

SECTION 305 NGEC Executive Board

MINUTES

MARCH 31, 2015

11:30 EASTERN

CONFERENCE CALL

FACILITATOR	<i>Eric Curtit, Chair, S305 NGEC Executive Board</i>
ATTENDEES	Board Members: <i>Eric Curtit, (Eric also as proxy for Ron Pate) Dale Engelhardt for Mario Bergeron, Ray Hessinger, Darrell Smith, Michael Lestingi, Donna Brown-Martin for Arun Rao, John Oimoen, Tammy Nicholson, Paul Worley, Michael Jenkins, Brian Beeler II</i> Support Staff: <i>Steve Hewitt, Shayne Gill, Nico Lindenau, Bryan Hong, Larry Salci, Jeff Gordon, Vincent Brotski, Patrick Centolanzi, Dave Warner, Tammy Krause</i>
ABSENTEES	Board Members, <i>Mario Bergeron, Ron Pate, Arun Rao, Tim Hoeffner, John Rosacker, Sharon Beasley</i> Support: <i>Jason Biggs, Allan Paul, Strat Cavros, Martin Schroeder, Sal D'Angelo,</i>

DECISIONS MADE

1. Welcome – Eric Curtit, Chair, S305 NGEC Executive Board:

Chairman Curtit opened today's meeting and asked Steve Hewitt to call the roll.

2. Roll Call –Steve Hewitt, Manager, S305 NGEC Support Services:

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

3. Review of Action Items – Steve Hewitt:

Decisions/Action Items

Mid-west States – Section 6 progress report: This remains as an ongoing agenda item. The RFP for a Fleet Manager is close to being approved. It is currently being reviewed by the Illinois Governor's office. The Mid-West group continues to work on developing a governance and ownership model. They have a concept document and are in the process of developing a draft MOU and the RFI for a Fleet Maintainer was successful with a number of responses. Michigan is now in the process of drafting an RFP.

Agenda item 5

514 Subcommittee update: The Subcommittee is now moving onto next steps – keeping the plan, which is a living document, updated. Amtrak is nearing completion of its 5 year forecast. The next call of the Subcommittee will include a preview of the forecast. Minor CIP updates will be presented/discussed on the next call – Monday 3-23-15. The Subcommittee awaits 14 reconciliations from Amtrak. Cost controls have been a concern of the states – they believe that auditing specific areas of costs will help.

Agenda item 8

NGEC Procurement updates: The 2 procurements – bi-level cars and the diesel-electric locomotives-will continue to be standing agenda items on the Executive Board calls.

Agenda items 6 and 7

Host Railroad Blessing of NGEC equipment: Criteria for new equipment has been developed by the locomotive committee. The committee will brief Jim Grady, AAR on the criteria. Following this – a subgroup will be formed to work with the NGEC after the beginning of the new year. **(ongoing)**

Jeff Gordon reported that he has coordinated with TPCI's David Cackovic and it has been determined that for AAR, its Standards Development Committee is the vehicle for this effort. Jeff will coordinate with David as to who the NGEC will participate. Jeff is looking to identify NGEC members.

NGEC States Letter to the FRA, House and Senate Appropriations: Eric Curtit has sent the letter to the FRA – to Paul Nissenbaum – and Steve Hewitt has provided him with the information/instructions for sending the

House and Senate versions.

Status: The FRA version has been sent – the House and Senate versions have not. House Majority policy has changed and they are not accepting outside testimony but will accept letters from organizations with a specific request. Steve Hewitt will provide Eric with the contact info for the House letter.

NGEC Future: The FASC has several assignments which are to be the first steps taken towards establishing the NGEC future – short term and long term:

Submitting the revised SOW for a no-cost grant agreement through 9-30-17: The SOW will be submitted to the FRA Grants office by COB on Friday, March 20, 2015. Last outstanding item to be included is what category the approved fund transfer for administrative support for 514 should go into. Darrell awaiting a response from AASHTO.

Agenda item 10/1

The Finance and Administrative subcommittee has begun developing a proposal for potential funding options to present to the Board for its consideration by October, 2015:

The FASC began discussions on this activity on January 14th. Members of the FASC have been asked to bring ideas to the table for discussion.

Exploring options for long term future funding of the NGEC is now the primary focus of the FASC with a due date of submitting recommendations to the Executive Board by October of 2015.

Darrell Smith compiled a list of concepts/ideas for discussion at the Annual meeting. While no conclusions were reached, the Finance and Administrative Subcommittee was directed to look into the question of the NGEC's ability to accept money and participate in the receipt of costs.

The list of potential funding concepts has been sent to the FASC as well, and will be a part of the next FASC conference call agenda on April 8th.

Outreach to All Aboard Florida:

It was agreed that a "simple outreach" to AAF would be made by Chairman Curtit with regard to use of the NGEC specs. Tim Hoeffner will provide Eric Curtit with contacts for the outreach.

