

SECTION 305 NGEN

Executive Board Conference Call Meeting

MINUTES OCTOBER 2, 2012 11:30AM EASTERN CONFERENCE CALL

FACILITATOR	<i>Bill Bronte, Chair, S305 NGEN Executive Board</i>
ATTENDEES	Executive Board Members: <i>Bill Bronte, Mario Bergeron, Paul Nissenbaum, Gordon Hutchinson, Ron Adams, Tammy Nicholson, Jack Madden as proxy for Ray Hessinger, Anthony Fuller as proxy for Paul Morris, John Sibold, John Oimoen, Karen Hedlund</i> Support Staff: <i>Ron Pate, Jason Biggs, Leo Penne, Shayne Gill, Steve Hewitt, David Ewing, Chad Edison, Ryan Swick, Ashok Sundararajan, Darrell Smith, Vincent Brotski,</i>
ABSENTEES	Board Members: <i>Eric Curtit, Al Ware, Kevin Lawson, Ray Hessinger, (Jack Madden as proxy) Paul Morris (Anthony Fuller as proxy)</i> Support Staff: <i>Tim Hoeffner, Larry Salci John Tunna, Kevin Kesler, Whitney Phend, Jeff Gordon, Melissa Shurland, Nico Lindenau, Dale Engelhardt, Dave Warner, Robin McCarthy,</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 the presence of a quorum was confirmed with 10 of 14 Board members present or represented by proxy.

Approval of the Minutes from the September 20, 2012 Executive Board Meeting held in Portland, ME – Bill Bronte:

Bill Bronte asked for a motion to accept the minutes of the September 20, Executive Board meeting. Bill, in calling for the motion, noted that he felt that meeting was a very productive one, and he thought that Steve Hewitt’s 20 pages of minutes captured it well.

On a motion by Ron Adams, Wisconsin DOT, and a second by Paul Nissenbaum, FRA, the minutes of the September 20, 2012 meeting of the Executive Board were approved without objection.

Review Of the Status of Action Items from September 20, 2012 – Steve Hewitt:

Bill Bronte will continue to keep the Board “generally” apprised of the progress of the bi-level railcar procurement and of the progress of the locomotive procurement. **(Ongoing)**

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

It was agreed that there will be a transfer of funds from the Executive Board professional services item to:

- AASHTO Support Services: \$30,000 for continued specification review efforts over the next 6 months.
- The Technical subcommittee: \$40,000 for professional services for Camren Cordell as described in the Treasurer’s report.
- The Administrative Task Force: \$55,000 for labor for the Amtrak project manager item.

The budget will be adjusted accordingly.

Status: Agenda item as a status update

All power point presentations will be sent to all Board members by Steve Hewitt, and will be posted on the website on the Executive Board page. **Task complete**

Kevin Kesler will continue to follow the Accessibility issue in regard to using architectural standards as discussed today. He will inform the Board and the technical subcommittee once a final decision has been made. Kevin will

also bring Gary Talbot's recommended language forward to the AWG and, once approved there, on to the subcommittee. **Status: Kevin is unavailable for today's call, but told Steve Hewitt he had nothing new to report on this issue.**

The Technical subcommittee will review the process that provides the Technical subcommittee with the ability to make policy decisions, and go back to the Board with a recommendation as it affects policy. The subcommittee can propose a different policy than it has today for approaching DCRs and take it to the Board or, if no change is recommended – bring that to the Board as well, for its affirmation. The AWG will take a look initially and report to the Technical subcommittee, which will in turn report to the Executive Board. **Status: This is an Agenda item**

The decision was made to re-convene the Single level review panel to produce a report and recommendation to the Board on Revision A. The Board agreed to bring Larry Salci back as the consultant to the panel. Leo Penne and Darrell Smith will get together to get this done in accordance with the budget adjustments approved today. **Status: This item is on the agenda for an update.**

