

# SECTION 305 NGEC Executive Board

MINUTES

DECEMBER 20,  
2011

11:30AM EASTERN

CONFERENCE CALL

<b>FACILITATOR</b>	<i>Bill Bronte, Chair, S305 NGEC Executive Board</i>
<b>ATTENDEES</b>	<b>Board Members:</b> <i>Bill Bronte, Mario Bergeron, Alan Ware, DJ Stadtler, John Tunna as proxy for Mark Yachmetz, Eric Curtit, Tammy Nicholson, Bill Bronte proxy for George Weber, Ray Hessinger, Ron Pate for John Sibold, Ron Adams, Bill Bronte as proxy for Pat Simmons</i> <b>Support Staff:</b> <i>Steve Hewitt, Leo Penne, Shayne Gill, David Ewing, Larry Salci, Chad Edison, Jeff Gordon, Dale Engelhardt, Nancy Greene, Nico Lindenau, Ryan Swick, Gordon Hutchins</i>
<b>ABSENTEES</b>	<b>Board Members:</b> <i>Joe Kyle, Kevin Lawson, John Sibold, Mark Yachmetz, Pat Simmons, (as noted above, all but Kevin Lawson and Joe Kyle had proxies or designated reps)</i> <b>Support Staff/Observers:</b> <i>Paul Nissenbaum, Kevin Kesler, Whitney Phend, Drew Galloway, John Bennett, Robin McCarthy, Rich Slattery, Andy House, Tim Hoeffner,</i>

## DECISIONS MADE

**Welcome – Bill Bronte, Chair, S305 NGEC Executive Board:**

Chairman Bronte welcomed those on the call and thanked everyone for their participation.

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

Steve Hewitt took the roll of Board members and support staff. After calling the roll, it was determined that a quorum was present with 12 of 14 members represented.

**Approval of the Minutes of the December 6, 2011 Executive Board Conference Call– Bill Bronte:**

On a motion by DJ Stadtler, Amtrak, and a second by Al Ware, Georgia DOT, the Minutes from the December 6, 2011 Executive Board call were approved without objection.

## Agenda Items

With time being tight, the action items status update was not reviewed, but all members received the update in advance of the call, and they are attached to these minutes.

**Discussion: Proposed process/guidelines for contracting with consultants – Al Ware/Jeff Gordon:**

Jeff Gordon provided a summary of the proposed process/guidelines for contracting with consultants. The proposal has been revised to reflect input received from the Administrative task force members and, in particular, revisions proposed by Nancy Greene, Amtrak.

“The final version before the Executive Board today”, Jeff reported, “follows standard procedures and looks a lot like government contracts.” The procedures are patterned after the approval matrix that was developed by the Administrative task force and adopted by the Board earlier this year. The intent was to make the process simple.

Steve Hewitt pointed out that the document, as presented, was approved unanimously, by the Administrative task force on December 16, 2011, and has been submitted to the Board with a recommendation for approval by the Board.

Mario Bergeron asked if there is a contract being considered that is not sole source, but competitive, “who solicits the proposal?”

Jeff explained that the process is described further in the text of the document, but, basically, “the organization (subcommittees, task force, etc.) seeking support creates the solicitation and a strawman proposal for evaluation.” Jeff also explained that the Administrative task force intended to make the procedures “flexible and simple enough to do, while not anticipating that a lot of these (consultant contracts) will happen.” The intent is to do the first 2 or 3 pending contracts as a test or pilot.

Leo Penne, AASHTO noted that AASHTO, “if the Board wishes, will assist as the contracting agent”. He added

that AASHTO has been asked by the Board to act in that capacity to sole source a contract with Larry Salci to do an outside assessment of the Standardization pilot, but "we can manage a competitive process as well, if the Board wants us to."

