VICTOR VALLEY COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES
RESOLUTION NO. 26-16

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VICTOR VALLEY COMMUNITY COLLEGE DISTRICT DECLARING THE FUTILITY OF PUBLIC BIDDING FOR PURCHASE, INSTALLATION, AND SERVICING OF A LOCATION-BASED VIRTUAL REALITY POD AND CORRESPONDING SOFTWARE, HARDWARE, AND SERVICES

WHEREAS, the Victor Valley Community College District's ("District") has committed to the development of a state-of-the-art Virtual Reality Classroom that will include a full haptic virtual reality experience that will immerse students in a multidimensional learning environment, allowing them to engage with subjects and concepts in unprecedented ways, thereby enhancing critical thinking, problem-solving, and collaboration skills; and

WHEREAS, to complete this commitment, the District is in need of location-based immersive technology that enables several users to physically interact in a three-dimensional (3D) virtual environment, which can be seen and heard through a virtual reality headset and/or other modalities, follows the positioning and movements of the users in a VR pod using a system of movement recording, which enables them to see their own body and to physically move in the virtual environment with a very low latency and includes software utilized in conjunction with the VR system that includes corresponding instructional software, hardware and services ("Virtual Reality Pod and Programs") to bring advanced immersive learning experiences to the District's students enhance their learning experiences; and

WHEREAS, Dreamscape Learn, Inc. ("DSL") is an educational virtual reality company that specializes in creating fully immersive educational virtual reality services, including providing free roam pods, virtual laboratories, education programs, and specific hardware and equipment and supporting services for their programs; and

WHEREAS, the District has conducted a due diligence search and determined that DSL is the only entity which can provide the Virtual Reality Pod and Programs that meet the District's instructional needs and vision for an all encompassing VR system, including providing and installing a fully interactive free roam pod and a 32-student laboratory classroom pod, and associated hardware, software, and services; and

WHEREAS, District staff has determined, based on its due diligence search, that DSL, the manufacturer, installer, and servicer of the Virtual Reality Pod and Programs, is the only possible provider of the Virtual Reality Pod and Programs to the District because DSL is the only distributor, installer, and servicer of the specific Virtual Reality Pod and Programs needed by the District; and

WHEREAS, pursuant to applicable law, the District wishes to award a contract to DSL to supply, install, and service the Virtual Reality Pod and Programs in the District's new Building 30; and

WHEREAS, District staff shall formalize its agreement with DSL to provide, install, service, and warrant the Virtual Reality Pod and Programs; and

WHEREAS, District staff believes that DSL's prices attached hereto and incorporated in the New Business Item presented to the Board for approval at its meeting held on November 10, 2026, to provide, install, and warranty the Virtual Reality Pod and Programs in the District's new Building 30 is reasonable and appropriate; and

WHEREAS, Public Contract Code section 20651 states that a community college district is required to competitively bid any purchase of equipment with a contract value over $119,100 or any procurement of public works with a contract value over $15,000; and

WHEREAS, California law provides that, "Where competitive proposals work an incongruity and are unavailing as affecting the final result or where they do not produce any advantage . . . the statute requiring competitive bidding does not apply" (Hiller v. City of Los Angeles (1961) 197 Cal.App.2d 685, 694), and that public entities need not comply with competitive bidding processes where to do so would be impractical or futile and would not serve the purposes of competitive bidding, including in situations where there is only one supplier or provider of a needed commodity. (Los Angeles Dredging Company v. City of Long Beach (1930) 2 Cal. 348; Graydon v. Pasadena Redevelopment Agency(1980) 104 Cal.App.3d 631.); and

WHEREAS, based on the foregoing, it would be incongruous, futile, and unavailing to solicit public bids for the purchase, installation, and servicing of the Virtual Reality Pod and Programs; and

WHEREAS, the District therefore desires to enter into a contract with DSL for the purchase, installation, and servicing of the Virtual Reality Pod and Programs in the District's new Building 30.

NOW THEREFORE, the Board of Trustees of the Victor Valley Community College District ("Board") hereby resolves, determines, and finds the following:

1. The foregoing recitals are true and correct;

2. The Virtual Reality Pod and Programs are the only acceptable material, product, thing, or services that can ensure the District's students are provided advanced immersive learning experiences to enhance their learning experiences, including but not limited to accomplishing the following planned activities:

a) Provide a fully immersive series of biology modules designed to accompany introductory biology curricula and supplement traditional lab experiments with richer, more engaging, more relevant and more academically rigorous learning experiences in which students become biologists solving real life science problems in a complex world of novel creatures and ecosystems.
b) Provide a user-friendly software development kit (SDK) to build immersive environments to teach within that will actively engage cross-disciplinary faculty groups to develop District specific content.
c) Provide a targeted STEM outreach program to the community
d) Provide an entry point for students interested in VR production and coding in real time engines.

3. DSL is the only entity that can to supply, install, and service the Virtual Reality Pod and Programs that meets all the planned activities of the District;

4. The District's Superintendent/President or his designee is authorized to take all steps and perform all actions necessary to execute and implement this resolution.

This resolution is adopted by the Board of Trustees of the Victor Valley Community College District on November 10, 2026, by the following votes:

AYES:

NOES:

ABSENT:

CERTIFICATION

I hereby certify, on this 10th day of November 2026, that the foregoing document is a true and correct copy of the Resolution Declaring the Futility of Public Bidding for Purchase, Installation, and Servicing of a Location-Based Virtual Reality Pod and Corresponding Software, Hardware, and Services by said Board of Trustees at its meeting on November 10, 2026.

Jennifer Tarpley, Board President Dated: Dated: 11 - 10 - 26

Stephen Tyrrell, Board Clerk Dated: Dated: 11/10/26

Daniel Walden, Superintendent/President Dated: 11 - 10 - 26