Bi-level car Revision C.1 was adopted by the Executive Board and will serve as the baseline document for the procurement. Steve Hewitt will send the final Review Panel Report to AASHTO for posting on the website on the documents/specification page. **Task complete**

Steve Hewitt (with assistance from AASHTO) will assemble all documents pertaining to earlier discussions about the future of the NGEN and get them all in one place. **Status: Steve is beginning to get this assembled and should have it completed by the end of the week (October 5, 2012)**

Through the ATF, AASHTO and David Ewing and Steve Hewitt will first develop an outline and then a 2-5 page position paper on the NGEN activities to be used as a marketing exercise for Congress and others. The timeline for this (originally thought to be 6 weeks) will be 8-9 weeks for approval out of the ATF and consideration by the Board. The outline should be ready for ATF in 6 weeks and will be on its agenda on September 28th. **Status: The ATF met on September 28, 2012 – and reviewed a draft outline prepared by Leo Penne, AASHTO. Darrell Smith as Vice Chair will address the ATF actions on behalf of Al Ware on today's agenda.**

Each Executive Board member is to prepare a one paragraph "vision" statement for what the NGEN should be and send it to Bill Bronte, cc to Steve Hewitt, within two weeks from today (October 4, 2012). Bill Bronte will then compile the input received (not attributable) and bring it back to the Executive Board. **Status – due October 4, 2012 – This is simply a reminder – the "vision" statements are to go to Bill Bronte with a cc to Steve Hewitt by COB this Thursday.**

Nico Lindenau, FRA consultant, will provide Steve Hewitt with the pictures of the wall charts from yesterday's (September 19th) SFTF workshop/brainstorming session. Steve will send it to all Board members and support staff. **Task complete – all board members received the wall charts in two versions – as photos of the charts and as converted (thank you Dave Warner) to Word.**

The SFTF will begin immediately to develop a scope for a consultant for after the PB work on Section 6/deployment. This is the so-called "Son of Section 6" effort. **Status: This is part of the SFTF report on today's call.**

The SFTF will take the initial charge of the Board and see if it is still applicable, or is enhancement needed. The SFTF will bring a recommendation back to the Board. **Status: This is part of the SFTF report on today's call.**

It was agreed that the 3rd NGEN Annual Meeting will be held on February 21, 2013 in Washington, DC at the Washington Court Hotel. Additional information will follow. There will also be meeting rooms available at the Hyatt (as well as sleeping rooms there) if the NGEN Board wishes to conduct additional meetings such as a review of the PB draft report in advance of the Annual Meeting. **Status: The Board needs to let AASHTO know if they want to have a meeting (separate from the Annual meeting) to discuss the PB draft report.**

At this point, Chairman Bronte welcomed Karen Hedlund, FRA Deputy Administrator, to the call, and asked if she had any comments she would like to offer.

Karen commented that she was pleased at the progress of the bi-level car procurement, and was looking forward to the Diesel-Electric locomotive procurement.

Karen also noted that she hoped to be attending more of these (Executive Board) calls in the future.

Agenda Items

Status: Execution of Contracts – AASHTO-Salci – Darrell Smith/Leo Penne:

Darrell Smith, Amtrak, and Leo Penne, AASHTO, reported that the contract with Larry Salci is moving forward. (Larry has been working already). There are a few details to be completed, but there are no issues with it. Leo Penne noted that AASHTO is adjusting the contract to include the Review of Single Level Revision A, (as agreed on September 20, 2012) and adding in the ability for task orders for additional items as requested, and approved by the Executive Board.

Status: Approved Budget Adjustments – Darrell Smith:

Darrell Smith reported that the revisions/budget adjustments as approved by the Board on September 20, 2012 were sent over to FRA by the Amtrak grants office on September 27, 2012 for FRA approval. Darrell has not heard exactly when the approval will come back, but expects that it will occur prior to Dharm Guruswany leaving on October 12, 2012.