There was some discussion/clarification in regards to AASHTO's role. Mr. Penne made it very clear that AASHTO "is not proposing to do any selections." It was further clarified that AASHTO was offering, at the Board's request, to help manage, but not get involved in the selection process. AASHTO is willing to assist the Board as the contracting agent when asked. The NGEC is not a formal entity, so it was previously agreed that AASHTO or Amtrak could act as a contracting agent, and AASHTO was asked, for the sake of expediency, to act in that capacity for the Larry Salci contract.

Bill Bronte noted that it made sense to "rely on AASHTO for now."

With no further discussion, the Chair entertained a motion to adopt the procedures as presented and previously approved by the Administrative task force. The motion was offered by Ron Adams, Wisconsin DOT, and seconded by Alan Ware, Georgia DOT.

Steve Hewitt polled the Board members present or represented:

Bill Bronte, Caltrans – in favor  
Mario Bergeron, Amtrak – in favor  
Alan Ware, Georgia DOT – in favor  
DJ Stadtler, Amtrak – in favor  
John Tunna for Mark Yachmetz, FRA – in favor  
Eric Curtit, Missouri DOT – in favor  
Tammy Nicholson, Iowa DOT – in favor  
Bill Bronte for George Weber, Illinois DOT – in favor  
Ray Hessinger, NYSDOT – in favor  
Bill Bronte for Pat Simmons, NCDOT – in favor  
Ron Pate for John Sibold, Washington State DOT – in favor  
Ron Adams, Wisconsin DOT – in favor

With no objections, the Chairman determined that consensus had been achieved and the motion carried. Steve Hewitt was asked to re-send the procedures document, as approved, to all Board members following the call.

**Consider for Approval: Revision B Review Panel Report Recommendations – Bill Bronte/Larry Salci:**

Consultant Larry Salci provided an overview of the Bi-level Car Revision B summary of changes, and summarized the report and recommendations of the Review Panel, as submitted for the Executive Board's approval.

The Review Panel, comprised of Ron Adams, Wisconsin DOT; Tammy Nicholson, Iowa DOT; Bill Bronte, Caltrans; Eric Curtit, Missouri DOT; and John Tunna, FRA had met twice to review the proposed summary of changes. Based on some questions raised during the initial review by panel members, a revised report was prepared by Larry Salci and presented to the panel on December 16, 2011.

The Review Panel unanimously approved the revised report and recommendations and submitted it to the Executive Board for its consideration, as revised.

Mr. Salci provided a background on the changes approved by the Document Control Committee. 50 changes, of which 27 were minor, were approved, 9 were rejected. Mr. Salci expects that there will be a Revision C with some of those rejected due to lack of time, being considered in the Revision C, as well as changes that may come from comments made to the RFI.

He also noted that Chapter 12 of the spec is a completely revised chapter, and an explanation of the changes can be found on pages 9-10 of the Review Panel report.

Larry also noted that the Bi-level car spec "is one of the best I have seen in all my years" and he complimented the "hard technical work" undertaken by the Review Panel and the Technical subcommittee and DCC.

Bill Bronte echoed Larry Salci's sentiments and thanked all of the members of the Review panel, especially Ron Adams of

Wisconsin DOT, who has served on all of the specification Review Panels thus far.

With no further discussion, Chairman Bronte entertained a motion to adopt Bi-Level Car Revision B. Ray Hessinger, NYSDOT, offered the motion, and it was seconded by Ron Adams, Wisconsin DOT.

Steve Hewitt polled the Board members present or represented:

Bill Bronte, Caltrans – in favor  
Mario Bergeron, Amtrak – in favor  
Alan Ware, Georgia DOT – in favor  
DJ Stadtler, Amtrak – in favor  
John Tunna for Mark Yachmetz, FRA – in favor  
Eric Curtit, Missouri DOT – in favor  
Tammy Nicholson, Iowa DOT – in favor  
Bill Bronte for George Weber, Illinois DOT – in favor  
Ray Hessinger, NYSDOT – in favor  
Bill Bronte for Pat Simmons, NCDOT – in favor  
Ron Pate for John Sibold, Washington State DOT – in favor  
Ron Adams, Wisconsin DOT – in favor

With no objections, the Chairman determined that consensus had been achieved and the motion carried.

