State of Iowa

Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, Widespread and continued severe flooding in the Missouri river basin from Woodbury County South through Fremont County has occurred in May of 2011 and is anticipated to continue through September 2011; and

WHEREAS, as a result of this flooding, six counties ("the disaster counties") have been declared disaster areas; and

WHEREAS, numerous highways and bridges have been damaged in the disaster counties as a result of said flooding and will require emergency repair, restoration or reconstruction to restore safe and adequate transportation to the disaster counties and to the state as a whole; and

WHEREAS, it is necessary to immediately begin an emergency project to raise the grade of the southbound lane of Interstate 29 in Monona County, Iowa south of the Blencoe interchange at its lowest point between milepost 103 and milepost 104. This project will involve, but is not limited to, the placement of an asphalt overlay at this location that will raise the grade of this highway approximately one foot for a distance of approximately 4200 feet in order to hold back flood waters and reduce the potential closure of Interstate 29 at this location; and

WHEREAS, the Iowa Department of Transportation ("DOT") anticipates that the emergency letting necessary in order to protect, repair, restore, or reconstruct this portion of Interstate 29 may exceed $1,000,000 in cost; and

WHEREAS, strict compliance with Iowa Code section 313.10(2)(c), which imposes a $1,000,000 emergency letting limitation would prevent, hinder or delay restoration of critical highways and bridges damaged in said flooding where said costs exceed $1,000,000; and

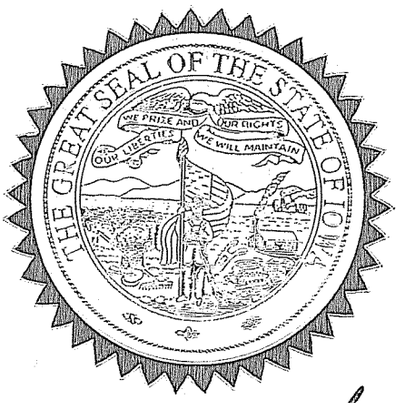
WHEREAS, restoration of said critical highways and bridges is necessary to cope with the emergency presented by said flooding and the specific protection, repair, restoration or reconstruction of this portion of Interstate 29 in Monona County, Iowa is necessary in order to prevent further flooding and damage to that highway and to allow safe and uninterrupted travel on this route.

NOW, THEREFORE, I, Terry Branstad, Governor of the State of Iowa, by the power and authority invested in me by the Constitution, Article IV Sections 1 and 8 and Iowa Code section 29C.6(1), do hereby declare the following:

1. Pursuant to Iowa Code section 29C.6(6), I do hereby suspend the regulatory provisions of Iowa Code section 313.10(2)(c) providing that the DOT may contract for the emergency repair, restoration or reconstruction of a highway or bridge without advertising for bids when the necessary work can be done for less than one million dollars ($1,000,000).

2. Under this suspension, only the condition imposed by subsection 2(c) of Iowa Code section 313.10 is suspended, and the DOT may engage in such emergency letting even when the necessary work cannot be done for less than one million dollars ($1,000,000), so long as the remaining requirements of said section 313.10 are met, and so long as the project is for emergency repair, restoration or reconstruction of the aforementioned portion of Interstate 29. This suspension only applies to emergency letting for the emergency protection, repair, restoration or reconstruction of the aforementioned portion of Interstate 29 located in Monona County, Iowa, and does not apply to any other projects.

3. The duration of the suspension of regulatory provisions pursuant to Iowa Code section 29C.6(6) in the disaster counties, as set forth above, is effective immediately and shall remain in effect to the maximum extent permitted by Iowa Code section 29C.6.



IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND CAUSED THE GREAT SEAL OF THE STATE OF IOWA TO BE AFFIXED. DONE AT DES MOINES THIS 7th DAY OF JULY IN THE YEAR OF OUR LORD TWO THOUSAND ELEVEN.

TERRY ~~E.~~ BRANSTAD
GOVERNOR OF IOWA

ATTEST:

MATT SCHULTZ
SECRETARY OF STATE