESS PARK DRIVE<br>FAIRMONT, WV, 26554<br>USA               |
| Type                             | Address   |

| Officers         |   |
|------------------|---|
| Type             | Name/Address  |
| <b>Member</b>    | SAMUEL O. PROCTOR<br>246 BUSINESS PARK DRIVE<br>FAIRMONT, WV, 26554 |
| <b>Organizer</b> | DANIEL C MCCLAIN<br>PO BOX 1395<br>MORGANTOWN, WV, 26507<br>USA     |
| Type             | Name/Address  |

Print / Email

| Annual Reports |
|----------------|
| Filed For      |
| 2025           |
| 2024           |
| 2023           |
| 2022           |
| 2021           |
| 2020           |
| 2019           |
| 2018           |
| 2017           |
| 2016           |
| 2015           |
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| 2010           |
| 2009           |
| 2008           |
| 2007           |
| 2006           |
| 2005           |
| 2004           |
| Date filed     |

For more information, please contact the Secretary of State's Office at 304-558-8000.

Wednesday, July 30, 2025 — 10:50 AM

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# Address

| Address Type  | Street 1                | City       | State/Province | Zip/Postal Code | Principal Contact |
|---------------|-------------------------|------------|----------------|-----------------|-------------------|
| ✓ Payment     | PO BOX 1395             | MORGANTOWN | WV             | 26507           |                   |
| Payment       | 246 BUSINESS PARK DRIVE | FAIRMONT   | WV             | 26554           | Jesse Ayers       |
| Ordering      | 246 Business Park Drive | Fairmont   | WV             | 26554           | Jesse Ayers       |
| Web Registrar | 246 Business Park Drive | Fairmont   | WV             | 26554           | Jesse Ayers       |
| Payment       | 1233 PINEVIEW DR STE 1  | MORGANTOWN | WV             | 26506           | DANIEL MCCLAIN    |
| Payment       | 72 DISTRIBUTOR DR       | MORGANTOWN | WV             | 26501           | DANIEL MCCLAIN    |
| Ordering      | 72 DISTRIBUTOR DR       | MORGANTOWN | WV             | 26501           | DANIEL MCCLAIN    |

First Prev Next Last

Save Undo Delete Insert Copy Paste

Vendor/Customer : 000000227155

VERITAS CONTRACTING LLC

Address Type : Payment

Division/Department :

Additional Address Info. :

Prevent New Spending : ☐

Default Currency : USD - US Dollar

Active From : 09/06/2016

Active To : 08/28/2018

Default Record : ☐

Mail Returned : ☐


Active Address : No


## ▼ Address Information

Address ID : AD000001


Country Phone Code : 1



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1 of 2

7/30/2025, 10:52 AM

# COMPLIANCE VERIFICATION CHECKLIST FOR REQUISITION SUBMISSION

|   |  |
|---|--|
| <i>Purchasing Division Use:</i><br>Buyer: <u>8</u> Date: <u>7/10/25</u><br><br>Solicitation No. <u>CPO ADJ24*14</u> | Agency: <u>WVMA</u><br>Procurement Officer Submitting Requisition: <u>Dusty Smith</u><br>Requisition No. <u>CPO ADJ24*14</u><br>PF No.: <u>1417198</u> |
|---|--|

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 type="checkbox"/> | <input type="checkbox"/> |
| 2 | Use of correct specification template  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 type="checkbox"/> | <input type="checkbox"/> |
| 4 | Use of most current terms and conditions<br>( <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 type="checkbox"/> | <input type="checkbox"/> |
| 5 | Maximum budgeted amount in wvOASIS   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6 | Suggested vendors in wvOASIS   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7 | Capitol Building Commission pre-approval   | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8 | Financing (Governor's Office) pre-approval   | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9 | Fleet Management Division pre-approval   | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

#### FOR CHANGE ORDERS/RENEWALS:

|          |  |                                     |                                     |                                     |                                     |
|----------|--|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| <b>1</b> | Two-party agreement                                | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>2</b> | Standard change order language                     | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>3</b> | Office of Technology CIO approval                  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <b>4</b> | Justification for price increases/backdating/other | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>5</b> | Bond Rider (Construction)                          | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| <b>6</b> | Secretary of State Verification                    | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>7</b> | State debarment verification                       | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>8</b> | Federal debarment verification                     | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" 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: David Pauline