

SECTION 305 NGENC

Executive Board Conference Call Meeting

MINUTES JULY 23, 2013 11:30AM EASTERN CONFERENCE CALL

FACILITATOR	<i>Bill Bronte, Chair, S305 NGENC Executive Board</i>
ATTENDEES	Executive Board Members: <i>Bill Bronte, Mario Bergeron, Darrell Smith representing Dan Black, John Tunna as representative for Paul Nissenbaum, LeAnna Wall, Ron Pate, (Ron also is proxy for Eric Curtit for this call) Jack Madden as representative for Ray Hessinger, Support:</i> <i>Steve Hewitt, Jeff Gordon, Nico Lindenau, Ashok Sundararajan, Sara Sarkhili, Dave Warner, Patrick Centolanzi, Leo Penne, Kevin Kesler</i>
ABSENTEES	Board Members: <i>John Olmoen, Kevin Lawson, Paul Worley, Johnson Bridgewater, Tammy Nicholson, Eric Curtit, Ray Hessinger, Paul Nissenbaum, Dan Black, Al Ware Support:</i> <i>Tim Hoeffner, Shayne Gill, Dale Engelhardt, Brian Beeler II, Melissa Shurland, Vincent Brotski, David Ewing, Jason Biggs, Allan Paul</i>

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:

After the call of the roll, it was determined that a quorum was not present. It was agreed to conduct the meeting, but not to make any decisions due to the lack of a quorum.

Steve Hewitt noted the presence of LeAnna Wall, as Wisconsin DOT’s new representative, and welcomed her to the Board. Le Anna asked Steve to add Arun Rao, Wisconsin DOT, to the email list for the Board as well. She also asked that Steve provide her and Arun with agendas and minutes for this call. Steve noted he had added LeAnna last week, but not Arun Rao, (who is a member of the Finance subcommittee) and that he would do so immediately following this call. Steve noted that he had sent LeAnna the minutes and agenda as well as a calendar appointment, and had received an auto reply. He agreed to resend material for this call and re send the calendar appointments as well to both LeAnna and Arun.
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. Thus far, the RFP is anticipated to be released to the industry in accordance with the established schedule. **Status update – Agenda item 8.**

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

A special working group was established during the February 20, 2013 Executive Board workshop to develop proposed strategic goals building on the approved NGENC 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. **Status: The task force has developed a draft concept paper and has revised it twice. The most recent version will be reviewed by the group immediately following this 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.
- 4.

Status: A discussion of moving to austerity based on the anticipated lack of new funding, as well as a continuation of discussions about working towards reauthorization of 305 will take place under agenda item # 9.

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. **Status: This should also be a part of the item #9 discussion.**

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.

Status: The Technical subcommittee met on July 18th and agreed to the following steps and timeline:

July 18 – Dale Engelhardt will contact each of the Technical Working Group leaders and ask them to reconvene their members and begin a review of the document.

August 8 – All comments/changes are to be submitted to Melissa Shurland, FRA.

August 12 – A revised version with changes incorporated will be sent to the full technical subcommittee through Steve Hewitt.

August 15 – The regular Technical subcommittee call will take place with a discussion on the revised document on the agenda. The intent will be to get the document to the Executive Board and APG following this call and give the Board time to approve the list and prepare a letter for the Access Board in advance of their September 15th meeting.

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. **This item will be held over for the August 6th call.**

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) **Status update scheduled for agenda item # 5. In Eric's absence, Ron Pate will give a brief update.**

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. **Ongoing**

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

Status: Task complete

4. Approval of the minutes from July 9, 2013 – Bill Bronte:

This item was tabled until the next conference call providing the presence of a quorum is established. Until that time, the July 9th DRAFT minutes will remain posted on the website as DRAFT.

5. Status Update: Structure and Finance Task Force (SFTF) – Ron Pate:

Ron Pate, Washington State DOT, co-vice chair of the SFTF, provided a brief update on the status of the Section 6/fleet management project. Task 1 – which calls for a review of best practices for deploying a fleet of equipment and the factors needed to be addressed to get maximum use out of equipment, is under final review by the SFTF review team. Eric has sent his comments to Chad Edison, FRA for his review and input. It is expected that the review team will complete its review, and task 1 with comments, will be sent to the full SFTF for its review and consideration of approval by the end of this week (July 26). After the SFTF has approved it, the task 1 report will be sent to the Executive Board for its review and consideration.

Ron noted that the completion of task 1 will be a great help for states that are developing fleet plans and for the states in regard to section 209.

