

SECTION 305 NGENC

Executive Board Conference Call Meeting

MINUTES

NOVEMBER 12,
2013

11:30AM EASTERN

CONFERENCE CALL

FACILITATOR	<i>Bill Bronte, Chair, S305 NGENC Executive Board</i>
ATTENDEES	Executive Board Members: Bill Bronte, Mario Bergeron, Darrell Smith for Dan Black, Eric Curtit, John Tunna as proxy for Paul Nissenbaum, Kevin Lawson, Tammy Nicholson, Ray Hessinger, John Oimoen, Ron Pate, LeAnna Wall, Johnson Bridgewater Support: Mike Jenkins, Shayne Gill, Andy House, Steve Hewitt, David Ewing, Larry Salci, Kevin Kesler, Nico Lindenau, Sara Sarkhill, Vincent Brotski, Dave Warner
ABSENTEES	Board Members: Paul Nissenbaum, Dan Black, Paul Worley, Tim Hoeffner Support: Jason Biggs, Allan Paul, Arun Rao, Chad Edison, Jeff Gordon, Ashok Sundararajan, Dale Engelhardt, Brian Beeler II, Martin Schroeder, Patrick Centolanzi

WELCOME/ROLL CALL/ACTION ITEMS REVIEW

1.

Opening – Bill Bronte – Chair:

Chairman Bronte opened this conference call meeting of the NGENC Executive Board and asked Steve Hewitt to call the roll.

2.

Roll Call – Steve Hewitt, Manager, S305 NGENC Support Services:

Steve Hewitt called the roll and confirmed the presence of a quorum.

3.

Action Item Review –Steve Hewitt:

Review of Open Action Items

The locomotive procurement remains as a standing agenda item to keep the Board updated as to its progress. **IDOT** is responsible for providing bi-weekly updates. **Status:** As of the last Technical subcommittee call- November 7, 2013 it was reported that addendum #8 had been issued on October 31, 2013 and final proposals were due November 27, 2013 with the opening date expected to be December 2, 2013. Agenda item 9 will address any further updates.

Jeff Gordon will continue to provide the AASHTO, Amtrak and FRA public affairs officers with email notifications of NGENC activities. (ongoing)

The Future of the NGENC working group efforts: It was agreed on September 26, 2013 that the NGENC Future working group will be re-constituted and re-convened after the first of the year (January, 2014) and will then resume its work. Until then it will lag behind the 305/209 capital plan working group's efforts, as it is expected that those efforts will serve as an early example of the need for the "new" entity. (nothing new to report)

Dan Black, Amtrak, had reminded all subcommittee, task force and working group chairs to get their budget requests and SOW in to Darrell Smith by November 7. Dan noted that the overview of what was needed that was sent out by Steve Hewitt last week and was right on point, and should be followed. He also recommended that the chairs use as an example the current SOW, also sent by Steve Hewitt, which has each task force or subcommittee's SOW in it from the last time. The chairs should replicate that effort and update it as needed.

Ron Pate and the 305/209 working group are developing its work plan and budget for inclusion in the revised NGENC SOW and expect to meet the November 7th timeline.

Darrell Smith expects to have an SOW ready by the next Executive Board (November 12, 2013) and, once the Board approves the SOW and budget, he will take the "re-draft of the SOW to the Amtrak grants people, and they will finalize it and submit it to FRA for approval.

Status: As of November 7, 2013 Darrell had received input from the ATF, SFTF and the 305-209 group. Agenda item 6 will address the status of the new SOW.

FRA's Accessibility Accommodations presentation for the Access Board **Status:** Task complete – the presentation was revised with the requested clarifications, and sent to the Access Board on November 6, 2013. Steve Hewitt provided the final version to all Executive Board members and Technical subcommittee members on November 7th.

Review of Trainset specification Rev A **Status:** The Draft Revision A Report has been sent (November 11, 2013) to the Trainset Revision A Review Panel for their review and comment. A conference call to discuss the report is scheduled for November 14, 2013 at 2:30 Eastern.

In regard to the status of the Section 6/deployment project: A revised Task 1 was submitted by the contractor reflecting the comments provided by the SFTF and its working group. A few additional comments will be sent to the contractor and, once the "new" task 1 document is complete the full SFTF will review it and consider it for approval. It will then be sent to the Board for its consideration.

Status: Agenda item #8 will provide a status update.

The 305/209 working group Charge statement has been approved by the Executive Board. The working group will continue to develop its SOW and budget for submittal to Darrell Smith for inclusion in the NGEC revised SOW.

A copy of the NEC NDA will be provided to Vincent Brotski for review in potentially revising the proposed 305-209 NDA.

