

SECTION 305 FINANCE and ADMINISTRATIVE SUB COMMITTEE

MINUTES

MAY 3, 2017

3:00PM EASTERN

CONFERENCE CALL

FACILITATOR	<i>Darrell Smith, Chair of the S305 Finance and Administrative Subcommittee (FASC)</i>
ATTENDEES	<i>Darrell Smith, Brent Thompson, Beth Nachreiner for Michael Lestingi, Brian Beeler II, Shayne Gill, Steve Hewitt</i>
ABSENTEES	<i>Michael Lestingi, Ray Hessinger, Eric Curtit, Arun Rao, Tim Hoeffner, Amanda Martin, Jeff Gordon, Jason Biggs, Lynn Everett, Sal DeAngelo, Larry Salci</i>

DECISIONS MADE

1. Welcome and Open Meeting – Darrell Smith:

Subcommittee Chair Darrell Smith, Amtrak, opened the conference call meeting and asked Steve Hewitt to call the roll.

2. Roll Call – Steve Hewitt:

Steve Hewitt called the roll and could not confirm the presence of a quorum. It was agreed that the meeting would be conducted to move the business of the subcommittee forward, but that no formal votes would be taken.

3.

Action Items Review – Steve Hewitt – All action items will be covered under today’s agenda:

A review of those items as they stand at the beginning of this call is listed below:

Legislative Outreach Task Force – developing a strategy and implementation plan to obtain future federal funds for the NGEC: Each state member and Amtrak is to work with its Government Affairs office and ask that the two-pager (currently being finalized) be included in its package during Hill visits to keep the NGEC on Congress’ radar even though we are not yet ready to ask for more money.

A “regular update/report card/dash board” will be developed through the NGEC Legislative Task Force with the intent that it be provided to Congress through the states and Amtrak Government Affairs Offices as a means of continuing the outreach and education on the activities of the NGEC.

The first such update will be the “two-page” educational document being finalized for Executive Board approval.

Status: The education and outreach document has been printed and is available upon request through Steve Hewitt. Board members have each received 2 copies. Additional copies were distributed at the NGEC Annual Meeting. Distribution has been proceeding well – additional printed copies (on top of the original 300 copies) have been ordered through AASHTO.

Agenda item 6a.

Developing a Strategy and implementation plan to obtain future funds: After much discussion about message, FASC members are asked to think more about the strategy and an implementation plan going forward. On the next call (May 4th) there will be continued discussion with an eye on actions to be taken and the establishment of timelines.

Agenda item 6b and c

Syncing the new Grant Agreement with ongoing NGEC contracts: Because the current Amtrak and AASHTO contract is in place until 9-30-17, and the current sub-contractor contracts are also in place until 9-30-17, no action is necessary right now. Amtrak and AASHTO have a process in place to extend the Amtrak/AASHTO contract in sync with the grant and effective 10-1-17 through 9-30-19. The subcontractors currently in place will be extended at the same

time - effective 10-1-17 through 9-30-19 as anticipated in the new grant agreement SOW and budget.

Agenda item 5

4.

Approval of Minutes from the 4-5-17 FASC conference call - Darrell Smith:

Due to the lack of a quorum, the approval of the DRAFT minutes from the 4-5-17 FASC call was tabled for consideration on the next call – 5-31-17 – or at the next call in which a quorum is confirmed.

5.

AASHTO and Related Subcontractor Contract Renewals - Darrell Smith:

Darrell Smith reported that NGEC Chairman Eric Curtit had requested, “rightfully so” that the Finance and Administrative Subcommittee begin the process for renewing the Amtrak contract with AASHTO for NGEC Support services, and the renewal of the current sub-consultant contracts for the period beginning on October 1, 2017 through the expiration of the current grant agreement on September 30, 2019.

Darrell Smith reported that he has reviewed the new grant agreement and has begun discussions with the Amtrak procurements department about contract requirements in the new grant. There are some new requirements, primarily pertaining to DBE goals, that “will need to be worked into the mix”.