At this point a brief budget discussion ensued with regard to the contingency balance from the initial grant that still needs to be programmed, and the balance that is remaining from the current grant. Bill Bronte noted that, "as a Board, we may want to sit down and have a discussion on this."

There was a question asked about the remaining balance from the initial grant, and could it be moved to the Executive Board contingency fund.

Chad Edison said he believed that this did come up at the Board meeting and it was thought that this could be done. Steve Hewitt added that the question was, indeed, asked on September 20, 2012, and the answer given was that it is possible to do providing there was a statement of purpose.

Chad clarified that it could be put in contingency "with some paper work needing to be done" as to "where it is going" and for what purpose.

Darrell Smith noted that "we could pull it all together for the budget that starts on April 1, 2013".

It was agreed that Darrell Smith will work with FRA on this. Darrell also noted that he is "cleaning up the FRA billing to include the last of AASHTO's submitted bills" and that the Finance subcommittee is going to obtain from that, an ongoing total to use for continuing AASHTO's primary support services going forward for the next year's budget. (4-1-13 thru 3-31-14).

Status Update: Structure and Finance Task Force (SFTF) Section 6. Deployment and Action Items updates – Ron Pate:

In SFTF chair Eric Curtit's absence, Ron Pate, Washington State DOT, and co-vice chair of the SFTF, provided an update on the activities of the task force:

- a. PB update:
Ron Pate reported that with the contract signed now, he and Eric have discussed getting together with PB to re-confirm the work to be performed. Chad Edison added that Eric was putting together a "kickoff call" with PB, and was to send an email out to SFTF members in regards to their availability. It is expected that the call will take place next week, and Eric was hoping to have as many members as possible participate.
- b. Update on SFTF review of the original charge:
Ron reported that Eric had provided an initial draft with his suggested changes to the original SFTF charge. The draft, with Eric's changes was distributed by Steve Hewitt to all SFTF members. Comments are due to Eric (with a cc to Steve Hewitt) by COB Thursday, October 4, 2012 and will be discussed on the next SFTF call (October 8, 2012).
- c. Update on the SFTF effort to develop a "son of section 6" including a scope of work for consultant services:
Ron reported that this effort is the next piece to begin moving after the SFTF charge has been revised. Some of the "son of section 6" is a part of the charge discussion. The SFTF will keep the Board apprised of its progress.

Status update from the JPTF – Bill Bronte:

- a. Bi-level procurement:

Bill Bronte reported that on September 26, 2012 the Notice of Intent to Award to Sumitomo Corporation was announced. The bid submitted was for \$352,276,000.00. Bill reported that they were pleased with the bids that had come in and are now waiting "on pins and needles for our procurement people to let us know of any appeals being made." Thus far Bill is aware of one Notice of Intent to Protest submitted by Kawasaki. By submitting the Notice of Intent to Protest, Kawasaki has 10 days to formally submit the protest. The Caltrans procurement people are looking to see if any more are filed and Bill will keep the Board informed.

Bill also reported that staff and consultants have begun the Buy America Audit which should take about two weeks. He expects things to remain on schedule with a Notice of Award being announced around October 26, 2012, and a formal signing of the contract around mid-November, 2012.

b. Diesel-electric Locomotive:

Bill reported that there is nothing additional on the diesel-electric locomotive procurement effort from what was discussed at the September 20, 2012 Executive Board meeting. He reminded members "the issue is not funding, but staffing for this labor intensive effort." He added "we need time with all parties to see what we can do about resources."

Administrative Task Force (ATF) update on Action Items from September 20, 2012 – Darrell Smith:

In the absence of Administrative Task Force chair Al Ware, Darrell Smith, Amtrak, vice-chair of the ATF provided an update on action items:

- a. As mentioned, earlier, Steve Hewitt is assembling all documents pertaining to previous NGEC future discussions – Steve Hewitt expects to complete this action by the end of next week (October 5, 2012). He will then ask AASHTO to post these items on the website in one specific location and he will distribute the compilation of documents to the ATF and SFTF members.
- b. The ATF is developing the marketing/educational outline and draft document as directed by the Executive Board. This is being done by Leo Penne, David Ewing and Steve Hewitt. The timeline for ATF approval of a draft document is November 23, 2012. Once approved it will be submitted to the Executive Board for its consideration.
- c. Also as noted previously, all Executive Board members are to complete individual "vision" statements. These are due to be submitted by COB on October 4, 2012 to Bill Bronte with a cc to Steve Hewitt.
- d. RR101 webinar session on the topic of developing a state rail office will take place in October, 2012. Date and time will be forthcoming.
Tammy Nicholson, the ATF lead for this effort, commented that she is working with Shayne Gill, AASHTO, on setting the date.
- e. It was agreed that Steve Hewitt will watermark all minutes for all NGEC related calls or meetings as DRAFT but will continue the practice of posting them to the website (as DRAFT) and, once approved, will replace the DRAFT with a final version.

Technical subcommittee update – Review of AWG DCR process policy vs. technical – Mario Bergeron:

Technical subcommittee chair Mario Bergeron, Amtrak, reported that the subcommittee has begun to look at "moving forward with Accessibility DCRs in a way for a different path to distinguish between policy and technical issues." A draft proposal will be submitted to the Accessibility Working Group (AWG) for their input. The document will then come to the Technical subcommittee, for its review and then "I (Mario) will bring the proposal forward to the Executive Board, and I will also highlight the current process" by way of providing context to the Board.

Setting a timeline for Revision A (Single level) Review – Larry Salci:

This item will be held for a future call, as Larry Salci is not on today's call. Steve Hewitt noted that there is not a pressing timeline that we are up against, but it will be good to have Larry provide the Board with his view of how long it will take and approximately when the Review Panel will be called upon to review a draft report with recommendations.

Other:

Ron Pate reported to the Board that he learned today from his equipment person (at Washington DOT) there is meeting with Amtrak and Talgo to "address a new ADA requirement to secure Segway's in trains, and we will lose 15 revenue producing seats."

Ron asked if others were aware of this.

Bill Bronte said "I heard it was becoming an issue but not sure about the details."

Bill asked if FRA or anyone was aware of this. Paul Nissenbaum, FRA, stated "No, but we will talk to our team about it".

Shayne Gill asked if the Segways are considered to be recreational or mobility vehicles. The answer was "mobility".

Mario Bergeron, Amtrak, noted "if it helps, we (Amtrak) are applying appropriate securement for Accessibility vehicles in our trains." He noted that the "Acela is complete and the Horizon is next and so on..."

Ron asked "is it for Segways? And is it a requirement?"

Mario responded "yes and yes...it is for Segways and, as we understand it, it is a requirement for secure devices."

Darrell Smith, Amtrak, noted that "The Transit Authority has been told they must accommodate Segways."

Ron Pate emphasized, "I need something to give John (Sibold) to obtain additional funding if this is a requirement."

Bill Bronte added, "we need to get some background on this and understand if it is a separate securement.

It was agreed that Mario Bergeron will follow up with the Board with additional information, and FRA will also look into the issue and report back to the Board.

Adjourn:

With no further business to come before the Board today, the call was adjourned at approximately 12:35pm Eastern.

The next Executive Board conference call is October 16, 2012

Decisions/Action Items

Bill Bronte will continue to keep the Board "generally" apprised of the progress of the bi-level railcar procurement and of the progress of the locomotive procurement. (If there are additional appeals or protests filed on the bi-level, he will let the Board know when he knows). **(Ongoing)**

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

Executive Board member "vision" statements are due to Bill Bronte (CC Steve Hewitt) by COB October 4, 2012.

Setting a timeline for Revision A (Single level) Review – this item is carried forward until the next call.

Mario Bergeron, Amtrak, will provide additional information to the Executive Board members on the issue of Segway securement. Paul Nissenbaum and/or Chad Edison, FRA, will talk to the FRA team and also provide information to the Board.

Technical subcommittee review of AWG DCR process policy vs. technical – Once the subcommittee has developed and approved a revision, Mario Bergeron will bring the proposal forward to the Executive Board, and will also highlight the current process to the Board.

The ATF is developing the marketing/educational outline and draft document as directed by the Executive Board. This is being done by Leo Penne, David Ewing and Steve Hewitt. The timeline for ATF approval of a draft document is November 23, 2012. Once approved by the ATF, it will be submitted to the Executive Board for its consideration.

The RR101 webinar session on the topic of developing a state rail office will take place in October, 2012. A final date and time will be forthcoming. As soon as it is set the Board will be notified.

Steve Hewitt is assembling all NGEC material related to the future of the NGEC. He will then ask AASHTO to post these items on the website in one specific location and he will distribute the compilation of documents to the ATF and SFTF members. The intent is to complete the assembling of the material by COB October 5, 2012.

The revisions/budget adjustments as approved by the Board on September 20, 2012 were sent over to FRA by the Amtrak grants office on September 27, 2012 for FRA approval. Darrell Smith will let the Board know when the approval has come back. He anticipates the timeline to be sometime prior to October 12, 2012.

Darrell Smith will work with FRA on what needs to be done to put the remaining balance from the initial grant and that of the current grant together in a contingency fund for programming in the NGEC budget beginning 4-1-2013.

Darrell Smith is cleaning up the FRA billing to include the last of AASHTO's submitted bills, and the Finance subcommittee is going to obtain from that, an ongoing total to program for continuing AASHTO's primary support services going forward in next year's budget. (4-1-13 thru 3-31-14).

Execution of Contracts – AASHTO-Salci – the contract is being amended to include the Review of Single level Revision A and to include task orders for additional work as directed by the Board.

Eric Curtit is putting together a "kickoff call" with PB, and expects to send an email out to SFTF members in regards to their availability. It is expected that the call will take place next week (week of October 8, 2012).

The SFTF is revisiting and likely revising its original charge. Once approved through the SFTF, the revised charge will be brought to the Board for its consideration.

The SFTF is developing a "son of section 6" scope of work for consultant services, and will bring its proposal forward for Board consideration once it has been approved by the SFTF.

ATTACHMENTS



S305 NGEC Executive Board Conference Call
October 2, 2012
11:30 AM – 1:00 PM Eastern
Call in number: 866 299 7945 passcode: 1601544#
Agenda

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| 1. Open the Meeting | Bill Bronte |
| 2. Roll Call | Steve Hewitt |
| 3. Approval of Minutes from September 20, 2012 meeting | Bill Bronte |
| 4. Action Items Review | Steve Hewitt |
| 5. Status: Execution of Contracts (AASHTO-Salci) | Leo Penne/Darrell Smith |
| 6. Status: Approved Budget adjustments | Darrell Smith |
| 7. Status Update: SFTF Section 6/deployment effort | Eric Curtit |
| a. Update on PB effort | |
| b. Update on SFTF Review of its original charge | |
| c. Update on the SFTF effort to develop a 'son of section 6' including | |
| a scope of work for consultant services | |
| 8. Status update from the JPTF: | Bill Bronte |
| a. Bi-Level procurement update | |
| b. Diesel-electric locomotive update | |
| 9. ATF update on Action items from Exec Board meeting | Al Ware |
| 10. Technical subcommittee update: Review of AWG process | Mario Bergeron |
| 11. Setting a timeline for Revision A (Single level) Review | Larry Salci |
| 12. Other | All |