Amtrak will ask legal to review the approved Charge statement to see if it can be posted publicly or determine if it presents potential problems with confidentiality.

The 305/209 working group will review and work through the proposed governance document and keep the Board apprised of its progress.

Status: 305/209 issues will be updated under agenda item # 7.

Recruiting additional state members for the NGEC: **Status:** Efforts should continue to be made to recruit new members and to emphasize the point that a state does not need to be a member of the Executive Board to be a part of the NGEC and to participate as a voting member on any of the subcommittees or task forces. It is noted that the ATF is in need of additional state members as it has three at the moment and would like to have at least five state members.

Bill Bronte, Eric Curtit, and Steve Hewitt will hold a conference call to discuss upcoming activities that will be required in preparation for the NGEC 2014 Annual Meeting. **Status:** The call took place on 11-11-13, and Bill Bronte will briefly address the discussion under agenda item # 5.

Production of the new one page/condensed "backgrounder" - **Status:** The new "backgrounder" is available now. Requests for copies should go to Steve Hewitt along with the number requested and where to send them. As we did the last time, it is planned that Steve Hewitt will provide an initial distribution of 5 copies to all Board Members. Addresses for where to mail them are needed – and should be sent to Steve Hewitt.

Bill Bronte commented on the fact that the "new" Backgrounder was shared with Senate Commerce staff recently in a meeting that involved Ron Pate, Bill Bronte, Shayne Gill and Allison Camden. The meeting was a conference call with Senate Commerce staff and included discussions about section 305, its accomplishments, and what is anticipated for the future. All in all the call was very productive and Bill thanked AASHTO for sending the backgrounder on ahead of the call, and expressed special thanks to Shayne Gill (AASHTO) and Allison Camden, Washington State DOT, for making the arrangements and making the meeting happen.

4.

Approval of the Minutes from October 29, 2013 – Bill Bronte:

On a motion by John Oimoen, Illinois DOT and a second by Eric Curtit, Missouri DOT, minutes from the 10-29-13 conference call meeting were approved without objection.

5.

Annual Meeting – potential by-law changes/nominating committee, etc. - Bill Bronte

Bill Bronte reported that he, Steve Hewitt and Eric Curtit held a conference call yesterday (11-11-13) and "went through Steve Hewitt's first look at the by-laws." He noted that the upcoming Annual Meeting of the NGECC has some significant issues that will need to be addressed, and now is a good time to look at the by-laws and make changes that are deemed to be necessary. As a result of the discussion, Bill has "charged the Administrative task force (ATF) with taking a look at the by-laws and identifying changes that are seen as necessary."

One area Bill specifically wants to get clarification on is section 5.3 of the by-laws. This section has to do with terms and term limits for state Board members. Bill noted that there are a few state representatives on the Board who are "legacy members" – Tammy Nicholson and Kevin Lawson - who, according to the by-laws, would need to step down after having served their second consecutive two year term. "We just want to know that everyone is aware of this...it doesn't make a lot of sense...we need to see if there is action we need to take to reverse that interpretation and a few other clarifications as well." Bill went on to say "To me, it makes no sense to kick off active members after four years...we want Tammy and Kevin to stay."

6.

Status: Budget and revised SOW/Grant Agreement Extension request – steps – Darrell Smith:

Darrell Smith provided an updated financial status for the NGECC which included the addition of approximately \$200,000 in new budget items as submitted by the various task forces, working groups and subcommittees. Darrell noted that he had received input, as requested, from all of the pertinent chairs. The addition of the new items to the ongoing budget items results in an overall committee balance of \$949, 956.77 beginning on April 1, 2014. With no additional funding and an average burn rate of \$65, 865.69 the committee can continue for 14 months beginning on April 1, 2014. "In this scenario we remain in good shape."

Bill Bronte replied "phenomenal shape. It's amazing we have done as much as we've done and spent as little as we have. I want to thank Darrell and all those involved for getting the finance in their current shape."

Kevin Kesler, FRA, commented that "over the last six months or so there have been lots of comments about our finances and concerns over being able to continue, but actually we are in pretty good shape...has there been a communication out there to say we are in good shape and we will be around?"

Bill Bronte replied that there has been no formal communication, and that he, as a rule, is always cautious about funding and believes we should be happy about where we stand, but proceed cautiously.

Kevin noted "it would be good for all to know that we will be around for at least another 14 months beyond March 31, 2014."

Bill agreed, but cautioned "craft the message carefully...the rumor of our demise has been greatly exaggerated...but we still need to craft the message that stresses our value and, oh, by the way, we still need a sustainable way to go forward."