6. Discussion/Overview: Revised contract approval procedures – Al Ware/Darrell Smith:

Darrell Smith reported on the status of the ATF's effort to revise/streamline the NGENC contract procedures. The task force has "updated the procedures based on our current practices". Darrell described the proposed changes to the section dealing with new contracts as mostly clarifications, but primarily staying the same as the current procedures. He noted that the most significant changes have to do with the section for change orders and modifications; and for the processing of invoices. The invoice process has been streamlined to address the audit recommendation that invoices are turned around within 30 days.

The ATF held an electronic vote on the most recent version of the revised procedures and achieved consensus for approval this morning (July 23, 2013).

The next step will be for Steve Hewitt to send the procedures to the NGENC Executive Board and to ask that Chairman Bronte have consideration of approval of the new procedures as an agenda item on the next Executive Board call (August 6, 2013).

7. Reconvening/appointing the Review Panel for Trainset Specification – Bill Bronte:

Chairman Bronte reported that the Technical subcommittee has completed the process of developing and approving Revision A for the Single level Trainset specification. The subcommittee has forwarded the Rev A summary sheet to the chair asking that he convene the Trainset Specification Review Panel for the purpose of reviewing the Rev A summary

sheet and preparing a report to the Board with recommendations.

Bill noted that the original Trainset Review panel was comprised of the following members:

Bill Bronte, Caltrans – Chair
Ron Adams, Wisconsin DOT
Scott Witt, Washington State DOT
Allan Paul, NCDOT
John Tunna, FRA
Larry Salci, consultant to the Review Panel

Both Ron Adams and Scott Witt have left state service, so the Review Panel needs to add two new members.

Ron Pate, Washington State DOT volunteered his state to be a member and noted that the representative will likely be Jason Biggs.

Bill Bronte asked new Board member from Wisconsin DOT, LeAnna Wall if she would be willing to serve as a member of the panel. LeAnna agreed to do so.

John Tunna, FRA, agreed to stay on the panel, as did Bill Bronte, and the assumption is that Allan Paul, NCDOT, will also agree to remain as a member.

Larry Salci, has been the consultant to the Review panels and has an ongoing contract (with AASHTO as the contracting agent) for doing this work for the NGEC. Leo Penne explained that the contract with Larry is structured so that tasks can be added to it upon Board approval. Steve Hewitt will talk to Leo about those tasks and possibly ask Dave Warner's assistance on giving Leo the appropriate verbiage.

Board approval on the tasks to be added to the contract will take place on the next call – August 6th.

Mario Bergeron asked that Dave Warner, be included as the technical advisor to the Review Panel to assist the members if they have any questions with regard to the revisions under consideration. Bill Bronte agreed that Dave would be included in the conference calls and assist with the effort.

Dave Warner commented that this Revision includes language that has previously been approved in recent specs such as the Bi-level car spec. This will bring the trainset spec up to date consistent with Bi-Level Revision C. Dave described this Rev A as being a "language updating consistency exercise".

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

In the absence of a representative from IDOT, there was no update on the status of the locomotive procurement on today's call.

**9.
NGEC Funding and Strategy Discussion: Moving to Austerity – looking for potential flexibility (FRA) and reauthorizing the NGEC – Bill Bronte:**

Bill Bronte reminded members that the appropriations bill do not have additional funding for the NGEC at this point in time, and the process is pretty well complete. He called on members to provide him (and Steve Hewitt) with any ideas they may have for finding additional funding.

Bill also noted that on the last call, the Board recognized that it would not likely be receiving additional funding, and would begin moving to an austerity budget to carry on the work of the NGEC beyond the current grant agreement period which ends March 31, 2014.

Leo Penne, AASHTO, reported that Steve Hewitt will be in Washington DC on August 6th and that Leo, Steve, Shayne Gill, and Darrell Smith will meet that day to discuss the status of the current budget and report back to the Board on August 20th as to where actual expenditures are and what is anticipated to be available beyond March 31, 2014. Leo noted that the support services budget will not expend all of the funds budgeted for this year because there have been less face to face meetings than originally planned so there has been a savings on travel and meeting costs.

Darrell Smith, Amtrak, agreed that on August 20th he should be able to give a clearer picture on the status of the current budget.

Darrell also noted that he has talked to “the grant folks” and, “if we are to scale back items in the budget, we will need to revise the Statement of Work for the grant agreement and will need to allow time” to complete that process.

Bill mentioned that Paul Nissenbaum, FRA, has agreed to “look under every rock” to see if there is flexibility to move programmed funds to the NGEC

Nico Lindenau, on behalf of Paul Nissenbaum, FRA, reported on FRA budget and legal department actions to “look at sources and identify ‘rocks’ and what is under them”. To date they have not uncovered funding for the NGEC, but “they are trying hard to find some funding” and, hopefully they will be successful.

Bill closed the discussion asking that members send any ideas they may have to him and Steve Hewitt.

