

SECTION 305 NGEN

Executive Board Conference Call Meeting

MINUTES

MAY 15, 2012

11:30 AM
EASTERN

CONFERENCE CALL

FACILITATOR	<i>Bill Bronte, Chair, S305 NGEN Executive Board</i>
ATTENDEES	Executive Board Members: <i>Bill Bronte, Mario Bergeron, (Mario was also proxy for DJ Stadler) Alan Ware, John Tunna as proxy for Paul Nissenbaum, Eric Curtit, Tammy Nicholson, Ray Hessinger, John Sibold, Ron Adams, Support Staff:</i> <i>Leo Penne, Shayne Gill, Steve Hewitt, David Ewing, Larry Salci, Ryan Swick, Nico Lindenau, Ken Uznanski,</i>
ABSENTEES	Board Members: <i>Paul Nissenbaum – (proxy went to John Tunna), DJ Stadler, (proxy went to Mario Bergeron) Joe Kyle, Kevin Lawson, George Weber, Paul Morris, Support Staff:</i> <i>Tim Hoeffner, Chad Edison, Kevin Kesler, Whitney Phend, Melissa Shurland, Jeff Gordon, Gordon Hutchinson, Drew Galloway, Robin McCarthy, Dale Engelhardt, Nancy Greene, Dave Warner</i>

WELCOME/ROLL CALL/MINUTES

Opening – Bill Bronte-chair:

Bill Bronte opened the conference call meeting, and asked Steve Hewitt to call the roll.

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

Steve Hewitt took a roll of Executive Board members, and it was determined that the presence of a quorum was confirmed with 10 of 14 Board members present or represented by proxy (as noted above).

Approval of the Minutes from the April 17, 2012 NGEN Annual Meeting – Bill Bronte:

On a motion by Ron Adams, Wisconsin DOT, and a second by Eric Curtit, Missouri DOT, the minutes of the April 17, 2012 conference call meeting of the Executive Board were approved without objection.

Agenda Items

Status Update: Amendment to the NGEN Grant Agreement – Ken Uznanski/Chad Edison:

Ken Uznanski, Amtrak, reported, that, as he understands it, the amendment to the grant agreement is at FRA and is in the final stages of review with FRA legal staff. Amtrak should expect to receive it "any day now".

Bill Bronte asked what the termination date of the agreement was, and Ken responded that he understands that it will be March 31, 2014. There will be, according to what Ken has learned, some language modification that will clarify that the date reflects the NGEN Fiscal Year rather than the Federal Fiscal Year.

There was some discussion at this point as to whether the Board needed to take formal action in this regard, and it was agreed that it would not be necessary at this time.

Update: Structure and Finance Task Force - Eric Curtit:

a- Section 6/Deployment RFP status and timeline

Eric Curtit provided an update to the Board in regards to the status of the Section 6/Deployment procurement. He described the intent of the procurement as being "meant to assist states in meeting Section 6 requirements and to provide a sort of fleet deployment guidebook for use moving forward".

As scheduled, a selection committee comprised of SFTF members Eric Curtit, Bill Bronte, Mario Bergeron, and Chad Edison met in Washington, DC on Monday, May 7, 2012. This meeting was held at AASHTO offices (AASHTO is serving

as the contracting agent) to discuss selection committee member's review of the proposals received, and to select a contractor for full SFTF consideration, and, ultimately, for the Executive Board's consideration.

No contractor was selected during the May 7, 2012 meeting, however, Eric pointed out, each selection committee member's independent review of the proposals, "all came to the same conclusion".

Eric explained that on the SFTF June 4, 2012 conference call the selection committee will present the proposed contractor, timelines, and deliverables for full SFTF consideration. (Note: the SFTF members will receive the packet of information for review with substantial lead time in advance of the June 4 conference call) "If all goes well", Eric added, "the next step will be to provide the Executive Board with the same packet of information for its consideration".

Bill Bronte expressed special thanks to AASHTO for "being our contracting agent on this". Eric Curtit echoed Bill's thoughts and specifically thanked Leo Penne, Shayne Gill, Strat Cavros, and Jack Basso for making this happen.

Bill added that he believes it is important to recognize the hard work provided to the Committee and to truly "express our appreciation".

Leo Penne, thanked Bill and Eric and noted that he "will pass this on" to the others.

Update: Bi-Level car RFP – Bill Bronte:

Bill Bronte reported that the Bi-Level railcar RFP was released on April 20, 2012 – a pre-submittal webinar was held last week, and that "May 11th is the last day for final notice of intent to bid."

Thus far, according to Bill, seven companies have submitted their intent to "bid on the project." He added that the seven companies represented a "good cross section of the industry." Bill also noted that the recent released Amtrak Fleet Plan has provided encouragement that there will be more procurements beyond the "130 cars " in this one.

The next milestone is June 20, 2012 when draft proposals are due.

Bill also noted that they have received "hundreds of questions" which are all posted on Bidsync right now.

