

**Exhibit A**  
**Omaha Airport Authority (Eppley Airfield)**  
**Passenger Carrier Permit Application**

The company identified below is requesting permission to operate vehicles at Eppley Airfield for the purpose of transporting passengers to and from the airport.

Please type or print the following information

Passenger Carrier Name:		
Passenger Carrier Address:		
City:	State:	Zip:
Name of Contact Representative:		
Contact Phone Number:	Contact e-mail:	

Type of Passenger Carrier service provided (check all applicable classifications):

- TNC <sup>1</sup>     
  Taxicab <sup>2</sup>     
  Limousine <sup>2</sup>     
  Open Class (describe business below) <sup>2</sup>  
 Bus (Scheduled or Charter)     
  Hotel and Parking Shuttles  
 Off-Airport Rental Car <sup>3</sup>     
  Other (describe business below)

Notes:

- TNCs must enter into a Non-Exclusive License Agreement (NELA) with OAA prior to receiving a permit and commencing operations.
- Taxicab, Limousine, and Open Class Passenger Carriers must abide by all provisions of OAA's for Hire (Taxicab, Limousine and Open Class) Trip Fee Resolution.
- Off-Airport Rental Car companies must have a concession agreement with the airport and must abide by all provisions of OAA's Rental Car Customer Facility Charge Resolution.

Describe fleet size and class of vehicles to be operated on airport:

Number:	Class (i.e. van, motor coach, sedan, etc.):	Number of seats:
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Describe service to be provided, include any third-party business which may be served by your operation:

As an authorized representative of the Passenger Carrier identified above I agree that the Passenger Carrier and its Drivers, employees, independent operators, or representatives have a need to access and use the Commercial Vehicle Lanes at Eppley Airfield for its passenger transportation operations. Further by signing this permit the Passenger Carrier and its Drivers, employees, independent operators, or representatives agree to abide by applicable Resolutions of the Omaha Airport Authority as well as Rules and Regulations, especially as they pertain to commercial ground transportation. I acknowledge receipt and have read such Resolutions, Rules and Regulations. Any decals, access cards, etc., issued by OAA shall remain the property of the OAA and are subject to confiscation or revocation in accordance with the Resolutions, Rules and Regulations. To the extent there are violations of Resolutions and/or Rules and Regulations this permit is subject to being revoked. All the information on this application is true and correct.

In addition, Passenger Carrier and its Drivers, employees, independent operators or representatives shall abide by all applicable State and Federal law. The State of Nebraska Public Service Commission's Transportation Department regulates intrastate transportation for hire by motor carriers of passengers on the public highways of the State of Nebraska. Additionally, Federal Requirements of all Passenger Carriers and Drivers, to the extent applicable, include but are not limited to the items noted on the subsequent pages.

## **FEDERAL REQUIREMENTS**

### **Nondiscrimination**

During the performance of this Passenger Carrier Permit, Passenger Carrier for itself, its assignees and successors in interest, agrees as follows:

- A. Passenger Carrier for itself, its successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this Passenger Carrier Permit for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, Passenger Carrier shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.
- B. Passenger Carrier for itself, its successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that:
  - 1. no person on the grounds of race, creed, color, national origin or sex shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities;
  - 2. that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no persons on the grounds of race, creed, color, national origin or sex shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; and
  - 3. that Passenger Carrier shall use the premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.
- C. Passenger Carrier shall make the Airport available to all users thereof on reasonable, and not unjustly discriminatory basis, and shall charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that Passenger Carrier may make reasonable and nondiscriminatory discounts, rebates or similar types of price reductions to volume purchasers.
- D. Noncompliance with Article XII A, B or C above, after timely notice by the Federal Aviation Administration to the Omaha Airport Authority of the noncompliance of Passenger Carrier and a failure of Passenger Carrier to substantially remedy such noncompliance within a reasonable period, shall constitute a material breach

thereof, and in the event of such noncompliance, the Omaha Airport Authority shall have the right to terminate this Passenger Carrier Permit.

- E. Passenger Carrier agrees to comply with pertinent statutes, Executive orders and such rules as are promulgated to ensure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participating in any activity conducted with or benefitting from Federal assistance.

This provision obligates Passenger Carrier for the period during which Federal assistance is extended to the Airport through the Airport Improvement Program.

In cases where Federal assistance provides, or is in the form of personal property; real property or interest therein; structures or improvements thereon, this provision obligates the party or any transferee for the longer of the following periods:

1. The period during which property is used by the airport sponsor or any transferee for a purpose for which Federal assistance is extended, or for another purpose involving the provision of similar services or benefits; or
2. The period during which the airport sponsor or any transferee retains ownership or possession of the property.

