

# SECTION 305 NGEC Executive Board

MINUTES

APRIL 28, 2015

11:30 EASTERN

CONFERENCE CALL

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

## 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:**

### Action Items Status Update

**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, but is not out yet. 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 514 subcommittee met last week with a focus on the minor updates provided by Amtrak and they discussed the implications of discrepancies and adjustments. (Ongoing)

**Status Update: Agenda item 8**

**Submitting the revised SOW for a no-cost grant agreement through 9-30-17:** The extension has been filed by Amtrak and is under FRA review.

**Status update: Agenda item 11 a.**

**Host Railroad Blessing of NGEC equipment:** AAR has created a committee to address potential issues related to the introduction into service of NGEC equipment from the AAR side, and Jeff Gordon will augment the member list with state representatives from Caltrans, IDOT, WSDOT and any other states that are interested in participating. FRA Office of Safety representatives, and Jeff Gordon will also participate.

**Status:** A meeting has been set for June 4<sup>th</sup> in Washington, DC. Jeff Gordon has asked for interested states representatives from the Technical subcommittee to contact him at [Jeffrey.gordon@dot.gov](mailto:Jeffrey.gordon@dot.gov) if they would like to participate. This announcement was made on the 4-23-15 Technical subcommittee call and subsequently sent via email.

Jeff noted that he has not heard from any of the states yet, and added that he will "force" representation from

IDOT and Caltrans as “they are the reason this group was convened in the first place.” Again, Jeff reiterated his view that this is an activity that is better suited for participation from state members of the Technical subcommittee, and that he will continue to keep the Executive Board apprised of progress made.

Tim Hoeffner, Michigan DOT, asked for more details on the committee – Jeff agreed to provide them.

**The Finance and Administrative subcommittee activities related to funding options:** The subcommittee has formed a task force to look at the mechanics and viability of charging a specification use fee.

**Status update: Agenda item 11 b.**

**Developing a policy for public access to NGEN Specs and/or reference documents and drawings:** Vincent Brotski has completed his research on whether or not there is a legislative history that would indicate that the NGEN would be prohibited in restricting access to reference specifications and drawings. Along with Dave Warner, he has offered proposed language for inclusion on the email button attached to requests for these documents

**Status Update: Agenda item 9 – consideration of new language Agenda item 10.**

**Backgrounder educational piece:** The updated Backgrounder is available now – for copies please contact Steve Hewitt with the number of copies requested and an address to send them to.

**4.**

**Approval of the Minutes from the 4-14-15 conference call meeting – Eric Curtit:**

On a motion by Dale Engelhardt, Amtrak, and a second by Arun Rao, Wisconsin DOT, the minutes from the 4-14-15 Executive Board conference call were approved without exception.

**5.**

**Progress Report – Mid-West States – Section 6 –Tim Hoeffner, Michigan DOT:**

Tim Hoeffner reported that the Mid-West Section 6 effort continues to move forward. There are meetings taking place most of this week with Nippon Sharyo, Siemens, IDOT, Caltrans, and FRA in attendance. There was a meeting last week as work continues on finalizing the RFPs for a fleet manager and maintainer. There is a face to face meeting of the Mid-West States scheduled for 5-20-15 in Chicago with both Nippon Sharyo and Siemens attending.

**6.**

**Status Update: Diesel-Electric Locomotive Procurement – Arun Rao for John Oimoen:**

Arun Rao reported that the Diesel/Electric Locomotive procurement engineering phase continues to be “slightly” ahead of schedule – about 2 months.

Final Design Review (FDR) is complete with follow up action items in the process of being resolved.

There is about a three week schedule impact due to a dock workers strike on the west coast and weather issues on the east coast.

The Diesel Exhaust Fluid (DEF) / UREA Working Group, chaired by Jennifer Bastian, IDOT, has met twice thus far. The working group is looking at delivery and storage options.

Dale Engelhardt, Amtrak, commented on the issue of fuel consumption and performance of the new equipment. He emphasized that there are a variety of factors that impact fuel consumption rates - including; car; engine, fuel tank size and speed. He advised that when considering the use of existing fueling sites, the fuel consumption range should be factored in.

Arun Rao commented that he will bring this back to Jennifer Bastian, and he noted that Siemens had recently provided new fuel and performance information.

**7.**

**Status Update: Bi-Level Car Procurement – Sharon Beasley:**

Sharon Beasley, Caltrans provided a brief update on the status of the Bi-Level Car procurement:

11 First Article Inspections (FAIs) are completed – 1 left from April, 2015.

7 FAIs are scheduled for May, 2015.  
Of 2007 Design Review items only 111 remain open.  
Of 1083 Drawings – 1045 have been approved.  
Issues remain with the graphics for the pilot car with neither Caltrans or IDOT graphics approved as of yet.  
A workshop is in progress this week with Caltrans, IDOT, FRA, and the carbuilders present.  
Caltrans awaits determination on the DCR on weight that was submitted through the NGEN DCR process.