Dave Warner, Amtrak commented on a couple of items in the financial status that he felt needed clarification. Darrell Smith provided that clarification and Dave was satisfied.

Dave also noted that he agreed with Kevin "the optimist" that "we all gave a sigh of relief at the face-to-face meeting

in Columbus, Ohio, that we are not in devastation (financially) but this still doesn't get us too far into the future." Dave added, in reference to what the NGEF Future working group will need to address when it reconvenes after the first of the year is "we are not only looking into the future at what we want to be when we grow up, but also what it will cost to grow up."

Bill Bronte commented "hopefully the good work being done by David Ewing and by States For Passenger Rail (S4PRC) and by AASHTO will convince those on the Hill of the need for additional funding for a sustainable future."

Shayne Gill, AASHTO, weighed in to say that he agrees with both Kevin and Dave. He noted the conversations that took place with Senate Commerce and emphasized that we talked about the fact that the first PRIIA procurement (bi-level cars) saved 30% on what was expected to be the bid price.

Shayne went on to say that the original estimate for the bi-level cars was about \$500 million and the actual (winning bid) was for \$300 million. This is a savings of somewhere around \$189 million!

"For a \$3 million dollar federal investment and the time contributed (by the states, Amtrak, FRA and the industry) in one procurement we saved taxpayers \$189 million dollars...not to mention the 100+ jobs added in Illinois...this is all important and must be stated to get us new support." Shayne continued "I thank you all for what you have accomplished (so far)...it's great, and we now need to figure out a way to get our message out."

As Bill Bronte began to close the discussion, Steve Hewitt asked Darrell Smith if he had everything he needed to develop a revised budget and SOW for a grant agreement extension.

Darrell responded that he did. He noted that he will need a Board action to approve the new SOW, but if all members are in agreement today that the numbers submitted are good to go, he will proceed in developing that SOW.

The general sense of the Board was that the items presented and the dollars attached were correct and Darrell should go forward.

It was agreed that Darrell will draft a budget and SOW for Board consideration during the December 10, 2013 Executive Board conference call. He will put it in presentation form for Board review and would look for a Board vote on it on December 10, 2013.

Bill Bronte urged all members to plan to attend this very important conference call, as a number of key decisions will be made including approval of the revised budget and SOW for a grant agreement extension.

7.

Status Update: 305-209 Working Group – Ron Pate:

Ron Pate reported that the 305-209 working group has been "making good progress".

Last week Amtrak had provided the group with responses to many questions to make sure "we had base information for all states and Amtrak and make sure we are all on the same page."

The next call will be held on Wednesday November 13, 2013. They are looking at things like "units used, how it's used under section 209" in an effort "to get details for a basic understanding and to get to justification levels"

Ron also reported that previously they had talked about possibly using (as an example) the NDA used for the NEC. Instead, they are going back to a revised version of the proposed NDA submitted previously.

As the NDA gets resolved the group is continuing to develop its work plan.

Overall, it is "a great team effort, with lots to do to get to January 31, 2014."

Darrell Smith reported that Amtrak had executed the NDA with NNEPRA and was sending out Washington State DOT's today (11-12-13).

8.

Status Update: SFTF Section 6/fleet deployment project – task 1 - Eric Curtit:

Eric Curtit reported that, as he had noted previously, a revised Task 1 was submitted by the contractor reflecting the comments provided by the full SFTF and the working group. A few additional comments will be sent to the contractor and, once the "new" task 1 document is complete, the full SFTF will review it and consider it for approval. It will then be sent to the Board for its consideration.

9.

Status Update: Diesel-Electric Locomotive Procurement – John Oimoen:

John Oimoen, IDOT, reported that the procurement process is progressing very well. Confidential discussions were held during the week of October 20, 2013. He noted that addenda had been issued into last week, and there may be one more. John noted that November 27, 2013 is the due date for proposals. The proposals will be opened on December 2, 2013 and subject matter experts will go through them that week, with the evaluation team beginning its work on 12-9-13 and selection the following week. John emphasized that the "goal is to have a contract in place by the end of February, 2014."

10.

Other:

After some discussion, it was agreed that the Board conference call scheduled for November 26, 2013 – would be **canceled** and the next call would take place, as scheduled, on December 10, 2013.

All Board members are urged to participate in the December 10th call as a vote is anticipated for approval of a revised budget and SOW for submittal as part of the grant agreement extension request.

Steve Hewitt will send a cancellation notice and a reminder about the importance of the December 11th conference call.

Tammy Nicholson, Iowa DOT, asked if information regarding the NGEC Annual Meeting had gone out. Steve Hewitt noted that it had not, but he was expecting to get it from AASHTO this week and would provide it to the Board members. He also noted that Board members will have a two or three week advance on the information before it goes out to the broader industry list.