**Presentation of NGECC Budget and Work Plans 4-1-12 through 3-31-13 – Ken Uznanski/Bill Bronte:**

In the absence of Ken Uznanski, the Board tabled this agenda item until the next conference call of the Board.

**Review of Revisions and Modifications to the current grant agreement – Ken Uznanski/Bill Bronte:**

Although a revised spread sheet was developed by Ken Uznanski prior to leaving for vacation, and distributed by Steve Hewitt early this morning, it was agreed to table this agenda item until Ken was available to walk the Board through the spread sheet.

**Update: Structure and Finance Working Group (SFWG) – Al Ware:**

David Ewing provided an overview of two items that have been submitted to the Executive Board from the Administrative task force.

The first item was a resolution calling for the Executive Board to create a Structure and Finance Task Force (SFTF) which would directly report to the Executive Board and would have a State Board member appointed as its Chair. David noted that the proposed task force would model the structure of other task forces previously established by the Board with a Chair and a Vice Chair and members representing Amtrak, FRA and the states. The voting procedures proposed in the resolution are consistent with those adopted by the other subcommittees and task forces.

The Administrative task force did not recommend a budget amount for the SFTF, rather, deferred to the Project Manager to recommend a budget based on funds available after going through the budget process for the current year's modification and the budget for the following year.

David also noted that the SFTF would be following the procedures approved today for procuring consultants.

Steve Hewitt noted that the Administrative task force had approved the proposal unanimously on December 16, 2011 and recommended approval by the Board. He also noted that the Administrative task force recommended that its Chair, Alan Ware, be appointed temporary chair of the SFTF until a more permanent Chair can be found, so that the task force can begin its work.

David reported that the second item submitted to the Board was a Scope and Structure for the SFTF proposed by the FRA, reviewed by the Administrative task force, and approved to move forward to the Board.

Chairman Bronte stated that he had been overwhelmed with Caltrans budget issues this past week, and had not had a chance to review the proposed plan to create the SFTF. He asked other Board members for their input.

With no discussion forthcoming, Bill asked that "we put this over until others have had a chance to review it further."

Al Ware agreed that this made sense, emphasizing the importance of the SFTF, and the need for Board members

to have ample opportunity to review the proposal. Further, he thanked the Administrative task force members and the FRA for their work in putting these proposals together. He added, "it should make for a good statement for the NGEC" in changing the SFWG to a task force. It emphasizes the importance of the Structure and Finance effort moving forward.

Bill Bronte asked that Board members review the proposal, and be prepared to consider it on the next call. He also asked that state Board members consider volunteering to take on the role of Chair of the SFTF if it is created.

**Status: Developing a framework for addressing letters to the Board and /or meeting requests – Al Ware:**

Al Ware reported that the Administrative task force continues to look at state examples of their internal procedures for handling meeting requests and responding to letters. He asked that other member states provide their internal procedures to him with a cc to Steve Hewitt, so that the Administrative task force can develop a comprehensive process for the NGEC.

**Status: AASHTO contract with Larry Salci for Standardization assessment – Leo Penne:**

Leo Penne reported that AASHTO contracts people are putting the contract together. He noted that he had asked Ken Uznanski if "we need an Amtrak authorization for spending the money? Ken thought that the Executive Board's authorization was sufficient, but said he would check with DJ Stadler." Leo noted that he thought the contract would be ready for Larry's signature in the next day or so.

DJ said that the conversation with Ken Uznanski had not yet taken place, but agreed to try to connect with Ken later today to get his thoughts before committing one way or the other. He added that he doesn't want to slow down the process for getting the contract done, but does want to talk to Ken before confirming. If he gets a hold of Ken and determines that it is "thumbs up" he will let Leo know and cc the Board members.

**Status: Change Management during Procurement – Caltrans response to the revised report – Bill Bronte:**

Bill Bronte asked that this item be held over until the next call as he has nothing further to report on its status at this point.

**Update: Joint Procurement Task Force(JPTF) Activities – Bill Bronte:**

Bill Bronte reported that the JPTF work is ongoing, as is the Caltrans and Mid-west procurement effort. They are currently compiling RFI comments and beginning to develop the RFP.

The JPTF has held two calls since its re-activation and has a substantial number of members who have signed the Conflict of Interest form and are participating on the JPTF. The next call is tomorrow (December 21, 2011), and the JPTF is planning a face to face meeting in Chicago on January 17 and 18, 2012.

**Status: FRA Review of response letters to Talgo and Progress Rail – Chad Edison:**

Chad Edison reported that he had received FRA legal's concurrence on the letters with minor edits. Chad will send the letters with FRA's edits to Bill Bronte with a cc to Steve Hewitt immediately following this call.

**Registering for the February 23, 2012 NGEC Annual Meeting – making room reservations – Steve Hewitt:**

Steve Hewitt reminded all Board members that the cut off for reserving a hotel room under the NGEC block rate for the Annual meeting is January 9, 2012. Steve also asked all members, and support staff, to inform him if they intend to attend the February 23, 2012 NGEC Annual Meeting so an accurate head count can be ascertained.

Steve also took this opportunity to remind the Chair that the JPTF face to face meeting on January 17, 2012 will conflict with the January 17, 2012 Executive Board call. He asked Bill if the January 3, 2012 call would go on as scheduled, if so, the one on January 17, 2012 could be deferred until the next scheduled Board call (January 31, 2012) without losing too much in terms of progressing action items.

It was agreed that the Board will conduct its calls every other Tuesday at 11:30am Eastern through 2012, beginning on January 3, 2012. The January 17, 2012 call will be cancelled due to the JPTF meeting. The next call would then be on January 31, 2012. The members preferred to keep the current schedule as we move into the new year.

**Update: Accessibility Working Group (formerly the ADA Working Group) – Melissa Shurland:**

Melissa Shurland reported that the ADA working group had changed its name to the Accessibility Working Group to better reflect and add clarification about their role in recommending accessibility for PRIIA cars.

She also reported that the group last met on December 14, 2011, along with 3 members of the Access Board, to review the working group’s recommendation document.

On suggestion coming out of the December 14 meeting was to do a study of the feasibility of increasing the payload of wheel chair lifts from 600lbs to 800 lbs. This is a suggestion that they will likely accept going forward.

No timeframe was given to finalize the recommendation document currently under review, but Melissa was very positive about receiving input from the Access Board.

**Other:** Bill Bronte reminded members to review the SFTF proposal before the next call. With that, the call was adjourned with Bill Bronte wishing everyone happy holidays and thanking all members for their efforts throughout the year.. Meeting adjourned at approximately 12:35pm Eastern.

**The next call is: January 3, 2012 at 11:30am Eastern**

**Decisions/Action Items – 12-20-11 Executive Board Conference Call**

Budget items for 2012-2013 and the 2011-12 grant agreement modifications will be an agenda item for January 3, 2012 so that Ken Uznanski can walk the Board through the spreadsheets.

The ADA WG has changed its name to the accessibility working group. The working group will continue to review its recommendation document and present it to the Technical subcommittee and the Board upon completion.

Members agreed that a process needs to be developed to track and monitor contracts. Outlook and Microsoft Project were mentioned as possible tools to utilize for tracking, but nothing definite was decided at this point. This will be an agenda item for the Board to consider at some point. Most likely, a recommendation should come through the Administrative Task Force and the Finance subcommittee. (**carryover item**)

The Executive Board approved the procedures for contracting with consultants as presented by the administrative task force. Steve Hewitt to provide the final document, as approved, to all Board members.

The revised preliminary report on change management during procurement is being reviewed by Caltrans legal and procurement offices. Bill Bronte to check with Stan Hunter on the status. (**carryover item**)

FRA Counsel has approved the Talgo and Progress Rail response letters with minor edits. Chad Edison to provide the edited versions to Bill Bronte (cc to Steve Hewitt)

AASHTO is in the process of finalizing a contract, on behalf of the NGEC, with Larry Salci for assessing the Standardization Pilot. The contract should be ready for signatures by December 21 or 22, 2011. DJ Stadtler will talk with Ken Uznanski in regards to the need for Amtrak to authorize the spending. DJ to inform Leo Penne and

the Board of the decision asap – prior to execution of the contract.
The Administrative task force will develop a recommended framework to address industry letters, requests to meet with the Executive Board etc. Kevin Kesler will provide Alan Ware (and Steve Hewitt) with proposed language for addressing industry approaches to individual states. <b>(carryover item)</b>
Revision B was adopted by the Executive Board on December 20, 2011.
By early January 2012, the Administrative task force will present a disclaimer statement as requested by the LTTF to the Board for consideration.
The Board will keep to its current schedule of bi-weekly conference calls throughout 2012. The first call of the new year will be January 3, 2012. The January 17, 2012 call will be cancelled due to the JPTF meeting in Chicago.
Board members and support staff are asked to notify Steve Hewitt of their intentions of attending the NGEC Annual Meeting. Board members and staff are also reminded to reserve a room at the conference hotel by January 9, 2012 in order to receive the block rate.



**S305 NGEC Executive Board Conference Call**  
**December 20, 2011**  
**11:30am -1:00pm Eastern**  
**Call in number: 866 299 7945 passcode: 1601544#**  
**Agenda**

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|---|-------------------------|
| 1. Welcome  | Bill Bronte             |
| 2. Roll Call  | Steve Hewitt            |
| 3. Approval of Minutes from December 6, 2011                                | Bill Bronte             |
| 4. Review of Action Items   | Steve Hewitt            |
| 5. Consider for approval: Revision B Review Panel Report/Recommendations    | Bill Bronte/Larry Salci |
| 6. Presentation of NGEC Budget and Work Plans for 4-1-12 through 3-31-13    | Ken Uznanski            |
| 7. Review of Revisions and Modifications to the current grant agreement     | Ken Uznanski            |
| 8. Discussion: Proposed process/guidelines for contracting with consultants | Al Ware/Jeff Gordon     |
| 9. Update: Structure and Finance Working Group (SFWG)                       | Al Ware                 |

- a. Status: Developing a revised work plan with input from FRA
  - b. Establishing the SFWG as a task force reporting to the Exec Board
10. Status: Developing framework for addressing letters to the Board and Meeting requests Al Ware
  11. Status: AASHTO Contract with Larry Salci for Standardization assessment Leo Penne
  12. Status: Change Management during Procurement – Caltrans response to the revised report and proposed process Bill Bronte
  13. Update: Joint Procurement Task Force activities Bill Bronte
  14. Status: FRA review of response letters to Talgo and Progress Rail Chad Edison
  15. Registering for the Feb 23, 2012 NGEN Annual Mtg and room reservations Steve Hewitt
  16. Update: Accessibility Working Group (formerly the ADA Working Group) Melissa Shurland
  17. Other: All