**10.
Other:**

Bill Bronte took this opportunity to congratulate Leo Penne, AASHTO, on his pending retirement stating “we will miss you”, and thanking Leo for all the work he has done to advance the NGEC. Bill also expressed his gratitude to Leo “for his guidance in helping the NGEC navigate through the labyrinth of rules and challenges at the federal level.” Bill added, “Leo has been wonderful in getting us through almost four years (of the NGEC) and in keeping us all together.” Leo’s retirement, Bill stated “is good for Leo, bad for us.”

Bill Bronte also took a moment to formally welcome LeAnna Wall to the Executive Board.

Leo Penne thanked Chairman Bronte for the kind words and expressed special thanks to the team at AASHTO – Shayne Gill, and Andrea Ryan and Andy House as well as Steve Hewitt who Leo described as having been “retained to do a job that is way beyond what we initially imagined and he has fulfilled all responsibilities extraordinarily well.”

Leo also expressed special thanks and acknowledgment to Andrea Ryan, AASHTO, who handles all of the meeting arrangements and coordinates all of the state travel for the NGEC. Andrea has, indeed performed exemplary and gone above and beyond to ensure that things run smoothly for us all.

Leo reiterated that although he is leaving “Hewitt, Ryan and Shayne Gill will still be around” and he feels the NGEC will be in good hands.

Bill emphasized, again, how much Leo has done, and that he truly will be missed greatly.

**11.
Adjourn:**

With no further business to come before the Board today, the chair adjourned today’s conference call meeting at approximately 12:10pm EDT.

The next Executive Board conference call is August 6, 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.

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

The working group established during the February 20, 2013 Executive Board workshop to develop proposed strategic goals building on the approved NGEN Vision has developed a draft concept paper and, once finalized by the group will bring it forward to the Executive Board. The intent is to possibly have a draft out to Board members prior to the August 6th conference call for purposes of discussion.

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.

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.

Today, (July 23, 2013) it was agreed that Leo Penne, Steve Hewitt, Shayne Gill, and Darrell Smith will meet in DC on August 6th and review the status of current expenditures and get a sense of what funding may be available beyond March 31, 2014. They will report on their findings on the August 20th conference call of the Executive Board.

The FRA (Paul Nissenbaum) will continue to look for potential areas of flexibility in regard to providing funds to keep the NGEN going beyond March 31, 2014, and will keep the Board apprised of the status of this effort.

The Technical subcommittee has been provided with a draft document requested by the APG that categorizes ADAAG items with regard to feasibility. The subcommittee will report back to the Executive Board on its feasibility assessment after its August 15th conference call. The Board anticipates providing a letter to the Access Board with its recommendations by the time the Access Board begins its update process (September 15, 2013)

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

The SFTF core team is finalizing its review of task 1 of the Section 6/Fleet deployment project, with the next step being review by the full SFTF by July 26, 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 its August 6th or August 20th call.

The ATF has approved revised NGEN contract procedures. Steve Hewitt will distribute those procedures to the Executive Board following today's Board call. Consideration of approval of the procedures will be an agenda item for the Board on August 6th.

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 Trainset specification Review panel has been appointed by Chairman Bronte to review Revision A and provide a report to the Executive Board. The panel consists of Bill Bronte, LeAnna Wall, Allan Paul, Jason Biggs, and John Tunna. Larry Salci will be retained (through an amendment to his existing contract) to be the consultant to the review panel and to prepare the report with recommendations.

Steve Hewitt will work with Leo Penne to provide tasks language to be included in the contract. Once those tasks are approved by the Executive Board (hopefully August 6th) the Review panel can begin its work.

ATTACHMENTS



**S305 NGEC Executive Board Conference Call
 July 23, 2013
 11:30 AM – 12:30 PM EDT
 Call in number: 866 299 7945 passcode: 1601544#
 Agenda**

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| 1. Open the Meeting (Welcome new Board member – LeAnna Wall, Wisconsin) | Bill Bronte |
| 2. Roll Call | Steve Hewitt |
| 3. Action Items Review | Steve Hewitt |
| 4. Approval of Minutes from July 9, 2013 | Bill Bronte |
| 5. Status Update: Structure and Finance Task Force | Eric Curtit |
| 6. Discussion/overview: Revised contract approval procedures | Darrell Smith/AI Ware |
| 7. Reconvening/ appointing the Review Panel for Single-level Trainset Spec Revision A | Bill Bronte |
| 8. Status Update: Locomotive procurement | John Oimoen |
| 9. NGEC Funding and Strategy Discussion: Moving to Austerity, looking
for potential flexibility (FRA), and Reauthorizing the NGEC | Bill Bronte |
| 10. Other | |