Status/next steps for outreach - Agenda item 10/2

Design of safety cards for insertion in seatbacks of the new bi-level cars: The Board approved a designation for inclusion on the safety seat card: the NGEC logo along with: multi-state passenger cars. Caltrans reached out to Steve Hewitt for the artwork for the NGEC Logo – Steve did not have the original artwork. Larry Salci contacted Steve on behalf of the FRA and Caltrans for the original artwork. Steve referred Larry to AASHTO.

Status: Larry Salci provided Shayne Gill with the Caltrans contact and Shayne has provided that info to the AASHTO graphics arts department who will, in turn, send the artwork to Caltrans.

Backgrounder educational piece: This item has been updated. All attendees of the Annual Meeting received hard copies. The full NGEC email list received PDF versions emailed to them by Steve Hewitt. Several requests have come in for hard copies. Steve has placed an order with AASHTO. They are now at the printers.

Status: Bryan Hong reported that the order has been placed – he will provide Steve Hewitt with a status update.

New NGEC Call-in number: AASHTO has secured a new conference call service – thus the NGEC number will change. The current one is good till the end of March. Steve will send a new calendar appointment with the new call in info and will ask that everyone delete the old appointments from your calendars.

4.

Approval of the Minutes from the 3-17-15 conference call meeting – Eric Curtit:

On a motion by Paul Worley, NCDOT, and a second by Tammy Nicholson, Iowa DOT, the minutes from the March 17, 2015 Executive Board conference call were approved without exception.

5.

Progress Report – Mid-West States – Section 6 –John Oimoen:

John Oimoen, IDOT reported that the Mid-West states Section 6 effort continues to make progress.

The group is meeting on a regular basis with governance and ownership as the top priorities. Several drafts have been developed and are under review by the individual states legal departments.

Michigan is developing the RFP for the Fleet Maintainer

IDOT has developed an RFP for a Fleet Manager – it is currently under review by the Illinois Governor’s office.

**6.
Status Update: Diesel-Electric Locomotive Procurement – John Oimoen:**

John Oimoen reported that the design engineering phase is going very well and remains “slightly” ahead of schedule and has been trending that way all along.

All Final Design Review meetings have been completed – there are a few action items remaining.

Siemens has begun work on the first underframe and should have it complete by the end of the month.

Invoices have been coming in and are being paid in timely fashion.

“All good news so far.”

**7.
Status Update: Bi-Level Car Procurement – Larry Salci for Sharon Beasley:**

In the absence of Sharon Beasley, Caltrans, FRA oversight consultant, Larry Salci provided a brief update:

Final Design remains incomplete – it is behind schedule – April is now the focus for anticipated completion.

Major First article Inspection of the underframe will take place today (3-31-15).

A status update from Nippon Sharyo is due on April 10th.

The pilot car remains about 6 months behind schedule.

**8.
Status Update – 514 Subcommittee – Ron Pate:**

Ron Pate was unavailable for today’s call, but noted (via email) that he “did talk with the Mid-West states about pooling opportunities. We are working on a straw dog to discuss areas of opportunity”.

Darrell Smith, Amtrak, added that during the last 514 meeting, Amtrak provided its minor update table to the members of 514 and “they are all digesting it”.

**9.
GAO Inquiry on 514 - Eric Curtit:**

Eric Curtit commented on the fact that the GAO is conducting interviews with states with regard to PRIIA implementation “and how Amtrak is doing”. In the recent interview that he had with the GAO the discussion of the NGEC came up, and, in particular the establishment of the 514 subcommittee which is utilizing the NGEC process on issues related to Section 209 of PRIIA. The GAO was pleased to hear of this approach – and appreciated “our efforts”. Eric pointed them in the direction of Ron Pate, as chair of the 514 subcommittee.

Michael Lestingi asked if Eric knew which audit the GAO was engaging him about – and whether or not it was all states.

Eric said he would get him the audit information, but that he thought it was the Mid-West states and the audit had to do with PRIIA implementation.

Mike Jenkins, Oregon, commented that Oregon and Washington had also been interviewed.

Eric noted that it seems like it must be those with state sponsored routes being interviewed.

10.

Status Update/Discussion: NGEC Future Activities - Darrell Smith:

1. Status: SOW - no cost GA extension submittal to FRA - Darrell Smith:

Darrell Smith reported that the SOW has been turned into the Amtrak Grants office, and, if it has not already been submitted to FRA, it will be within the next day or so.

2. Status: Next steps - outreach to All Aboard Florida - Eric Curtit:

Eric Curtit contacted All Aboard Florida (Dave Ward, Siemens) as requested. Dave and Eric discussed the use of the NGEC specification. Dave confirmed that Siemens has been awarded the contract, and that bidders had been asked to meet the NGEC specifications as much as was practically possible.

Dave noted that there are a few changes to the specs – especially with regard to a dedicated train consist – push-pull capabilities – which changed the nose of the locomotive quite a bit.

They are using the same process consultants as the multi-state procurement is using.

Eric asked if Dave would keep him informed of major changes to the spec – he will – to some degree.

There is a 32 locomotive base order.

Michael Lestingi, FRA, asked if the manufacturer was “willing to share the modifications with the NGEC.”

Eric replied – “No – quite the contrary.” They will keep the NGEC apprised at a “high level” only.