<b>12-19-11 Update: Decisions/Action Items from 12-6-11 Executive Board Conference Call</b>
Ken Uznanski will contact chairs for additional information for completing the 2012-13 budget and try to put together a revised proposal prior to the December 20, 2011 Executive Board call. Steve Hewitt will contact Leo Penne, AASHTO, to ask that he get their work plan and budget into Ken asap. <b>Status – Ken was preparing a draft to send to the Board prior to the Exec Board call on Dec 20<sup>th</sup>. As of December 16 he had not received anything additional, but was planning to prepare a draft to show what he has and what is missing. Steve Hewitt did contact Leo Penne – as of Monday, December 19 – Leo was finalizing AASHTO’s submittal to send to Ken</b>
The ADA WG has completed a second draft recommendation and will have a meeting next week to review the draft. <b>(carryover item) This item is on the agenda. The ADA working group has changed its name to the Accessibility Working Group. The recommendation document is not yet finalized.</b>
Members agreed that a process needs to be developed to track and monitor contracts. Outlook and Microsoft Project were mentioned as possible tools to utilize for tracking, but nothing definite was decided at this point. This will be an agenda item for the Board to consider at some point. Most likely, a recommendation should come through the Administrative Task Force, and the Finance subcommittee. <b>(carryover item)</b>
The Administrative task force will revise the proposed process/guidelines for procuring support for the NGEN. It will be on the agenda for December 16, 2011 and the intent is to get it to the Board for discussion on December 20, 2011. <b>A revision 3 draft was sent to all Board members on Friday, December 16, 2011 for consideration on the December 20, 2011 call. It is on the agenda.</b>
A subset of the Administrative task force (Chad Edison, David Ewing, Ken Uznanski, Alan Ware and Nico Lindenau) will develop a drafts scope of work for the SFWG and present it to the Administrative task force within the next two weeks. <b>A draft scope was sent out on December 16<sup>th</sup> for discussion on the 20<sup>th</sup>. A proposal for creating a Structure and Finance Task Force was also sent to Board members with a recommendation for approval (from the Admn TF)</b>
The revised preliminary report on change management during procurement is being reviewed by Caltrans legal and procurement offices. Bill Bronte to check with Stan Hunter on the status. <b>(carryover item) This is on the</b>

<p><b>agenda – status is that Caltrans procurement office has reviewed the report and sent some comments/ questions back. Stan Hunter to work with Dave Warner and Jeff Gordon to provide answers.</b></p>
<p>AASHTO will contract with Larry Salci – Amtrak will provide AASHTO finance people with confirmation that funding is available. <b>(carryover item) This item is on the agenda – asking Leo Penne for an update</b></p>
<p>Steve Hewitt will send the draft response letters to Talgo and Progress Rail to Chad Edison and Kevin Kesler following today’s call. They will check on the status of getting FRA counsel’s approval. <b>As requested, Steve Hewitt sent the letters to Chad and Kevin Kesler on December 3, 2011. This item is on the agenda for an update as to the status.</b></p>
<p>The Administrative task force will develop a recommended framework to address industry letters, requests to meet with the Executive Board etc. Kevin Kesler will provide Alan Ware (and Steve Hewitt) with proposed language for addressing industry approaches to individual states. <b>(carryover item) The Administrative task force has tabled this until its next call – January 13, 2011</b></p>
<p>Larry Salci will prepare a revised report and summary of changes for Revision B and submit to the Review Panel members for consideration. The panel may vote electronically. The intent is to then have the Board consider the revised Revision B for approval on December 20, 2011. <b>The Revised report has been approved by the Review panel and distributed to the Board on December 16, 2011 for consideration on December 20, 2011. It is on the agenda.</b></p>
<p>The Board adopted the Dual Mode Locomotive Requirements document as previously approved by the Technical subcommittee. <b>Task Complete</b></p>
<p>By early January 2012, the Administrative task force will present a disclaimer statement as requested by the LTF to the Board for consideration. <b>Disclaimer statement is approved by the Admn Task Force and will go to the Board for consideration on its January 3, 2011 call.</b></p>
<p>The FRA will provide comments to the Administrative task force on the Amtrak project manager SOW and will provide comments on the SOW for technical support as part of the SFWG work plan. <b>Status – no additional comments received – other than that the procedures, once adopted, be followed.</b></p>
<p></p>