Shayne Gill, AASHTO, provided a brief overview of the schedule for that week as it includes SCORT, S4PRC and a possible 305-209 tour of Amtrak facilities, as well as the NGEC Annual Meeting. The NGEC Annual Meeting, itself, will be held on Friday, February 21, 2014. SCORT will begin on February 18 and run through February 20, 2014.

11.

Adjourn:

With no other business to come before the Executive Board today, the chair adjourned this conference call meeting at approximately 12:15pm EST.

The next Executive Board conference call is December 10, 2013

Decisions/Action Items

The locomotive procurement remains as a standing agenda item to keep the Board updated as to its progress. **IDOT** is responsible for providing bi-weekly updates. Confidential discussions were held during the week of October 20, 2013. He noted that addenda had been issued into last week, and there may be one more. John noted that November 27, 2013 is the due date for proposals. The proposals will be opened on December 2, 2013 and subject matter experts will go through them that week, with the evaluation team beginning its work on 12-9-13 and selection the following week. John emphasized that the "goal is to have a contract in place by the end of February, 2014."

Jeff Gordon will continue to provide the AASHTO, Amtrak and FRA public affairs officers with email notifications of NGEC activities. (ongoing)

The NGEC Future working group efforts: It was agreed on September 26, 2013 that the NGEC Future working group will be re-constituted and re-convened after the first of the year (January, 2014) and will then resume its work. Until then it will lag behind the 305/209 capital plan working group's efforts, as it is expected that those efforts will serve as an early example of the need for the "new" entity.

Darrell Smith will draft a revised Budget and SOW for a grant extension revision request. The Executive Board will consider the proposed budget and SOW on its December 10, 2013 conference call. Darrell will have it ready in advance of that call in presentation form.

Review of Trainset specification Rev A: The Trainset Revision A Review Panel has received the DRAFT Report and will meet to discuss it and possibly approve it on November 14, 2013. Once approved the report with recommendations will be submitted to the Executive Board for its consideration.

In regard to the status of the Section 6/deployment project: A revised Task 1 was submitted by the contractor reflecting the comments provided by the SFTF and its working group. A few additional comments will be sent to the contractor and, once the "new" task 1 document is complete the full SFTF will review it and consider it for approval. It will then be sent to the Board for its consideration.

The 305/209 working group: The group is progressing well. Revised NDAs are under consideration, the work plan is being developed and the group is reviewing responses to questions submitted to Amtrak.

Recruiting additional state members for the NGEC: Ray Hessinger, NYSDOT, will reach out to Pennsylvania and Connecticut to encourage their participation in the activities of the NGEC. Ray reported that Connecticut, which is already participating on the Technical subcommittee, has now also joined the 305-209 working group.

The point should continue to be made that a state does not need to be a member of the Executive Board to be a part of the NGEC and to participate as a voting member on any of the subcommittees or task forces. It is noted that the ATF is in need of additional state members as it has three at the moment and would like to have at least five state members.

The ATF has been charged (by chairman Bronte) to review and advise on potential "necessary" changes or clarifications in the by-laws especially in regards to state member term limits. The ATF should provide an update to the Board on December 10, 2013.

On December 10, 2013, Bill Bronte will appoint a 3 person nominating committee as required by the by-laws. The nominating committee will be charged with recommending state representation to the Executive Board to be voted on at the February 21, 2014 Annual Meeting.

The new single page two-sided NGEC Backgrounders are ready to go. All Board members will receive a distribution of five copies for their use to start. Additional copies can be requested by contacting Steve Hewitt.

ATTACHMENTS

Next Generation
Equipment Committee



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

S305 NGEC Executive Board Conference Call
November 12, 2013
11:30 AM – 12:30 PM Eastern
Call in number: 866 299 7945 passcode: 1601544#
Agenda

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| 1. Welcome and Open the Meeting | Bill Bronte |
| 2. Roll Call | Steve Hewitt |
| 3. Action Items Review | Steve Hewitt |
| 4. Approval of Minutes from October 29, 2013 | Bill Bronte |
| 5. Annual Meeting – potential by-law changes/nominating committee, etc. | Bill Bronte |
| 6. Status: Budget and Revised SOW/Grant Agreement Extension request -steps | Darrell Smith |
| 7. Status Update: 305– 209 Working Group | Ron Pate |
| 8. Status Update: SFTF Section 6/fleet deployment project – task 1 | Eric Curtit |
| 9. Status Update: IDOT Diesel Electric Locomotive Procurement | John Oimoen |
| 10. Other | All |

Next Call: December 10, 2013