

# SECTION 305 FINANCE and ADMINISTRATIVE SUB COMMITTEE

MINUTES

AUGUST 17, 2022

3:00PM EASTERN

WEBEX MEETING

<b>FACILITATOR</b>	<i>Tim Ziethen, Chair of the S305 Finance and Administrative Subcommittee (FASC)</i>
<b>ATTENDEES</b>	<i>Tim Ziethen, Jeff Gordon, John Olmoen, Brian Beeler II, Jason Biggs Jason Biggs also as proxy for Amanda Martin and for Troy Hughes, Strat Cavros, Mike Murray, Steve Hewitt</i>
<b>ABSENTEES</b>	<i>Troy Hughes, Amanda Martin, Ray Hessinger, Larry Salci, Shayne Gill, Rebecca Anger</i>

## DECISIONS MADE

**1. Welcome and Open Meeting – Tim Ziethen, Amtrak:**

FASC Chair Tim Ziethen opened the meeting and asked Steve Hewitt to call the roll.

**2. Roll Call – Steve Hewitt:**

After calling the roll, Steve Hewitt confirmed the presence of a quorum.

**3.**

**Approval of Minutes from the 7-20-22 conference call – Tim Ziethen, Amtrak**

On a motion by Jason Biggs, WSDOT, and a second by Brian Beeler II, for Maine DOT, the minutes from the 7-20-22 FASC call were approved as submitted.

**4.**

**Treasurer’s Update – Tim Ziethen:**

Balance/ Spend Rate:

Total Initial Grant Amount: \$1,250,000.  
 Expenses Incurred through May 2022: \$971,410.38  
 Balance remaining: \$ 278,589.52  
 Current Spend Rate per month (as info and used in calculating): \$14,285  
 Estimated Balance at the end of the Extension Period (Contingency): \$50,000

(With the approximate cost of \$12,000 for the web site refresh, the contingency would be around \$38,000 at the end of the grant period. This would provide funding for about 3 months past the grant period.)

**5.**

**Quarterly NGECE Grant Progress Report due to FRA on 7-29-22 – Tim Ziethen:**

Tim Ziethen reported that the quarterly report was completed and submitted on time. He has asked for the final copy of what went to FRA and will send it to Steve Hewitt for distribution to the NGECE exec Board and FASC members as soon as he receives it.

The next report will be due to FRA by October 31, 2022, for the period ending 9-30-22.

**6.**

**NGECE Website Refresh Agreement – Status – Strat Cavros:**

Strat Cavros reported that the agreement between AASHTO and iEngineering for the NGECE website refresh has been executed.

Steve Hewitt sent the fully executed agreement to all FASC members today with the other meeting materials.

The contractor has asked to set up a kick-off meeting with Shayne Gill and Strat Cavros. Strat suggests that at

least Steve Hewitt and one NGEC member participate as well. Steve recommended that NGEC chair Ray Hessinger should be on the call, and Tim Ziethen as well if possible.

Steve will talk to Ray on Friday 8-19-22 and get some available dates and times. Tim will try to be available as well. Once he has some input from Ray Hessinger Steve Hewitt will send a message to AASHTO and the contractor to set up a meeting.

**7.  
Increasing Public Awareness – follow-ups – Steve Hewitt:**

- a. Distribution of Educational Document 2022 Steve

Steve Hewitt reported that 581 copies of the NGEC 2022 two-pager educational document have been distributed.

- b. Updating the two-pager – Steve Hewitt:  
Steve Hewitt reported that he has confirmed with Troy Hughes that MODOT will, once again, handle the formatting and printing of the two-pager as changes are made to it to update for the 2023 edition. Steve and John Oimoen will begin review of the document in September and provide their initial thoughts by the September 14<sup>th</sup> FASC call. Members are asked to also review the document over the next few weeks and let Steve and John know of any recommendations for the update.

- c. By-Laws Annual Review and proposed updates - John Oimoen/Steve Hewitt:

John Oimoen reported on the discussions between him, and Steve Hewitt, and noted they had come up with some language to include additional permissible activities. The additional language can be found on page 11 of the By-laws and is highlighted in yellow. The By-Laws with the suggested additional language was included with the meeting materials sent today to all FASC members.

Steve Hewitt provided an overview of the proposed language (see below):

*e. The Executive Board may issue news releases communicating activities or accomplishments of the Committee.*

*f. The Executive Board may authorize Committee member participation at related meetings, conferences, trade shows, or other similar events to communicate the activities of the Committee or to maintain visibility among stakeholders.*

The language is meant to address the advice provided by Amtrak Legal when asked if the NGEC could conduct certain additional activities. The advice was that the activities described would be permissible, if included in the By-Laws.