**8.  
Status Update – 514 Subcommittee – Jeremy Jewkes:**

Jeremy Jewkes, WSDOT, reported that after the “shock and awe” from the states on seeing the updated forecasts – Amtrak has gone back to “sharpen its pencils” and another proposal is expected to be forthcoming for the next 514 subcommittee call which is scheduled for next week (5-4-15).

**9.  
Update: developing policy for public access to NGEN reference specs & drawings - Vincent Brotski:**

Vincent Brotski was unavailable for today’s call but provided Steve Hewitt with a brief update and proposed language for the website:

Vincent has completed his research on whether or not there is a legislative history that would indicate that the NGEN would be prohibited from restricting access to reference specifications and drawings. He has concluded that there does not appear to be a legislative history prohibiting such restrictions.

“I think we are in agreement that the general public should not have access to NGEN specs and drawings.”

The revised language that is proposed to be added to the website is:

*The documents and drawings below are available upon request to contracted vehicle builders and associated suppliers only. To request one of the following documents, click on the document name. A pre-addressed email-box will open. Then please provide your name, phone number, email address, company affiliation and reason for requesting the document. The Chairman of the NGEN 305 Next Generation Equipment Committee reserves the right to reject a request.*

**10.  
Discussion: proposed revised language and procedure for web site - Eric Curtit:**

Eric Curtit commented that this is a similar situation to that of the release of bridge plans by State DOTs – they are not considered public documents, and “it is not necessary to release them...the same should hold true for the specification reference documents and drawings.

Eric agrees with the revised language as proposed.

Others weighing in on the language:

Dave Warner (NGEN Emeritus member) – supports the proposed language.

Tim Hoeffner, Michigan DOT – “I support the language as well, but there needs to be documentation about what the concerns were and why we are restricting access.”

Paul Worley, NCDOT – supported the language as well, and cited safety and security as reasons for restricting access.

Ultimately, it was agreed that Eric Curtit will draft a “memo to the file” which documents the process and procedures and the rationale behind it. The DRAFT memo will be distributed to Board members in advance of its next call (5-12-15) and a vote is anticipated to take place at that time.

The language that is currently on the website will remain as written until the “memo to file” has been approved.

**11.  
Status Report: the Finance and Admn Subcommittee (FASC) on NGEN Future Activities – Brent Thompson/Steve Hewitt for Darrell Smith:**

a. First meeting of the FASC Funding Options Task Force – Brent Thompson

Brent Thompson, WSDOT, Chair of the Funding Options Task Force, and Co-Vice Chair of the Finance and Administrative Subcommittee (FASC), provided an update on the activities of the newly established task force.

The first conference call meeting was held on 4-22-15. The next call is scheduled for 4-29-15 with bi-weekly calls to follow with an end date of 6-10-15 for making recommendations to the full FASC.

The task force was established to look at the possibility and viability of assessing specification use fees, and on the mechanisms and potential organizational structure required for accepting such fees.

The task force is expected to complete its work and make recommendations to the FASC by 6-10-15.

b. Status: Grant Agreement Extension – Steve Hewitt

Steve Hewitt reported that Darrell Smith informed him that the no-cost extension request remains with FRA, and Amtrak is waiting for the reply to execute the amended grant agreement.

Michael Lestingi, FRA, agreed to check with FRA the Grants Office on the status. He knows of no issues with it, and will go back to see about "getting it out".

**12.**

**Discussion: Industry requests for the CIP - Steve Hewitt:**

Steve Hewitt reported that he has received several requests from members of the industry for copies of the CIP. Before considering releasing this document Steve reached out to Darrell Smith to see if it was, indeed, a public document, and to make sure that he (Steve) has the correct version. Darrell has sent Steve the correct "high level" version, and noted that he believes this is a document that is ok for public dispersal, but wanted confirmation from Mario Bergeron and Ron Pate (514 Chair). Ultimately, Steve suggested, and Chairman Curtit agreed, that the question be raised to the full Board before a decision is made on distributing the document upon request and/or posting it to the website. To date, Steve has told industry requesters that he is checking on the status, and that it may be an internal document. Members of the industry have accepted, and understood the caution, but several have continued to ask if a decision has been made.

The general view of Board members is that Amtrak needs to make the determination on whether or not this should be made available as a public document.

Jeremy Jewkes will make Ron Pate aware and see if he has any thoughts on it as well.

Steve Hewitt will hold off on distributing the CIP until he gets a definitive answer.

