

SECTION 305 NGEN

Executive Board Conference Call Meeting

MINUTES

JULY 9, 2013

11:30AM EASTERN

CONFERENCE CALL

FACILITATOR	<i>Bill Bronte, Chair, S305 NGEN Executive Board</i>
ATTENDEES	Executive Board Members: <i>Bill Bronte, Mario Bergeron, Dan Black, Paul Nissenbaum, Al Ware, Eric Curtit, Tammy Nicholson, John Oimoen, Ray Hessinger, Allan Paul (as proxy for Paul Worley), Leanna Wall (as proxy for Ron Adams), Ron Pate</i> Support: <i>Steve Hewitt, Jason Biggs, Jeff Gordon, Ashok Sundararajan, Sara Sarkhili, Dave Warner, Larry Salci, David Ewing, Shayne Gill, John Tunna, Chad Edison, Patrick Centolanzi</i>
ABSENTEES	Board Members: <i>Kevin Lawson, Paul Worley, Ron Adams, Johnson Bridgwater</i> Support: <i>Tim Hoeffner, Leo Penne, Dale Engelhardt, Brian Beeler II, Kevin Kesler, Melissa Shurland, Nico Lindenau, Vincent Brotski</i>

WELCOME/ROLL CALL/ACTION ITEMS REVIEW

1.

Opening – Bill Bronte-chair:

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

2.

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

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

3.

Action Item Review –Steve Hewitt:

Open Action Items

The locomotive procurement status is a standing agenda item to keep the Board updated as to its progress. **IDOT** is responsible for providing these bi-weekly updates. **Status: an update will be provided under agenda item #8.**

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

A special task force was established during the February 20, 2013 Executive Board workshop to develop proposed strategic goals building on the approved NGEN Vision. Once a concept paper is prepared and approved by the task force, it will be vetted among key stakeholders and brought to the Board. A draft concept paper was discussed on a call of the task force on June 25, 2013 and will be revised to incorporate comments received. The next conference call will take place following the July 9, 2013 Executive Board call.

Following the June 25, 2013 Board call, Steve Hewitt sent a calendar appointment to members of the task force scheduling a one hour call on July 9, 2013, following the full Board call.

Status: The task force is scheduled to meet following today’s call for one hour to review the latest DRAFT white paper/concept document which members of the task force were provided with yesterday (July 8, 2013) morning.

Strategic discussions regarding future funding for the NGEN and educational opportunities will remain a standing agenda item for Board calls. All members are asked to be on the alert for opportunities to educate congress or other key audiences on what the NGEN is, what it has accomplished and what it hopes to accomplish in the future. If there are suggestions of new strategies or opportunities members should submit them to Steve Hewitt and Bill Bronte. Members should continue to think about ways to capitalize on the strong support received by a number of regional and national organizations.

On the June 25th call Bill Bronte agreed to contact David Ewing and Shayne Gill to see if they have more information on the status of appropriations discussions.

Status update: Mike Lewis, Director of Rhode Island DOT, on behalf of AASHTO testified before the House T&I Committee's subcommittee on Railroads, Pipelines and Hazardous Materials on June 27, 2013. The topic was; National Rail Policy, Examining Goals, Objectives and Responsibilities. In the testimony AASHTO calls for the reauthorization of the NGEN at a level of \$5 million and the continued eligibility of rolling stock and locomotives as eligible capital expenses. Mr. Lewis gave an excellent summary of the achievements of the NGEN to date. The link to the testimony, as provided by David Ewing, was distributed to all Board members by Steve Hewitt on June 28, 2013. Further discussion on the topic will take place under agenda item # 9.