Michael Lestingi commented that FRA may be willing to put in a requirement for future funding or financing requests that the NGEC specs are to be used, but would need to know if the NGEC Board feels it would be useful. If the Board feels it would be useful to add some language to that effect he would look into seeing if there was buy in at FRA to do it. It is possible that “we could see future grant money have it (the use of NGEC specs) as a requirement.” It is something that the Board needs to decide “if it makes sense”, and, if so, ask FRA to consider it.

11.

Other Issues:

Eric Curtit and Steve Hewitt raised the issue of access to the 305-800 and 900 series reference specifications and drawings.

Steve informed the Board members that a process had been established long ago (2011) whereby individuals interested in obtaining the series 800 or 900 documents on the NGEC website are sent to an email button to Steve Hewitt where they are asked to provide their name and their affiliation and the reason for the request. Almost all requests are from OEMs, consultants, or rail industry members with legitimate reasons for requesting the documents – most are involved in one or both of the current multi-state procurements. Once ascertaining that it is a legitimate request, Steve sends the document to the requester. Steve noted that he gets many such requests over the course of a day or week.

The concept behind this somewhat restricted dissemination of the reference documents was initially to give the NGEC an idea of how and for what they were being used. No policy has been established as to how to respond to an individual who is not affiliated with a firm or organization with a legitimate use of the information.

Once in a while Steve will get a request from an individual who does not respond to the question as to who they are affiliated with, and what their stated use of the spec is. Usually when pressed these requesters “go away”. Recently a “private citizen” who appeared to be an activist of some sort based on a tag line on her email, requested the 305-914 reference document on side car doors. Steve was hesitant because there was clearly no stated “professional” use or

need for the spec. The "private citizen" came back to Steve several times politely stating that she was a "private citizen" and wanted the spec for other than professional reasons.

Steve talked to Dave Warner who had originally been the Document Control Coordinator for the NGEC, and had established the current process. Dave suggested that Steve contact Vincent Brotski, Amtrak Legal, with regard to public access to these reference documents.

Steve reached out to Vincent and to Chairman Eric Curtit. In a conversation with Eric (prior to connecting with Vincent) Steve and Eric determined that "at this point, without a policy that restricts document dissemination, it was better to respond to the request rather than refuse it."

Vincent Brotski commented that he would probably lean more towards not releasing it to a private citizen, but he would like to do some research to make sure that there is nothing that stops the NGEC from being more restrictive on public access to the documents.

Steve did point out that the full PRIIA NGEC Vehicle Specifications are currently accessible to anyone who visits the website. (They are asked to fill out a spec utilization form via the honor system). It is only the reference "clones" that are currently restricted via the email button to Steve.

Steve would like to see the Board establish a policy – one way or the other- to provide him with clearer direction. Such a policy does not exist today, and the NGEC has been very diligent of keeping open records, and open access to its records, as a matter of practice since its inception in 2010.

Dave Warner recommended that the statement that goes out with the automatic email response be revised to limit distribution to only those with legitimate use for the specs.

Ultimately it was agreed that Vincent Brotski would do some research and come back to the Board with his findings as to whether or not there is a reason that the NGEC cannot restrict public access to these documents.

At that point the Board may wish to take action on developing a policy and revising the statement as recommended by Dave Warner.

This item will be carried as an open action until a decision is made.

Adjourn:

With no other business forthcoming today, Chairman Curtit adjourned the call at approximately 12:05PM Eastern.

The next call is April 14, 2015

Decisions/Action Items

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Developing a policy for public access to NGEC Specs and/or reference documents and drawings: Vincent Brotski will do some research and come back to the Board with his findings as to whether or not there is a reason that the NGEC cannot restrict public access to these documents. At that point the Board may wish to take action on developing a policy and revising the statement that goes out with the automatic email response to limit distribution to only those with legitimate use for the specs.

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NGEC Specification Use Requirements when requesting funding or financing: The Board will consider whether or not it believes it would be useful to have a requirement for future funding or financing requests that the NGEC specs are to be used. If the Board feels it would be useful to add some language to that effect, Michael Lestingi would be willing to seeing if there was buy in at FRA to do it.

ATTACHMENTS



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

S305 NGEC Executive Board Conference Call
March 31, 2015
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 | Eric Curtit |
| 2. Roll Call | Steve Hewitt |
| 3. Action Items Status Review | Steve Hewitt |
| 4. Approval of Minutes from the March 17, 2015 Call | Eric Curtit |
| 5. Progress Report: Mid-West States – Section 6 | Tim Hoeffner |
| 6. Status Update: Diesel-Electric Locomotive Procurement | John Oimoen |
| 7. Status Update: Bi-Level Car Procurement | Sharon Beasley |
| 8. Status Update: 514 subcommittee | Ron Pate |
| 9. GAO Inquiry on 514 | Eric Curtit |

10. Status Update/Discussion: NGEC Future Activities

- 1 Status: SOW - no cost GA extension submittal to FRA
- 2 Status: Next steps - outreach to All Aboard Florida

Darrell Smith

Eric Curtit

11. Other

All

Next Call: April 14, 2015

DRAFT