The first question to be answered is whether the intent of the Executive Board remains to continue to have AASHTO provide the support services and to also “bring back” the current sub consultants. The Board has previously indicated that this was its intent, and nothing has been said that would indicate a change in that view, but formally reaffirming that intent is important. When the new grant agreement was executed, effective October 1, 2016 - AASHTO and the sub consultants were already under contract through September 30, 2017, and were included in the Statement of Work and Budget of the new grant, so no action was needed at the time of its execution.

Darrell noted that it now is time, “so that we don’t miss the boat”, to begin the process that will ensure the continuation of the services of AASHTO and the sub consultants for the period effective 10-1-17 through 9-30-19, which would formalize what has been the stated intent of the Board.

One step that is need to move the process forward is to have AASHTO (Strat Cavros) and Amtrak’s Procurement department discuss what and how new requirements may need to be addressed. Darrell Smith agreed to talk to Amtrak’s procurement department staff to determine “how we need to go”, and to put them in touch with Strat Cavros at AASHTO to work out what is required in the contract renewals.

Additionally, Darrell noted that Steve Hewitt and he had discussed the fact that under the extension of the previous grant agreement, the Executive Board adopted a motion that re-affirmed its intent to extend the contract between Amtrak and AASHTO and those of the subcontractors through the life of the grant agreement. Darrell noted that it makes sense that the NGEC do the same thing this time to reaffirm the Board’s intent.

Beth Nachreiner, FRA, mentioned that she had reviewed the motion that was adopted previously with FRA’s grants office, and they didn’t respond with any concerns. Clarifying the intent and relating it to the previous grant would be appropriate.

The referenced motion was approved in 2015 – and it referred to the NGEC contract procedures developed and approved in 2013. The motion is reprinted below and was distributed to all FASC members prior to today’s call:

“On 6-9-15, the Finance and Administrative Subcommittee recommended that the NGEC Executive Board approve the following:

‘As was intended in past NGEC budget approvals and to ensure compliance with the Audit of Grant Agreement of March 27, 2013, and the NGEC’s updated Procedure of Establishing Contract Support adopted August 6, 2013, the NGEC authorizes Amtrak to contract with AASHTO for administrative support services as well as subsequent sub-contracts per the statement of work for entities such as; with Hewitt Consulting for Manager of Support Services, and with SalciConsult for Specification Consultant services. In addition, the Federal Railroad Administration’s June 8th, 2015, approval of the NGEC’s Supplemental Statement of Work and related budget extension through September 30, 2017, Amtrak is authorized to extend its agreement with AASHTO and AASHTO’s sub-consultants in accordance with the Statement of Work.’

Darrell suggested that the FASC consider the same motion (with revised dates referencing the new grant agreement as well, where appropriate) and take a vote on it on the next FASC call – 5-31-17. If approved, it

would then be submitted to the Executive Board for its consideration on its next call which would be on 6-6-17.

Brent Thompson, Washington State DOT, made a motion for the subcommittee to approve the same motion as was previously adopted, with updated dates as or where appropriate. Brian Beeler II, NNEPRA for Maine DOT, seconded the motion.

It was agreed that the motion would be brought forth for a vote on the next FASC conference call – scheduled for 5-31-17. Steve Hewitt will transmit the motion and include it on the agenda for the 5-31-17 FASC call as an item to be voted on.

The motion with date updates is noted below:

"As was intended in past NGEC budget approvals and to ensure compliance with the Audit of Grant Agreement of March 27, 2013, and the NGEC's updated Procedure of Establishing Contract Support adopted August 6, 2013, the NGEC authorizes Amtrak to contract with AASHTO for administrative support services as well as subsequent sub-contracts per the statement of work for entities such as; with Hewitt Consulting for Manager of Support Services, and with SalciConsult for Specification Consultant services. In addition, the Federal Railroad Administration's June 8th, 2015, approval of the NGEC's Supplemental Statement of Work and related budget extension through September 30, 2017, and its subsequent approval of the Statement of Work and Budget included in the Grant Agreement executed on October 26, 2016 for the period beginning October 1, 2016 through September 30, 2019, Amtrak is authorized to extend its agreement with AASHTO and AASHTO's sub-consultants in accordance with the Statement of Work."