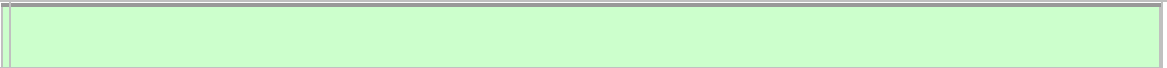
Requests for additional copies of the Backgrounder should be submitted to Steve Hewitt along with the number requested and an address to send them to. AASHTO has gone to a sixth printing of the Backgrounder – about 500 more copies. **Status: Orders for copies continue to come in to Steve Hewitt. Steve sends them out from his supply for small orders, and for large orders he contacts AASHTO and provides the quantity needed and address to send them to.**

The Accessibility Policy Group (APG) met on June 10th 2013 to "kickoff" a review of the draft guidelines for potential ADAAG applicability to passenger rail with the intent to have a document ready to present to the Access Board by September 15, 2013 when it will begin its update. A draft requirements document will be developed and submitted to the Technical subcommittee and its technical working groups to assess feasibility. Kevin Kesler will keep the Board apprised of progress.

Status: On July 2, 2013, Melissa Shurland, FRA, provided Steve Hewitt with a draft ADAAG Document with the various feasibility categories for further study, and asked that it be distributed to Executive Board Chair Bill Bronte, with a request that he refer it to the Technical subcommittee for technical review. (this process was previously approved by the Board) Kevin Kesler and/or Melissa Shurland will provide a brief explanation/overview of the document, its purpose, and next steps under agenda item #5.

On the June 25, 2013 Executive Board call, Bill Bronte agreed to check with Leo Penne and Shayne Gill (AASHTO) in regard to the possibility of AASHTO holding the intellectual property in the interim as the NGEN determines its future organizational structure.

Status: Nothing new to report today – this item will be held over until the next call.



4. Approval of the minutes from June 25, 2013 – Bill Bronte:

Bill Bronte called for a motion to approve the June 25, 2013 minutes.

On a motion by Allan Paul, NCDOT, and a second by Eric Curtit, Missouri DOT, the minutes from June 25, 2013 were approved without objection.

5. Status Update: APG Review of the Guidance Document re: ADAAG Applicability to Passenger Rail –

In their absence, Steve Hewitt, on behalf of Kevin Kesler and Melissa Shurland, FRA, reported that on July 2, 2013, the draft ADAAG Document with the various feasibility categories for further study was submitted to Chairman Bronte (with a cc to all Board members) along with a request that he refer it to the Technical subcommittee for a feasibility review. (This process was previously approved by the Executive Board).

Further, Steve elaborated, Melissa had offered a clarification that "the categorization in the document was based on mine (Melissa's) and Kevin's views of feasibility and as such, the Technical subcommittee and/or the Accessibility Policy Group (APG) may disagree with our judgment of what is feasible and what is not. An explanation should be provided as to why a particular item is not feasible".

Chairman Bronte asked Mario Bergeron to have the Technical subcommittee review the document and provide recommendations back to the APG and the Board as to feasibility.

Mario agreed, and asked Steve Hewitt to send the document out to the Technical subcommittee members following this call. Mario also noted that this topic will be an agenda item on the July 18th Technical subcommittee call.

6. Status Update: Structure and Finance Task Force (SFTF) – Eric Curtit:

Eric Curtit reported that the "new" Task 1 report provided by the contractor is still under review by the SFTF core team. The intent is to have the initial review complete in advance of next week's SFTF call and task 1 distributed to all SFTF members along with the comments from the review team.

Eric anticipates that task 1 should be ready for Executive Board review by the Board's first August conference call – August 6, 2013.

7. Discussion: ATF Review of contract approval procedures – Darrell Smith:

Darrell Smith reported that one of the recommendations made in the audit report last spring was the development of a policy for all future agreements.

Recognizing that the NGEC had approved contract procedures in December, 2011, Darrell noted that the turnover in members on the Board since that time, he realizes that many newer members "may not even know that procedures exist."

(NOTE: The current procedures are posted to the website and available for all members. The procedures have been utilized by AASHTO in entering into contracts with consultants as NGEC's contracting agent.)

With the audit recommendation and the increase in activities over the years, now is the time for the procedures to be reviewed, updated and streamlined. The Administrative task force has this responsibility and as its vice chair, Darrell Smith has formed a subgroup to take on this task. He anticipates getting a draft recommendation to the ATF members shortly and anticipates that revised procedures will be brought to the Executive Board over the next few months.

8. Status Update: Locomotive Procurement – John Oimoen, IDOT:

John Oimoen reported that the Diesel-electric locomotive RFP is currently under final review. It is anticipated that the review may be completed by the end of this week. John also noted that State partners and FRA have been very proactive in the effort.

