

RESOLUTION NO. _____

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MAMMOTH LAKES, STATE OF CALIFORNIA, MAKING FINDINGS SOLE SOURCING CERTAIN FLOORING MATERIALS FOR THE MCCOY ARTS AND CULTURAL CENTER PROJECT

WHEREAS, Town Council has recently taken several actions in support of the development of the McCoy Arts and Cultural Center (MACC) project, including:

1. awarding a design contract to HMC on March 19, 2025;
2. authorizing a joint development and use agreement with Kern Community College District on April 16, 2025;
3. authorizing the purchase and sale agreement with the Mammoth Lakes Foundation on May 7, 2025; and
4. approving an agreement with the Mammoth Lakes Performing Arts Foundation for operations and maintenance support on May 7, 2025; and

WHEREAS, the project has now been let out to bid, with an expected bid closing date of June 20, 2025, and expected construction contract award date of July 2, 2025; and

WHEREAS, Public Contract Code (PCC) section 3400 requires public works contracts to allow contractors to request substitutions for specified products if the requested products are considered of equal quality; and

WHEREAS, when it is necessary for certain products used in a project to exactly match other products already in use on a particular public project, PCC section 3400 also allows findings to be made by the awarding authority requiring that specific product(s) be used with no substitutions accepted; and

WHEREAS, the MACC is designed as an addition to the existing recently renovated Edison Hall with continuous hallways connecting the building phases, and the hallway flooring materials are intended to flow smoothly from one phase to another without interruption, and allowing substitution of the specified hallway flooring products may result in discontinuous surface textures or elevations, which could pose a safety hazard and undesirable performance and maintenance characteristics.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the Town Council of the Town of Mammoth Lakes, State of California, as follows:

1. The foregoing recitals are true and correct.
2. Resilient tile material “LVT-1”, to be used in the MACC lobby hallway, and carpet flooring material “CPT-2”, to be used in the MACC supporting space hallway, shall be sole sourced as indicated in the project plans and specifications, with no substitutions permitted, in order to prevent potential safety hazards and undesirable performance and maintenance characteristics which could result from the substitution of different products.
3. This resolution of findings shall be included in the project contract documents as a component of the Special Conditions, to be issued by bid addendum.

APPROVED AND ADOPTED THIS 21st DAY OF MAY 2025.

CHRIS BUBSER, Mayor

ATTEST:

JAMIE GRAY, Town Clerk