Darrell also suggested that since the NGEC Contract procedures were initially adopted in 2013, it would be a good idea to bring them forward as a refresher to FASC members on 5-31-17, and, again to the Executive Board on 6-6-17 for review and as a refresher.

Steve Hewitt will include this as an agenda item on the 5-31-17 FASC call.

Darrell Smith will provide an update to the Executive Board on these discussions and the intended actions on 5-9-17 as part of the monthly FASC update to the Board.

6.

Developing a strategy and implementation plan to obtain future federal funds Darrell Smith/Eric Curtit

Darrell Smith opened the discussion about the need to develop a strategy and implementation plan to obtain future federal funds (beyond 9-30-19). He noted that on the last FASC call discussions were held with no real conclusion, but with the intent that those discussions continue on this call.

a. Updating the educational outreach document:

Eric Curtit was unavailable for today's call, so there was no report on updating the current educational outreach document. Darrell noted that the document has broad distribution but that something more is needed to get the message out.

b. APTA Standards Development Qtrly Review – Example/potential for NGEC:

Darrell commented that the APTA Standards Development Quarterly Review could be used as an example of the type of additional outreach/messaging that could be used by the NGEC, "to actively update folks within the NGEC community and stakeholders on the Hill and in Congress".

Darrell added that he and Steve Hewitt had discussed this, and believed that quarterly would be an appropriate frequency, and that the information that would or could be provided in such a report can be found in the monthly activity reports that Steve prepares each month, and includes, in the last month of the quarter, the status of milestones. (The milestones are, in turn, included in Amtrak's quarterly grant progress report to the FRA).

The information is available, but how to package and message it has yet to be determined.

Darrell suggested that the Legislative Outreach Task Force, originally established to develop a communications plan, may be the best group to work through to develop the message and packaging.

Darrell said that it could potentially be in the form of a newsletter using a "constant contact" type distribution list – and added "again, the information is there", but we need input from those "with the

savvy to make it attractive.”

Shayne Gill, AASHTO, commented that AASHTO has extensive email lists and would be happy to use those lists to help tell the story or convey the milestones, whatever the subcommittee would like to do.

He cited AASHTO's current activity of distributing a “fact of the week” as a potential way to get specific NGEN facts out.

Beth Nachreiner, FRA, asked for clarification of what the intent is.

Darrell Smith emphasized that “the intent is to get in front of the Hill when we need to go for funding”.

In comments related to a strategy that provides information on capital equipment funding needs Beth Nachreiner noted that it may be more challenging to advocate for the NGEN which develops and maintains specifications, without providing information on passenger rail equipment needs and providing a plan.

Darrell asked if Beth would participate on a call of the legislative outreach task force, if/when its Chair (Eric Curtit) convenes a meeting to discuss this topic and determine next steps.

Beth agreed that she would be willing to do so.

Responding to Beth's question of what the makeup of the task force is, Steve Hewitt noted that it is a small group comprised of the governmental affairs people from several states and Amtrak. Eric Curtit is the Chair, and a member of Missouri's Government Affairs office is on the task force, as is Mariah Morales, Amtrak Government Affairs, and Karen Songhurst, Vermont AOT. There were a few other representatives from a couple of states, but some of those individuals are in different places now, so the task force would likely need to be re-organized with some new members.

Ultimately, it was agreed that Steve and or Darrell will relate these discussions to Eric Curtit and see how he wishes to proceed.

7.

Other Issues/questions – All:

No other issues were forthcoming.

8.

Adjourn – With no other business brought forth on today's call, Darrell Smith adjourned the meeting at approximately 3:35PM Eastern.

**Next Finance and Administrative subcommittee conference call May 31, 2017
866 209 1307 access code: 9786620#**

Decisions and Action Items

Legislative Outreach Task Force – developing a strategy and implementation plan to obtain future federal funds for the NGEN: Each state member and Amtrak is to work with its Government Affairs office and ask that the two-pager (currently being finalized) be included in its package during Hill visits to keep the NGEN on Congress' radar even though we are not yet ready to ask for more money.