- F. During the performance of this Passenger Carrier Permit, Passenger Carrier, for itself, its assignees, and successors in interest agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

1. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 Stat. 252), (prohibits discrimination on the basis of race, color, national origin);
2. 49 CFR part 21 (Non-discrimination in Federally-Assisted Programs of The Department of Transportation – Effectuation of Title VI of The Civil Rights Act of 1964);
3. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S. C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
4. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR part 27;
5. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
6. Airport and Airway Improvement Act of 1982, (49 U.S.C. § 471, Section

47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);

7. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients, consultants and sub-consultants, whether such programs or activities are Federally funded or not);
  8. Titles II and III of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 to 12189) as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38;
  9. The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
  10. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
  11. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
  12. Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 et seq.).
- G. This Passenger Carrier Permit is subject to the requirements of the U.S. Department of Transportation’s regulations, 49 CFR part 23. Passenger Carrier agrees that it will not discriminate against any business owner because of the owner’s race, color, national origin, or sex in connection with the award or performance of any concession Passenger Carrier Permit, management contract, or subcontract, purchase or lease Passenger Carrier Permit, or other Passenger Carrier Permit covered by 49 CFR part 23.

1. Passenger Carrier agrees to include the above statements in any subsequent concession Passenger Carrier Permit covered by 49 CFR part 23, that it enters and cause those businesses to similarly include the statements in further Passenger Carrier Permits.
2. Passenger Carrier, with regard to the work performed by it during the Passenger Carrier Permit, will not discriminate on the grounds of race, color, or national origin in the selection and retention of sub-contractor/sub-consultant/sub-lessee. Passenger Carrier will not participate directly or indirectly in the discrimination prohibited by the Nondiscrimination Acts and Authorities, including employment practices when the Passenger Carrier Permit covers any activity, project, or program set forth in Appendix B of 49 CFR part 21.

### Equal Opportunity

Passenger Carrier and all agents shall not discriminate against any employee or applicant for employment because of race, creed, religion, color, sex, national origin, age or disability. Passenger Carrier shall take affirmative action to ensure that employees are treated during employment without regard to their race, creed, religion, color, sex, national origin, age or disability. Such action shall include, but not be limited to, the following:

- A. Employment, upgrading, demotion, or transfer;
- B. Recruitment or recruitment advertising;
- C. Layoff or termination;
- D. Rates of pay or other forms of compensation; and
- E. Selection for training, including apprenticeship.

Passenger Carrier agrees to post in conspicuous places, available to employees and applications for employment, notices setting forth the policies of non-discrimination. Passenger Carrier and all agents shall, in all solicitations or advertisements for employees placed by them or on their behalf, state that all qualified applicants will receive consideration for employment without regard to race, creed, religion, color, sex, national origin, age or disability.

### Binding Obligation

The provisions of this subsection bind Passenger Carrier and sub-tier agents from the effective date of the Passenger Carrier Permit through the completion of the Passenger Carrier Permit. This provision is in addition to that required of Title VI of the Civil Rights Act of 1964.

Passenger Carrier assures that, in the performance of its obligations under this Passenger Carrier Permit, it will fully comply with the requirements of 14 CFR part 152, subpart E (Non-Discrimination in Airport Aid Program), as amended from time to time, to the extent applicable to Passenger Carrier, to ensure, among other things, that no person will be excluded from participating in any activities covered by such requirements on the grounds of race, creed, color, national origin, or sex. Passenger Carrier, if required by such requirements, will provide assurances to the Omaha Airport Authority that Passenger Carrier will undertake an affirmative action program and will require the same of its sub-contract/sub-consultant/sub-lessee.

Attached are copies of:

- Evidence of required insurance coverages naming the Omaha Airport Authority as an Additional Insured and
- PSC/DOT permit. Passenger Carrier has reviewed this Permit Application, and all applicable references to other documents as noted herein to the extent applicable, and unconditionally agrees to all terms and conditions.

Furthermore, Passenger Carrier understands that Passenger Carrier has an ongoing requirement to provide updated information as required in this Permit Application annually or as necessary due to changes.

Authorized company representative/title (print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Return completed form to:* Omaha Airport Authority, Badging Office, 4501 Abbott Drive, Suite 2300, Omaha, Nebraska 68110

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*The Omaha Airport Authority will acknowledge receipt and provide written confirmation that the Passenger Carrier Permit Application was accepted, at which point in time the Passenger Carrier will be permitted to operate until status is revised or revoked.*

Omaha Airport Authority Accepted and Approved:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_