Jeff Gordon asked if the NGEC would be responsible for the travel expenses if an NGEC member went to a trade show or conferences or meetings on behalf of the NGEC.

Steve Hewitt said that he and John did not look at the finance side of this. They were only looking to get certain activities formally allowed in the By-Laws. Budgetary concerns would be taken up by the Board or FASC.

Strat Cavros stated that allowable costs under the grant agreement states that NGEC funds cannot be used for trade shows – a member could attend – but expenses would have to come from a separate funding source.

Tim Ziethen agreed to go back to the Amtrak attorney assigned to the NGEC and ask for language to be added that would cover these issues. Language may be something that states that permissible activities consistent with applicable grant conditions.

A suggestion to change “communicate” to promote in paragraph “f.” was discussed with Steve raising the concern that “promotes” gets too close to sounding like lobbying which is not allowed.

Jeff Gordon asked about language that was to be included in the FASC administrative structure to ensure that there was an Amtrak back up to the FASC chair.

Steve Hewitt said that after discussions with Tim and with John Oimoen, they determined that a By-Laws change was not necessary, that it should be the practice of Amtrak to have an alternate to the Amtrak FAS representative, the same as FRA has a rep and an alternate on each of the subcommittees and the Executive Board. He noted that several states do the same thing. Steve also added that in previous years there was a named alternate to the Amtrak representative on FASC just as there is on the Technical subcommittee. It was something that slipped through the cracks and did not come into play until Tim Ziethen went out on medical leave for an extended time.

Mike Murray mentioned that FRA's bandwidth is quite tight with staff spread thin and there should be the ability to keep the work of the NGEC via electronic voting. Steve Hewitt noted that that provision is already in the By-Laws, but it is up to the Chair of the subcommittee or Board to determine when it is used.

Mike asked that it be used more liberally so that the Committee's work does not stop due to a shortage of staff.

Steve said that this is certainly something that the chairs could do. Steve will mention this also to Ray Hessinger when he talks to him on Friday (8-19-22).

As the discussion wound down, Tim asked that FASC members think about the proposed language and the discussion between now and September's FASC call, and he will talk to Amtrak legal to potentially add language regarding permissible (or not) expenditures from grant funds.

**7. Exploring Funding Opportunities for the NGEC – Tim Ziethen:**

a. Status – CRISI Grant application – Tim Ziethen:

Tim Ziethen reported that he has submitted (internally) a CRISI grant application for funding the NGEC. It is with the Amtrak committee and Tim has solicited feedback – requesting their opinions and recommendations.

As soon as he has received permission to circulate outside of internal Amtrak, he will send it to Steve Hewitt to distribute for review as appropriate.

Tim is also asking for information regarding timing and process.

Steve Hewitt clarified that when he has received the DRAFT application, he will not include FRA NGEC representatives on the distribution list as they have informed him that they will be part of the application review team for CRISI grant applications, and it would be a conflict to review or comment as a part of the NGEC review team.

Jeff Gordon confirmed that Steve was correct and that he and Mike Murray should not be receiving the DRAFT application for NGEC review.

b. Other possibilities

Tim Ziethen noted that he continues to work with Amtrak to determine if there are any other funding source options and will keep the FASC members informed.

**8. Wisconsin DOT Representation on FASC – Steve:**

Steve Hewitt reported that Ray Hessinger plans to contact Lisa Stern, WisDOT, about the department's interest in continued involvement with its member (Arun Rao) having taken a position with Amtrak. Tim Ziethen will reach out to

Arun to see what conversation's he had internally at WisDOT before he left.

**Adjourn:**

With no other business forthcoming, Tim Ziethen adjourned the call at around 3:48pm Eastern.

By Computer: <https://stephenhewittconsulting.my.webex.com/meet/shewitt109>

by phone: 1-415-655-0001

Access code: 126-073-1531

**Next call – 9-14-22**

**Decisions - Action Items**

**Treasurer's Report – 8-17-22:**

Balance/ Spend Rate:

Total Initial Grant Amount: \$1,250,000.

Expenses Incurred through May 2022: \$971,410.38

Balance remaining: \$ 278,589.52

Current Spend Rate per month (as info and used in calculating): \$14,285

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(With the approximate cost of \$12,000 for the web site refresh, the contingency would be around \$38,000 at the end of the grant period. This would provide funding for about 3 months past the grant period.)

**Exploring/confirming funding options beyond 9-30-2023**

As of 8-17-22:

Tim Ziethen has submitted a CRISI grant application for NGEC funding to the internal Amtrak committee for its review and feedback. He will provide Steve Hewitt with a copy when he has received the ok to do so.