Eric Curtit noted that this is similar to a State's STIP and they are public documents. If "we are going to restrict it we will need to document why." Eric added that he believes the CIP "needs to be released at a certain level".

The Board will wait until Amtrak has weighed in to and make a determination (hopefully) by the next call – 5-12-15.

**Adjourn:**

With no other business forthcoming today, Chairman Curtit adjourned the call at approximately 12:06PM Eastern.

**The next call is May 12, 2015**

**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. Michigan continues to be in the process of finalizing an RFP.

**514 Subcommittee update:** The 514 subcommittee will meet again on 5-4-15. At that time it is anticipated that a revised forecast of costs for FY16 will be provided by Amtrak. (Ongoing)

**Executing a no-cost amended grant agreement through 9-30-17:** The extension has been filed by Amtrak and is under FRA review. Amtrak is waiting on a reply from FRA to execute the amended agreement. Michael Lestingi, FRA, will follow up with FRA Grants Office to see what the status is and see about getting the agreement out.

**Host Railroad Blessing of NGEC equipment:** AAR has created a committee to address potential issues related to the introduction into service of NGEC equipment from the AAR side, and Jeff will augment the member list with state representatives from Caltrans, IDOT, WSDOT and any other states that are interested in participating. FRA Office of Safety representatives, and Jeff Gordon will also participate. AAR has developed a proposal for a kick off meeting (webinar/conference call/face to face – TBD). They will be going over the proposal on Thursday of this week 4-16-15 prior to arranging the meeting.

A meeting has been set for June 4th in Washington, DC. Jeff Gordon has asked for interested states representatives from the Technical subcommittee to contact him at [Jeffrey.gordon@dot.gov](mailto:Jeffrey.gordon@dot.gov) if they would like to participate. This announcement was made on the 4-23-15 Technical subcommittee call and subsequently sent via email. (ongoing)

(Note: Tim Hoeffner, Michigan DOT, asked for more details on the committee – Jeff agreed to provide them.)

**Developing a policy for public access to NGEC Specs and/or reference documents and drawings:** Vincent has completed his research on whether or not there is a legislative history that would indicate that the NGEC would be prohibited from restricting access to reference specifications and drawings. He has concluded that there does not appear to be a legislative history prohibiting such restrictions and has provided the Board with proposed language revisions for the website.

*The documents and drawings below are available upon request to contracted vehicle builders and associated suppliers only. To request one of the following documents, click on the document name. A pre-addressed email-box will open. Then please provide your name, phone number, email address, company affiliation and reason for requesting the document. The Chairman of the NGEC 305 Next Generation Equipment Committee reserves the right to reject a request.*

The Board supports the language change, but wants documentation of the concerns and rationale for restricting access. Eric Curtit will draft a proposed "memo to file" for consideration on the next call – 5-12-15. No action will be taken to revise the website until the memo is approved.

**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 has established a Funding Options Task Force and charged it with looking at the possibility and viability of assessing specification use fees, and the mechanisms and potential organizational structure required for accepting such fees.

FASC Chair Darrell Smith will continue to keep the Board apprised of the progress being made.

**Industry requests for the CIP:** Several requests have come in from members of the industry for copies of the CIP. Before considering releasing this document Steve Hewitt has asked the Board to determine if this is an internal document or if it is something that can be released and posted to the web site. The general view of the Board members is that Amtrak needs to make this determination.

The Board will wait until Amtrak has weighed in to and make a determination (hopefully) by the next call – 5-12-15.

## ATTACHMENTS



**S305 NGEC Executive Board Conference Call**  
**April 28, 2015**  
**11:30 AM – 12:30 PM Eastern**  
**Call in number: 888 585-9008 conference access: 559-120-127**

**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 April 14, 2015 Call                                       | Eric Curtit                      |
| 5. Progress Report: Mid-West States – Section 6   | Tim Hoeffner                     |
| 6. Status Update: Diesel-Electric Locomotive Procurement                                  | Arun Rao for John Oimoen         |
| 7. Status Update: Bi-Level Car Procurement  | Sharon Beasley                   |
| 8. Status Update: 514 subcommittee  | Ron Pate                         |
| 9. Update: developing policy for public access to NGEC reference specs & drawings         | Steve Hewitt for Vincent Brotski |
| 10. Discussion: proposed revised language and procedure for web site                      | Eric Curtit                      |
| 11. Status Report from the Finance and Admn Subcommittee (FASC) on NGEC Future Activities |                                  |
| a. Status: Grant Agreement Extension  | Steve Hewitt                     |
| b. First meeting of the Funding Options Task Force  | Brent Thompson                   |
| 12. Discussion: Industry requests for the CIP   | Steve Hewitt                     |
| 13. Other   | All                              |

**Next Call: May 12, 2015**