John reported further that there are still a few outstanding issues which are being resolved by senior leadership among the states and FRA, and it is expected that the RFP release should hold to the schedule that has been established.

9.

Ongoing Strategic Discussion: FY2014 Appropriations – NGEC future funding – Bill Bronte:

Bill Bronte asked Shayne Gill, AASHTO, if he had any new information on the appropriations process and the status of funding for the NGEC. Shayne reported that he did not have much more to say than what Steve Hewitt had reported on during the action items review. AASHTO had testified before the House T&I Committee's subcommittee on Railroads, Pipelines and Hazardous Materials on June 27, 2013, and asked for authorization of the NGEC. He also acknowledged that the authorization request was for \$5 million. Shayne, emphasized, however, that this was a hearing on authorization, not appropriations.

Bill Bronte asked if David Ewing could provide the Board with an update on the appropriations process and status of NGEC requests.

David reported that the appropriations committees in both the House and Senate have completed their work. He added, "the bills are startlingly different." The House has an extremely austere bill with no additional TIGER funds and drastically reduced Amtrak funding. (\$600m for operating and \$350m for capital). The result of this level of funding would lead to "dire consequences".

The Senate maintains the current Amtrak funding levels and provides \$100m for Intercity passenger rail, part of which has some language for equipment.

David emphasized that "if there is a conference (of the two bills) it will be tough to reconcile". The prospect is that the House may take its bill up in July, but with issues like sequestration in the mix, it is very unlikely to be a "standalone" bill.

As a result of the difficulty that is expected in trying to reconcile the bills and with the other issues that Congress faces, David noted that "on or about September 30, 2013, there will be a continuing resolution at the 2013 funding level."

He elaborated that there will likely be no new money for 305 through the appropriations process between now and March 31, 2014 when the current NGEC agreement ends.

Bill Bronte agreed that this is not good news for the NGEC, but emphasized that the Board should remain focused on finding a way to continue going forward and remaining viable. Bill noted three key issues for consideration:

1. How do we continue to stretch out our current funds to continue beyond March 31, 2014?
2. The Board needs to give serious thought on next steps in the absence of new funding.
3. We are already very frugal, but we do need to remember that state members must have funds, at the minimum, for travel reimbursement to remain actively involved.

David Ewing agreed and acknowledged that a review of state budgets shows "equal austerity". He added that some states have even raised the gas tax or passed legislation for indexing.

Shayne Gill, AASHTO, asked Paul Nissenbaum, FRA, if there is anything that prohibits the FRA from shifting some funds from research or other programs to provide funding to keep the NGEC going, or must it be earmarked.

Paul Nissenbaum replied that "we will turn over every rock to see if there is flexibility", but noted that most programs are very strict in what the funding is to be used for.

"I will look – it is a long shot – but I will look."

Shayne asked if support language could be added in the resolution to give FRA flexibility.

Paul said that it depends on the purpose, but "if we see any possible flexibility...report language could be useful. We will do what we can to keep things rolling" for the NGEC.

David Ewing added "it is in all of our best interests to keep this essential effort going... the frugality of the Board has paid off...it is essential to turn over rocks...it can be done, but will be difficult."

Bill Bronte commented "we have an opportunity to go forward. We need to look at our activities, and the current

budget, to find ways to keep us moving and allow us to remain viable.” He added, “it behooves us all to look hard for solutions.”

**10.
Other:**

Bill Bronte commented that with the many critical issues facing the NGEC, the upcoming September 26th face to face Board meeting to be held in conjunction with the AASHTO SCORT meeting in Columbus, Ohio has taken on even more importance. Bill urged state members to begin their process for obtaining travel approval now.

To that end, Bill asked that Steve Hewitt provide members with a DRAFT agenda for the meeting so that they will have it as a part of the justification for getting travel approval.

Steve agreed to send out the DRAFT agenda after today’s call.

Bill added, again, “September will be extremely significant for us. It will be an opportunity to discuss further how to fund us and keep it going...I encourage you all to put in your travel requests now.”

