

**FIRST AMENDMENT TO AGREEMENT FOR OPERATION OF THE AIR TRAFFIC CONTROL TOWER AT THE TRUCKEE TAHOE AIRPORT**

THIS FIRST AMENDMENT TO AGREEMENT FOR OPERATION OF THE AIR TRAFFIC CONTROL TOWER AT THE TRUCKEE TAHOE AIRPORT ("First Amendment"), dated for reference purposes only November \_\_\_\_, 2022, is entered into by and between the Truckee Tahoe Airport District ("District") and Midwest ATC Service, Inc. ("Midwest ATC") a Kansas corporation.

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants contained herein, the parties hereby agree as follows:

1. Section 2. Responsibilities of Midwest ATC is amended to include paragraph 2(d) as follows:

(d) Weather Observation Services

On or about January 1, 2023, Midwest ATC will provide aviation weather observation services at the Truckee Tahoe Airport during the control tower hours of operation. Weather observations will be taken in accordance with FAA JO 7900.5 by ATC personnel with FAA weather observer certification. The weather observations will be recorded for broadcast on the Automatic Terminal Information Service (ATIS) and disseminated long-line via the Aeronautical Information System Replacement (AIS-R). Midwest ATC will maintain back-up weather equipment and provide annual calibration. Midwest ATC will be subject to periodic FAA review of equipment maintenance records, as well as the provision of weather observation services.

Midwest ATC will utilize FAA and NWS approved training material for weather observer training, which will be accomplished during classroom sessions at the facility. Once a candidate has successfully completed all weather observer training and received a passing score on the FAA weather observer certification exam, the TRK ATM will submit the certification exam and other required documentation to the FAA in a request for official weather observer certification. Candidates will not be allowed to perform official weather observer functions until they have received a weather observer certificate from the FAA, or an interim letter of authorization to take weather observations. The weather observer certificate must be obtained prior to the candidate's ATC facility rating. In addition to initial weather observer training, Midwest ATC will provide periodic and recurrent monthly training on various weather topics, including seasonal weather phenomena and new FAA or Midwest ATC requirements or initiatives.

2. Section 4. Compensation is amended to include paragraph (b) as follows:

(b), the District shall pay to Midwest ACT, for Air Traffic Control and Weather Observation Services provided under this Agreement, \$72,736 (versus current price of \$71,430) for the period of January 1, 2023 through May 31, 2023 and \$75,333 (versus current price of

\$73,700) June 1, 2023 through May 31, 2024. The amount shall be presented on each monthly invoicing beginning in January 2023 and contract payment terms will apply.

- 3. Authority. Each individual executing this First Amendment represents and warrants that he or she is duly authorized to execute and deliver this First Amendment and that the Agreement For Operation of the Air Traffic Control Tower at the Truckee Tahoe Airport, as amended, is a binding and enforceable obligation.
  
- 4. Ratification; Miscellaneous. Except as modified by this First Amendment, in all other respects the Agreement for Operations of the Air Traffic Control Tower at the Truckee Tahoe Airport is hereby ratified and affirmed and remains in full force and effect. This First Amendment may be executed in one or more counterparts.

IN WITNESS WHEREOF, the undersigned have executed this First Amendment as of the day and year first written above.

**Truckee Tahoe Airport District:**

**Midwest ATC Service, Inc.:**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

Its: \_\_\_\_\_