A “regular update/report card/dash board” will be developed through the NGEN Legislative Task Force with the intent that it be provided to Congress through the states and Amtrak Government Affairs Offices as a means of continuing the outreach and education on the activities of the NGEN.

The first such update will be the “two-page” educational document being finalized for Executive Board approval.

The education and outreach document has been printed and is available upon request through Steve Hewitt. Board members have each received 2 copies. Additional copies were distributed at the NGEN Annual Meeting. Distribution has been proceeding well – additional printed copies (on top of the original 300 copies) have been ordered through AASHTO.

On today's call, it was agreed that the task force should be re-convened to resume the development of a communications plan. Steve and Darrell will talk to Eric Curtit to ascertain his thoughts on moving forward. When the task force is re-convened, Beth Nachreiner, FRA, will be asked to participate, to convey her thoughts as expressed today. (5-3-17)

Developing a Strategy and implementation plan to obtain future funds: After much discussion about message, FASC members are asked to think more about the strategy and an implementation plan going forward. On the next call (May 4th) there will be continued discussion with an eye on actions to be taken and the establishment of timelines.

See above action item

Syncing the new Grant Agreement with ongoing NGEN contracts: Because the current Amtrak and AASHTO contract is in place until 9-30-17, and the current sub-contractor contracts are also in place until 9-30-17, no action is necessary right now. Amtrak and AASHTO have a process in place to extend the Amtrak/AASHTO contract in sync with the grant and effective 10-1-17 through 9-30-19. The subcontractors/sub consultants currently in place will be extended at the same time - effective 10-1-17 through 9-30-19 as anticipated in the new grant agreement SOW and budget.

On today's call, a motion and a second were offered to reaffirm the intent to renew the contract between Amtrak and AASHTO as well as the current sub consultant's contracts for the remainder of the current grant agreement – through 9-30-19. The motion (below) will be transmitted to the FASC members for a vote to be taken on the next call – 5-31-17.

"As was intended in past NGEN budget approvals and to ensure compliance with the Audit of Grant Agreement of March 27, 2013, and the NGEN's updated Procedure of Establishing Contract Support adopted August 6, 2013, the NGEN authorizes Amtrak to contract with AASHTO for administrative support services as well as subsequent sub-contracts per the statement of work for entities such as; with Hewitt Consulting for Manager of Support Services, and with SalciConsult for Specification Consultant services. In addition, the Federal Railroad Administration's June 8th, 2015, approval of the NGEN's Supplemental Statement of Work and related budget extension through September 30, 2017, and its subsequent approval of the Statement of Work and Budget included in the Grant Agreement executed on October 26, 2016 for the period beginning October 1, 2016 through September 30, 2019, Amtrak is authorized to extend its agreement with AASHTO and AASHTO's sub-consultants in accordance with the Statement of Work."

Review/refresher 2013 NGEN Contract procedures: It was agreed that the NGEN Contract Procedures should be distributed to the FASC and subsequently to the NGEN Board members as a refresher, and for a review. This will be an agenda item for the next FASC call 5-31-17.

ATTACHMENTS

Next Generation
Equipment Committee



The NGEN will provide national leadership in standardization, acquisition, financing and management of passenger rail equipment.

SECTION 305 Finance and Administrative Subcommittee (FASC)

**Conference call
May 3, 2017
3:00PM Eastern
866 209 1307 pass code 9786620#**

MEETING AGENDA

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|---|---------------------------|
| 1. Welcome/Open | Darrell Smith |
| 2. Roll Call | Steve Hewitt |
| 3. Action Items Review | Steve Hewitt |
| 4. Approval of the Minutes from 4-5-17 | Darrell Smith |
| 5. AASHTO and Related Subcontractor Contract Renewals | Darrell Smith |
| 6. Developing a strategy and implementation plan to obtain future federal funds | Darrell Smith/Eric Curtit |
| a. Updating the educational outreach document | |
| b. APTA Standards Development Qtrly Review – Example/potential for NGEC | |
| c. FASC members' discussion/thoughts/ideas | |
| 7. Other Issues/questions | All |

**Next Call May 31, 2017
Call in # 866 209 1307 passcode 9786620#**