

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA  
DECLARING AN URGENCY TO PERFORM A PUBLIC WORKS  
PROJECT AT THE GEORGE F. HAINES INTERNATIONAL SWIM  
CENTER WITHOUT ADVERTISING FOR BIDS IN ACCORDANCE  
WITH SANTA CLARA CITY CHARTER SECTION 1310**

**WHEREAS**, the George F. Haines International Swim Center (ISC) was designed in 1965, constructed in 1966, and opened to the public on July 1, 1967; and,

**WHEREAS**, the ISC features three pools (a 50-meter x 25-yard racing pool, a deep diving well, and a training pool), decks, mechanical circulation, filtration and heating systems, 3,000-seat viewing stands, roof, and several support spaces; and,

**WHEREAS**, in 2017, the Kitchell Report determined that the majority of the ISC was in poor to critical condition, with many components being deemed beyond their useful life; and,

**WHEREAS**, the City contracted with LPA, Inc. to conduct an assessment of the ISC which revealed significant health and safety concerns; and,

**WHEREAS**, in January 2024, due to the health and safety concerns identified in the LPA report, the ISC was closed indefinitely; and,

**WHEREAS**, during the ISC's closure the City and has worked with local aquatic groups such as the Santa Clara Swim Club, Santa Clara Artistic Swimming, and the Santa Clara Dive Club to find alternate locations that meet their program needs however alternate locations do not match what was offered at the ISC nor do such locations meet all of the aquatic groups' needs; and,

**WHEREAS**, since the ISC's closure, the City has engaged in efforts to reopen the facility in a limited capacity by replastering the racing pool and training pool (the "Original Project"); and,

**WHEREAS**, during the course of the City's replastering project, the City's contractor, Adams Pool Solutions, discovered unforeseen damage to the pools' gutter and apron infrastructure and provided the City with potential options to remediate the facility; and,

**WHEREAS**, on April 8, 2025, the City Council approved an expanded scope for the project that includes replacement of the pool decking, recirculation, plumbing, boilers, and perimeter gutter

systems for all pools, replacement or refurbishment of the dive tower, and reconfiguration of the racing pool depth, lighting, temperature, and equipment (the "Project"); and

**WHEREAS**, in addition, on April 8, 2025 the City Council took action to approve an urgency declaration (Resolution 25-9532) under Charter Section 1310 to allow for the award of a contract for the Project without readvertising for bids and awarded such contract to Adams Pool Solutions;

**WHEREAS**, after the contract for the Project was awarded to Adams Pool Solutions, City staff determined that in order to implement certain elements of the Project, a contractor with a General Building Contractors ("B") license would be required in addition to Adam Pool Solutions' Swimming Pool ("C53") license;

**WHEREAS**, in response to the need for a General Building Contractor, Adams Pool Solutions and Mark Scott Construction, Inc. formed a joint venture limited liability company (International Swim Center 2025 LLC) ("Joint Venture") and obtained the appropriate licensure from the California Contractors State License Board;

**WHEREAS**, In order to issue an award of contract to this new entity, an updated declaration of urgency is required naming the Joint Venture as the awardee of the Project;

**WHEREAS**, there remains a critical need to act expeditiously to mitigate the negative impacts of the ISC's closure on the City and local aquatic groups; and,

**WHEREAS**, Santa Clara City Charter Section 1310 authorizes the City Council to award a public works contract without advertising for bids if the City Council deems the work to be of urgent necessity for the preservation of life, health or property; and,

**WHEREAS**, several programmatic, financial, and social impacts on the City and local non-profit aquatics groups justify a need issue a contract award without advertising for bids; and,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

1. The City Council hereby reconfirms the findings set forth in Resolution 25-9432 deeming the work implementing the Project to be of urgent necessity for the preservation of life, health,

and property based on the following declaration of facts:

- A. Aquatic groups are experiencing significant on-going disruptions to programming schedules due to the lack of a consistent space since the ISC's closure.
  - B. Alternate locations do not match what was offered at the ISC (e.g., bodies of water/depth, platform volume and heights, ability to offer daily programming, exhibitions, meets, shows, camps, swim lessons, etc.) which place aquatic groups at a significant disadvantage financially and programmatically, and which hinders the City's ability to attract tourism to the area and collect user fees for capital improvements and maintenance of the facility.
  - C. Increased travel time to and from alternate sites causes challenges for families (e.g., homework, dinner, other commitments, etc.).
  - D. Movement of equipment from site to site causes increased wear and tear and reduced replacement schedule.
  - E. Financial strain on organizations due to increased pool rental costs increase membership dues and create financial barriers for families.
  - G. The prolonged closure of the ISC diminishes the ability of local aquatic groups to prepare athletes to collegiate programs, world class athletes to national, international and Olympic teams as well as professional shows.
  - H. The ongoing closure of the ISC creates uncertainty on the long-term viability of the aquatic user groups based overextended operation restrictions.
2. The City Council hereby rescinds the award of contract for the Project to Adams Pool Solutions.
3. In light of the foregoing the City Council hereby authorizes an award of contract to International Swim Center 2026 LLC, a Joint Venture between Mark Scott Construction, Inc. and Adams Pool Solutions, to implement the Project without advertising for bids.
3. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED  
AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING  
THEREOF HELD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2025, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: \_\_\_\_\_  
NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA