

# SECTION 305 NGENC

## Executive Board Conference Call Meeting

MINUTES

AUGUST 21, 2012

11:30 AM  
EASTERN

CONFERENCE CALL

<b>FACILITATOR</b>	<i>Bill Bronte, Chair, S305 NGENC Executive Board</i>
<b>ATTENDEES</b>	<b>Executive Board Members:</b> <i>Bill Bronte, Mario Bergeron, Paul Nissenbaum, Al Ware, Gordon Hutchinson, Eric Curtit, Ron Adams, Tammy Nicholson, Jack Madden as proxy for Ray Hessinger, Paul Morris, Johnson Bridgwater, John Oimoen, Illinois DOT, Jason Biggs as proxy for John Sibold, Support Staff:</i> <i>Anthony Fuller, Joe Shacter, Shayne Gill, Steve Hewitt, David Ewing, John Tunna, Kevin Kesler, Jeff Gordon, Nico Lindenau, Ryan Swick, Vincent Brotski, Dave Warner,</i>
<b>ABSENTEES</b>	<b>Board Members:</b> <i>Kevin Lawson, Ray Hessinger (proxy to Jack Madden), John Sibold (proxy to Jason Biggs) Support Staff:</i> <i>Tim Hoeffner, Leo Penne, Andy House, Chad Edison, Whitney Phend, Melissa Shurland, Dale Engelhardt, Robin McCarthy, Darrell Smith, Larry Salci</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 NGENC Support Services:**

Steve Hewitt took a roll of Executive Board members, and the presence of a quorum was confirmed with 13 of 14 members present or represented by proxy (as noted above).

**Approval of the Minutes from the July 10, 2012 Executive Board conference call – Bill Bronte:**

On a motion by Eric Curtit, Missouri DOT, and a second by Ron Adams, Wisconsin DOT, the minutes of the July 10, 2012 conference call meeting of the Executive Board were approved without objection.

**Action Items Review – Steve Hewitt:**

Steve Hewitt reviewed only those action items that were not on the agenda for today’s call:

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. **Status: This is an item on today’s agenda**

Jeff Gordon will continue to coordinate the monthly conference calls among AASHTO. Amtrak and FRA public affairs and through AASHTO keep the state public affairs offices involved and inform the Board if any action in regards to the RFI will take place. (**Status: Ongoing**)

The DMU Review effort will begin (June 28, 2012) following the completion of the Revision A report. Steve Hewitt will work with Bill Bronte to schedule a DMU Review Panel call for some time during the week of July 30-Aug 3, 2012 with Executive Board consideration on August 7, 2012. **Status: The Review Panel will meet on August 23, 2012 to consider Larry Salci’s Report and Recommendation. Intent is to present it to the Board for consideration on the September 4, 2012 conference call.**

Ken Uznanski will submit the request for shifting funds to the AASHTO Support Services Budget on Wednesday, July 11, 2012 and urge that it be expedited. (The funds to be shifted are described in the minutes) ken will also develop a template for future requests to expedite the process. **Status: Amtrak made the formal request of FRA on August 7, 2012. In turn, the FRA provided a letter, August 14, 2012, directing Amtrak Grants to do the transfer. Steve Hewitt provided a copy of the letter to all Board members and to AASHTO. As of this morning, AASHTO still has not received permission from Amtrak to execute the contracts or notification that the funds have been transferred. How do we get this resolved?**

**Gordon Hutchinson, Amtrak, noted that Darrell Smith is on vacation this week, but would do whatever is necessary when he gets back. Discussions on this came up again in the SFTF item and**

**Eric Curtit pressed Gordon to help get this resolved as the PB contract cannot begin until they receive a notice to Proceed, and AASHTO cannot execute this contract or Larry Salci's until it is told by Amtrak that the money is available and has been transferred in accordance with the FRA letter of August 14, 2012. Gordon agreed to talk with Eric Curtit to see about moving this along. Steve Hewitt reminded Gordon that he should also talk to Leo Penne at AASHTO. Eric Curtit seemed to believe that he and Gordon could work it out to the satisfaction of all parties.**

The Revision A report and summary sheet will be finalized, as approved, and Rev A will be posted to the website (superseding the initial Locomotive spec), as soon as possible. **Status: Task Complete: Rev A has been distributed and posted to the website.**

Eric Curtit and Chad Edison will hold a "kick off" meeting with PB in DC on July 17, 2012. **Status: The meeting took place on July 17, 2012 in DC – Eric Curtit will update the Board on the activities of the SFTF especially in regard to the PB contract as a standing agenda item.**