Tim is also exploring with Amtrak Grants other potential funding options and will keep members of FASC informed.

**NGEC two-pager:**

Distribution of Educational Document 2022:

On 8-17-22, Steve Hewitt reported that 581 copies of the NGEC 2022 two-pager educational document have been distributed.

Updating the two-pager:

Steve Hewitt reported that he has confirmed with Troy Hughes that MODOT will, once again, handle the formatting and printing of the two-pager as changes are made to it to update for the 2023 edition. Steve and John Oimoen will begin review of the document in September and provide their initial thoughts by the September 14<sup>th</sup> FASC call. Members are asked to also review the document over the next few weeks and let Steve and John know of any recommendations for the update.

**Quarterly Grant Progress Report to FRA:**

The FFY 2022 2<sup>nd</sup> quarter report was submitted on time – end of April 2022.

The next report (third quarter) is due to FRA by COB 7-29-22.

Tim Ziethen will provide a draft of the PDF report to Steve Hewitt for review and editing by the end of this week (7-22-22).

**NGEC Website refresh:**

The NGEC Executive Board has accepted the proposal (cost and technical) from iEngineering Corporation in response to the RFP developed by the FASC and the NGEC executive Board.

On 7-20-22, Steve Hewitt sent an email to Strat Cavros, AASHTO, on behalf of the NGEC Executive Board Chair, Ray Hessinger, NYSDOT and Tim Ziethen, Amtrak – the NGEC Treasurer, stating that the Executive Board has accepted its proposal (Cost and Technical).

AASHTO will inform iEngineering and provide them with a draft agreement for their review. The intent is to have the performance period begin on August 1<sup>st</sup> with a completion date of December 31, 2022.

On 7-20-22, Strat Cavros reported that Shayne Gill will be the AASHTO point of contact.

**Annual NGEC By-Laws Review:**

On 8-17-22, John Oimoen, IDOT, reported on the discussions between himself, and Steve Hewitt, and noted they had come up with some language to include additional permissible activities.

Steve Hewitt provided an overview of the proposed language (see below):

*E. The Executive Board may issue news releases communicating activities or accomplishments of the Committee.*

*F. The Executive Board may authorize Committee member participation at related meetings, conferences, trade shows, or other similar events to communicate the activities of the Committee or to maintain visibility among stakeholders.*

Actions:

FASC members think about the proposed language and the ensuing discussion (see discussion in the minutes) between now and September's FASC call, and he will talk to Amtrak legal to potentially add language regarding permissible (or not) expenditures from grant funds.

Steve Hewitt will talk to Chairman Ray Hessinger about the discussion and also the request from FRA to make more liberal use of the electronic voting procedures.

**Wisconsin DOT representation on FASC:**

Ray Hessinger will contact Lisa Stern, WisDOT about the department's interest in continued involvement with its member (Arun Rao) having taken a position with Amtrak. Tim Ziethen will reach out to Arun to see what conversations he had internally at WisDOT before he left.

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**Next Call 9-14-22**

**ATTACHMENTS**



*Our Vision: The NGEC will provide national leadership in standardization, acquisition, and management of passenger rail equipment.*

**SECTION 305 NGEC Finance and Administrative Subcommittee (FASC)**

**Web Ex video/audio information:**

By Computer: <https://stephenhewitthewittconsulting.my.webex.com/meet/shewitt109>

by phone: 1-415-655-0001

Access code: 126-073-1531

**AGENDA**

**8-17-22**

- |   |                   |
|---|-------------------|
| 1. Welcome/Open                                 | Tim Ziethen       |
| 2. Roll Call                                    | Steve Hewitt      |
| 3. Approval – Minutes from 7-20-22              | Tim Ziethen       |
| 4. Treasurer’s Update- Balance and Spend Rate   | Tim Ziethen       |
| 5. Quarterly NGEC Progress Report to FRA        | Tim               |
| 6. Website Refresh Agreement – Status           | Strat             |
| 7. Increasing Public Awareness – follow-ups     | Steve             |
| a. Distribution of Educational Document 2022    | Steve             |
| b. Updating the two-pager for 2023              | Steve             |
| c. By-Laws Annual Review and proposed updates   | John Oimoen/Steve |
| 8. Exploring Funding Opportunities for the NGEC |                   |
| a. Status – CRISI Grant application             | Tim               |
| b. Other possibilities                          | Tim               |
| 9. Wisconsin DOT representation on FASC         | Steve             |
| 10. Other Issues/questions                      | All               |

**Next Call 9-14-22**