



## COUNCIL REPORT

**DATE:** October 28, 2025

**CATEGORY:** Consent

**DEPT.:** Public Works

**TITLE:** Rengstorff Park Aquatics Center Replacement, Project 18-38—  
Construction Acceptance

### **RECOMMENDATION**

Accept Rengstorff Park Aquatics Center Replacement, Project 18-38, and authorize the final contract payment.

### **BACKGROUND AND ANALYSIS**

“Acceptance” of a construction contract is a legal event recognized by state law when the City verifies that the contractor has satisfactorily completed a public project. Once accepted, the work on the public project is complete and other actions occur, such as final payment to the contractor and the release of bonds obtained by the contractor that ensure completion of the project. Following acceptance, the City becomes responsible for maintenance of the public project.

The project included replacing the existing 5,200 square foot building and two pools with new facilities intended for year-round use, including a new 8,200 square foot aquatics building, new lap and recreational pools, and all new site amenities.

In 2021, the design of the project was completed, and the construction contract was awarded to Bobo Construction through the City’s competitive low bid process.

On March 4, 2025, the new aquatics center was opened to the public for lap swim, and on March 29, 2025, the ceremonial grand opening and dedication event was held.

Over the course of the construction, City staff and its construction management team utilized extensive cost-avoidance strategies, which resulted in the project being completed without significant disputes, claims, or other adversarial conflicts related to the construction of this uniquely challenging project. This in turn allowed for the project to be opened in March 2025 with minimal outstanding items to be resolved.

The final construction cost of \$21,788,000 is within the amended contract amount of \$21,788,000 and includes 30 approved contract change orders totaling \$2,254,000. All work has been completed in accordance with the approved plans and specifications.

### **FISCAL IMPACT**

Rengstorff Park Aquatics Center Replacement Design, Project 18-38, is funded with \$29,000,000 from the Park Land Dedication Fund. The total project expenditure is estimated to be approximately \$28,700,000, which is within the allotted budget, covering design, project administration, construction, construction management, inspection, and other related costs. Any remaining funds will be returned to the Park Land Dedication Fund once the project is closed.

### **LEVINE ACT**

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$500 from a party, participant, or agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: [www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html](http://www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html).

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

### **EXEMPT FROM THE LEVINE ACT**

☒ Competitively bid contract

### **ALTERNATIVES**

1. Determine that the improvements have not been completed in conformance with City standards and decline to accept the improvements until they are completed to the satisfaction of the City Council.
2. Provide other direction.

**PUBLIC NOTICING**—Agenda posting.

Prepared by:

Naveen Govind  
Senior Project Manager

Reviewed by:

David Printy  
Principal Project Manager

Edward Arango  
Assistant Public Works Director/  
City Engineer

Approved by:

Jennifer Ng  
Public Works Director

Audrey Seymour Ramberg  
Assistant City Manager

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cc: APWD—Arango, PPM—Printy, SPM—Govind, SMA—Goedicke, SMA—Doan, PA—Li,  
[cmvgis@mountainview.gov](mailto:cmvgis@mountainview.gov), F (21-57)