Bill also asked if Shayne Gill would have an agenda for the SCORT meeting soon. Shayne gave a brief overview of the many vitally important sessions planned for SCORT which “will warrant people attending”, and said an agenda would be forthcoming soon.

**11.
Adjourn:**

With no further business to come before the Board today, on a motion by Allan Paul, NCDOT, and a second by Ray Hessinger, NYSDOT, today’s Executive Board conference call was adjourned at approximately 12:10 pm EDT.

The next Executive Board conference call is July 23, 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. Thus far, the RFP is anticipated to be released to the industry in accordance with the established schedule.

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

A special task force was established during the February 20, 2013 Executive Board workshop to develop proposed strategic goals building on the approved NGEC Vision. Once a concept paper is prepared and approved by the task force, it will be vetted among key stakeholders and brought to the Board. A draft concept paper was discussed on a call of the task force on June 25, 2013 and will be revised to incorporate comments received. The next conference call will take place following today’s Executive Board call.

Strategic discussions regarding future funding for the NGEC and educational opportunities will remain a standing agenda item for Board calls. All members are asked to be on the alert for opportunities to educate congress or other key audiences on what the NGEC is, what it has accomplished and what it hopes to accomplish in the future. If there are suggestions of new strategies or opportunities members should submit them to Steve Hewitt and Bill Bronte. Members should continue to think about ways to capitalize on the strong support received by a number of regional and national

organizations.

Three key issues should be the focus as it is likely there will be no new funding through the appropriations process this year:

1. How do we continue to stretch out our current funds to continue beyond March 31, 2014?
2. The Board needs to give serious thought on next steps in the absence of new funding.
3. We are already very frugal, but we do need to remember that state members must have funds, at the minimum, for travel reimbursement to remain actively involved.

The FRA (Paul Nissenbaum) will look for potential areas of flexibility in regard to providing funds to keep the NGEC going beyond March 31, 2014.

The APG met on June 10th 2013 to "kickoff" a review of the draft guidelines for potential ADAAG applicability to passenger rail with the intent to have a document ready to present to the Access Board by September 15, 2013 when it will begin its update. A draft list with feasibility categories has been prepared by Kevin Kesler and Melissa Shurland. The Board has asked the Technical subcommittee to review the list and provide recommendations to the Board and the APG.

Steve Hewitt will provide the document to all subcommittee members following this call, and it will be an agenda item for the July 18th Technical subcommittee call.

Bill Bronte to check with Leo Penne and Shayne Gill (AASHTO) in regard to AASHTO holding the intellectual property in the interim as the NGEC determines its future organizational structure.

The SFTF core team is currently reviewing task 1 of the Section 6/Fleet deployment project, with the next step being review by the full SFTF by July 15, 2013 and it is anticipated that task 1, as revised by the contractor through feedback from the SFTF, should be sent to the full Executive Board by the first August call. (August 6, 2013)

Steve Hewitt will provide all Board members with a DRAFDT agenda for the NGEC Executive Board face to face meeting (September 26, 2013) in Columbus, Ohio, to assist members in obtaining travel approval.

Requests for additional copies of the Backgrounder should be submitted to Steve Hewitt along with the number requested and an address to send them to.

The ATF is looking into revising and streamlining contract procedures, and anticipates bringing its proposal to the Board in a few months.

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
July 9, 2013
11:30 AM – 12:30 PM EDT
Call in number: 866 299 7945 passcode: 1601544#
Agenda

- | | |
|--|---------------|
| 1. Open the Meeting | Bill Bronte |
| 2. Roll Call | Steve Hewitt |
| 3. Action Items Review | Steve Hewitt |
| 4. Approval of Minutes from June 25, 2013 | Bill Bronte |
| 5. Status Update: APG Review of the Guideline Document re: ADAAG Applicability | Steve Hewitt |
| 6. Status Update: Structure and Finance Task Force | Eric Curtit |
| 7. Discussion: ATF review of contract approval procedures | Darrell Smith |
| 8. Status Update: Locomotive procurement | John Oimoen |
| 9. Ongoing Strategic Discussion: NGEC FY2014 Appropriations/Reauthorization | Bill Bronte |
| 10. Other | All |