



State of Iowa
Executive Department

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

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, on June 21, 2024, and continuing thereafter, a series of severe storm systems affected the state of Iowa; and

WHEREAS, this storm system caused severe weather, including damaging winds, straight-line winds, tornados, heavy rains, thunderstorms and record flash flooding, resulting in significant damage to public and private property, power outages resulting from downed power lines and poles and large debris piles; and

WHEREAS, Sioux County suffered significant damage from this event; and

WHEREAS, state agencies entering into public improvement contracts to recover from this event are using due diligence, including cost comparisons, to determine that costs are reasonable; and

WHEREAS, strict compliance with the provisions of various state statutes, orders, and rules governing the conduct of business is hindering the state's ability to construct and install emergency classroom facilities prior to the start of the school year to assist residents in coping with this event; and

WHEREAS, reports forwarded to the Iowa Department of Homeland Security and Emergency Management by the emergency management coordinator and others in the affected county indicate that a targeted suspension of specific regulatory requirements are necessary to effectively respond to and recover from the effects of this event; and

WHEREAS, these conditions threaten the public peace, health, and safety of citizens of the State of Iowa and have damaged and destroyed public and private property. Because of this, they provide legal justification for the issuance of a Proclamation of Disaster Emergency pursuant to Iowa Code § 29C.6 (1).

NOW, THEREFORE, I, KIMBERLY K. REYNOLDS, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution Art. IV, §§ 1, 8 and Iowa Code § 29C.6 (1), and all other applicable laws, do hereby proclaim a **STATE OF DISASTER EMERGENCY** for Sioux County and do hereby **ORDER** and **DIRECT** the following:

SECTION ONE. I do hereby temporarily suspend the regulatory provisions of Iowa Code § 26A.4 prohibiting a governmental entity from entering into a design-build contract for the construction of a public improvement. Suspension of this provision is limited to the duration of this proclamation and is further limited to design-build contracting that is necessary to recover from this disaster emergency.

SECTION TWO. I do hereby temporarily suspend the regulatory provisions of Iowa Code § 72.5 which place restrictions on life cycle contract costs as it relates to contracting for public improvement or construction of a public building, including new construction or renovation of an existing public building, by the state, or an agency of the state. Suspension of this provision is limited to the duration of this proclamation and is further limited to emergency construction contracting that is necessary to recover from this disaster emergency.

SECTION THREE. I do hereby temporarily suspend the regulatory provisions of Iowa Code § 73A.2 which requires a public notice of hearing on any public improvement contracting in excess of the competitive bid threshold identified in Iowa Code § 26.3. Suspension of this provision is limited to the duration of this proclamation and is further limited to emergency construction contracting that is necessary to recover from this disaster emergency.

SECTION FOUR. Any additional regulatory restrictions imposed on a governmental entity related to the performance of public improvement contracts, except as otherwise required by the Iowa Constitution, are also suspended to the extent that such restrictions would in any way prevent, hinder, or delay necessary action in coping with the emergency. Suspension of these provisions are limited to the duration of this proclamation and are further limited to emergency construction contracting that is necessary to recover from this disaster emergency.

SECTION FIVE. This state of disaster emergency shall be effective immediately, shall continue for thirty (30) days, and shall expire on August 29, 2024, unless sooner terminated or extended in writing by me.



IN TESTIMONY WHEREOF, I HAVE
HEREUNTO SUBSCRIBED MY NAME AND
CAUSED THE GREAT SEAL OF THE STATE
OF IOWA TO BE AFFIXED AT DES MOINES,
IOWA THIS THIRTIETH DAY OF JULY IN
THE YEAR OF OUR LORD TWO THOUSAND
TWENTY-FOUR

KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:

PAUL D. PATE
SECRETARY OF STATE