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December 11, 2025

Honorable Mayor Jeff Jacque and City Council Members
City of Dyersville
340 1st Avenue East
Dyersville, Iowa 52040

Subject: Award Recommendation — 1st Avenue West Resurfacing 2026 Project

Mayor and Council Members,

The City received bids for the 1st Avenue West Resurfacing 2026 project. The low bid was submitted by Boomerang Corp of Anamosa, Iowa, in the amount of \$783,252.00. The engineer's estimate was \$771,000.00, a difference of \$12,252.00, or 1.6% above the estimate.

Under Section 26.9 of the Iowa Code, contracts for public improvements are awarded to the lowest responsive, responsible bidder. Responsive means the bid conforms to the specifications and terms; responsible means the bidder is capable of performing the work and completing it as required. Based on the record before us, Boomerang's bid documents are in order. City Engineer/Public Works Director John Wandsnider has provided the bid tab in his memo and identified no irregularities, proper bid security, and no exceptions to the specifications.

The Council should review a bidder's past performance when considering them as a responsible bidder. The City collaborated with Boomerang on two projects in 2019. Contract B (Water Main) was completed on schedule without issues. Contract A (SE Water Pumping Facility) experienced delays, resulting in 54 days of liquidated damages totaling \$40,500. Punch-list completion took longer than expected; however, all remaining items were eventually completed, and any warranty work required by the contract was honored.

To evaluate current paving capacity, we exercised due diligence. Wandsnider contacted peer cities where Boomerang has completed paving projects and received no reports of issues. That feedback, along with the close margin to the engineer's estimate and a complete, conforming bid, supports the conclusion that Boomerang is both responsive and responsible for this contract.

My recommendation is to award the contract to Boomerang Corp for \$783,252.00. If the Council agrees, I have prepared a resolution for your review and consideration. The City Engineer will conduct oversight typical of paving work, including a firm pre-construction schedule, milestone tracking, routine site inspections, prompt enforcement of the punch list at substantial completion,

and application of contract remedies as needed. These measures will help keep the resurfacing on schedule and within scope.

For completeness, I note that the Council retains two other options should you wish to consider them. The Council may set a public hearing to take evidence on bidder responsibility and make a formal finding at a properly noticed meeting. The Council may also reject all bids and rebid the project.

I do not recommend either course absent a material defect in the bidding; a hearing would add time without changing the bid documents before you, and rebidding would likely delay the 2026 construction window and expose the city to market risk.

I believe the better path forward is to award Boomerang the contract. It meets the legal standard, fits the paving scope, and reflects the care staff has taken to verify current performance and the completeness of the bid.

Sincerely,

A handwritten signature in black ink, appearing to read "Mick Michel". The signature is fluid and cursive, with a large loop at the end.

Mick Michel
City Administrator