Bill segued from the bi-level RFP discussion into the "locomotive procurement". He stated that it is most likely that California will be the lead for this procurement as well. The plan is to try to have a Request for Information/interest released by the end of June, 2012.

Bill added that it was expected that there will be a meeting of the Joint Procurement Task Force around June 5-6, 2012 to discuss "lessons learned from the first procurement" and that Washington State along with Illinois and the mid-west states should attend to discuss what worked and what didn't.

Bill also noted that he had met last week with FRA to "lay out the process" for moving forward with the locomotive procurement. He mentioned that "we have committed to communicate with the locomotive manufacturing industry" in regards to their ability to comply with Tier IV requirements.

Joint Procurement Task Force – Next Steps – Bill Bronte:

Bill went on to report that the JPTF next steps would be to initially hold monthly calls of the full task force to go through the technical set of issues "much like what was done for the first procurement". The first full JPTF call will take place next Wednesday, May 23, 2012, and will then be held monthly until it is determined to be time for the core team to begin meeting.

He added that this procurement will use much of the same language as the first one including the standardization language etc. and that the "RFI will survey the industry's ability" to comply with Tier IV and 125 mph.

Shayne Gill, AASHTO, asked where the June 5-6 meeting, mentioned earlier, was to be held. Bill responded that it would take place in Sacramento, CA.

Recruiting new state members for subcommittee/task forces - Bill Bronte:

Bill Bronte emphasized the "challenges of getting people/bodies" involved in the subcommittees and task forces, "especially actively engaged bodies."

He admitted that he, himself, was having a difficult time participating in the Finance subcommittee calls.

Bill asked Al Ware, chair of the Administrative task force, how he was faring in regards to state participation. Al noted that the task force had just added a new member – Tammy Nicholson, Iowa, who is going to focus on the RR101 effort. He named the other states involved as; Missouri, Oklahoma, Georgia, and hopefully, North Carolina once they get a replacement for Pat Simmons. He noted that the task force is actively looking outside of current Board member states to get new participants involved.

Bill asked Eric Curtit, chair of the SFTF, how he was faring with state involvement. Eric responded "we are operating at a minimum level of service" but getting it done. He noted that the SFTF has two vice chairs – Tim Hoeffner, Michigan, and Ron Pate, Washington State, and other members included Georgia, Illinois, California and Missouri. He said, "we could use more, but we're doing ok right now."

Bill asked all Board members to "make an effort to reach out beyond the Executive Board" for interested participants and to "let him know" so that he, too, can reach out.

Eric commented that he believed the product of the SFTF's procurement "may well peak interest from other states."

Other:

Bill Bronte asked if there was anything new to report on the status of legislation in Congress, especially "on the rail equipment side". He asked, specifically, if there was anything decided by conferees pertaining to speed and the Casey amendment.

David Ewing reported that the Casey amendment is one of the items that are to be addressed in conference, but nothing has happened yet. He also noted that the "Fleet provision in the Senate Bill has not been discussed yet", but cited that the reason may be due to the fact that Melissa Porter, (Senate staff person) has moved to FRA as its Chief Counsel.

Bill Bronte mentioned the manufacturers' letter that was written to Congress in opposition to the Casey amendment as showing that there does seem to be interest in not being limited to 110 mph. He also acknowledged and thanked the States for Passenger Rail Coalition (S4PRC) for weighing in on the Casey amendment provisions. (in opposition)

David Ewing asked Bill Bronte about the impact of Governor Brown's budget on Caltrans rail division staffing. Bill replied that the staffing issues are not as bad as originally thought, and they are continuing to move the program forward. He did note that they will be "looking at longer days and a hard 4 day week for state government operations".

Asked if the "blended system" approach had gotten off to a good start, Bill responded that he felt that it had. He said that they will know better by July whether or not it will be going forward.

Adjourn:

With no additional business to come before the Board at this time, a motion to adjourn was offered by Al Ware, Georgia DOT, and seconded by Tammy Nicholson, Iowa DOT. With no objection, the May 15, 2012 Executive Board conference call was adjourned at approximately 12:10 PM Eastern.

The "Procedures for Handling External Contacts with the Executive Board" were approved on April 3, 2012, by the Board. Steve Hewitt has transmitted the final document to AASHTO for posting. **Task Complete**

On the April 17th call the Executive Board adopted DCRs 100-101 and 100-102 by consensus. (Unanimously) **The DCRS are being finalized by Camren Cordell and inserted in the document**

Recruiting new members and filling the vacancy left by Pat Simmons retirement – Bill Bronte to reach out to Paul Morris and Gene Conti, NCDOT, to see who will replace Pat Simmons. Steve Hewitt will provide Bill with Paul Morris' email information. John Sibold, Washington State DOT, will reach out to Oregon to get a sense of their interest in participating in the work of the NGEC. **Paul Morris, Deputy Secretary of Transit, NCDOT, has agreed to serve as a NCDOT's Board member for the time being. (Note: Paul did attend the last call of the Board).**

It was agreed that a report from the SFTF will be a standing agenda item for future Executive Board calls. **On the agenda**