Attachments

Status Update: Action Items from the September 20, 2012 Board Meeting

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<p>Jeff Gordon will continue to provide the AASHTO, Amtrak and FRA public affairs officers with email notifications of NGEN activities. (ongoing)</p>
<p>It was agreed that there will be a transfer of funds from the Executive Board professional services item to:</p> <ul style="list-style-type: none"> - AASHTO Support Services: \$30,000 for continued specification review efforts over the next 6 months. - The Technical subcommittee: \$40,000 for professional services for Camren Cordell as described in the Treasurer's report. - The Administrative Task Force: \$55,000 for labor for the Amtrak project manager item. <p>The budget will be adjusted accordingly. Status: Agenda item</p>
<p>All power point presentations will be sent to all Board members by Steve Hewitt, and will be posted on the website on the executive Board page. Task complete</p>
<p>Kevin Kesler will continue to follow the Accessibility issue in regard to using architectural standards as discussed today. He will inform the Board and the technical subcommittee once a final decision has been made. Kevin will also bring Gary Talbot's recommended language forward to the AWG and, once approved there, on to the subcommittee. Status: Kevin?</p>
<p>The Technical subcommittee will review the process that provides the Technical subcommittee with the ability to make policy decisions, and go back to the Board with a recommendation as it affects policy. The subcommittee can propose a different policy than it has today for approaching DCRs and take it to the Board or, if no change is recommended – bring that to the Board as well, for its affirmation. The AWG will take a look initially and report to the Technical subcommittee, which will in turn report to the Executive Board. Status: Agenda item</p>
<p>The decision was made to re-convene the Single level review panel to produce a report and recommendation to the Board on Revision A. The Board agreed to bring Larry Salci back as the consultant to the panel. Leo Penne and Darrell Smith will get together to get this done in accordance with the budget adjustments approved today. This item is on the agenda for an update.</p>
<p>Bi-level car Revision C.1 was adopted by the Executive Board and will serve as the baseline document for the procurement. Steve Hewitt will send the final Review Panel Report to AASHTO for posting on the website on the documents/specification page. Task complete</p>
<p>Steve Hewitt (with assistance from AASHTO) will assemble all documents pertaining to earlier discussions about the future of the NGEN and get them all in one place. Status: Steve is beginning to get this assembled and should have it completed by the end of the week (October 5, 2012)</p>
<p>Through the ATF, AASHTO and David Ewing and Steve Hewitt will first develop an outline and then a 2-5 page position paper on the NGEN activities to be used as a marketing exercise for Congress and others. The timeline for this (originally thought to be 6 weeks) will be 8-9 weeks for approval out of the ATF and consideration by the Board. The outline should be ready for ATF in 6 weeks and will be on its agenda on September 28th. Status update is on this agenda.</p>
<p>Each Executive Board member is to prepare a one paragraph "vision" statement for what the NGEN should be and send it to Bill Bronte, cc to Steve Hewitt, within two weeks from today (October 4, 2012). Bill Bronte will then compile the input received (not attributable) and bring it back to the Executive Board. Status - due October 4, 2012</p>
<p>Nico Lindenau will provide Steve Hewitt with the pictures of the wall charts from yesterday's (September 19th) SFTF workshop/brainstorming session. Steve will send it to all Board members and support staff. Task complete</p>
<p>The SFTF will begin immediately to develop a scope for a consultant for after the PB work on Section 6/deployment. This is the so-called "Son of Section 6" effort. Status: agenda item.</p>
<p>The SFTF will take the initial charge of the Board and see if it is still applicable, or is enhancement needed. The SFTF will bring a recommendation back to the Board. Status: Agenda item</p>
<p>It was agreed that the 3rd NGEN Annual Meeting will be held on February 21, 2013 in Washington, DC at the Washington Court Hotel. Additional information will follow. There will also be meeting rooms available at the Hyatt (as well as sleeping rooms there) if the NGEN Board wishes to conduct additional meetings such as a review of the PB draft report in advance of the Annual Meeting. Status: The Board needs to let AASHTO know if they want to have a meeting (separate from the Annual meeting) to discuss the PB draft report.</p>