Al Ware and Steve Hewitt will draft a states recruiting letter for Bill Bronte's review, and will contact AASHTO for contact names as well as ask them to put this as an agenda item for SCORT. The S4PRC will also receive a letter to distribute to their membership. **Status: Al and Steve still need to get this letter drafted - item remains open. An effort has been made to have SCORT members attend the 9-20-12 Board meeting. Steve Hewitt has reached out to Massachusetts inquiring about its interest in becoming involved (no response). AASHTO is having the Board meeting noted on its SCORT agenda and encouraging states to attend the Board meeting on September 20, 2012.**

The ATF will finalize the work plan for RR101 and present it to the Board for its approval. **Status: The review team submitted a proposed work plan to the Admn TF – comments were received from FRA – the review team met on August 14, 2012 and will present a revised work plan to the ATF for consideration on August 31, 2012. The intent is for the Board to consider the work plan on September 4, 2012.**

#### Agenda Items

##### **Filling States Board Member vacancies (IDOT) – Bill Bronte/Joe Shacter:**

Bill Bronte asked Joe Shacter, Illinois DOT to formally introduce John Oimoen to the Executive Board as Illinois DOT's Board member replacing George Weber who has retired.

Joe introduced John Oimoen as IDOT's new Deputy Director for Rail and announced that John would, indeed, assume the IDOT seat on the NGEC Executive Board.

John Oimoen, noted that he looks forward to meeting the Board members and to working with them. He added that he had been a member of the Technical subcommittee previously when he worked at Wisconsin DOT.

##### **Introduction of Darrell Smith, Amtrak Finance, his NGEC role/responsibilities – Gordon Hutchinson:**

Gordon Hutchinson introduced Darrell Smith, Amtrak, (Darrell was not on the call – he is on vacation) as the person who will provide financial support to the NGEC taking the place of Ken Uznanski, and who will also serve as Amtrak's project manager for the NGEC. Darrell has extensive experience with state agencies, AASHTO and Amtrak – having worked with Amtrak previously, and also with the State of Florida.

Gordon emphasized that Darrell will be based in the Amtrak Washington, DC headquarters and will have "easier access to Amtrak and FRA". Gordon added, "our aim is to provide a more responsive level of service to the NGEC." He also noted that he expects that tasks will be completed in "a more timely manner from the Amtrak side" going forward.

Darrell will be at the NGEC Board meeting in Portland, ME on September 20, 2012, and will have Gordon's proxy for that meeting.

##### **Introduction of Vincent Brotski, Amtrak Legal – Bill Bronte:**

Bill Bronte introduced Vincent Brotski as a new member of the NGEC support staff from Amtrak. Vincent will

provide legal support in much the same way that Nancy Greene did prior to leaving Amtrak.

Vincent noted that he has been with Amtrak around a year now as Associate General Counsel in Amtrak legal. He provides support for the Amtrak HSR, procurement, IT, and a variety of other areas as required. He worked with Nancy Greene before she left to "try to get up to speed" on the NGEC activities. Vincent has also been participating on calls of the ATF, the Technical subcommittee and the Board and will provide legal support as needed.

**Status Update: SFTF Section 6/deployment effort – Eric Curtit:**

Eric reported that on July 17, 2012, he, FRA, and representatives from Parsons Brinkerhoff met in Washington, DC at FRA offices, to "kick-off, fine tune, and help PB understand what we're doing with this procurement." Eric further explained that the group "honed PB's focus" and clarified who they should be contacting. Eric noted that PB was under the impression they should be reaching out to a broad number of states, rather than a focused number of states who have done some work in this area and can answer the questions such as Washington State DOT. There is no need to be contacting states who do not have the answers to questions PB will ask.

Eric elaborated, "we helped PB understand what we wanted to get out of the contract, and we went over it task by task." The group also clarified for PB who they could expect to have the most contact with. PB's lead point of contact will be Steve Noonan.

Eric also pointed out that "PB is not working yet." They cannot work without a contract, and as of this point in time they do not yet have an executed contract. Eric asked Gordon to please "help us to get this moving". PB needs a Notice to Proceed.

Paul Nissenbaum, FRA, echoed Eric's comments and added that the FRA would like to schedule a session with PB in between the SCORT meeting and the Executive Board meeting in Portland, ME. He emphasized that this cannot happen without a notice to Proceed and reiterated Eric's request that Gordon help expedite this matter.

Gordon agreed to contact Eric following today's call and see what it will take to get this accomplished. Steve Hewitt reminded Gordon that there are two contracts in the same situation – the one with PB and the one with Larry Salci. He advised Gordon to reach out to AASHTO's Leo Penne since AASHTO needs the go ahead from Amtrak grants people to execute the contracts.

At this point Eric said he and Gordon would talk and get it resolved.

Eric also noted that he still believes we will put something together for Portland, ME for the Board meeting to bring members up to speed on what we are trying to accomplish and where things stand at that point in time. If PB is not on board yet, he (Eric) and Steve Hewitt will put something together to present to the Board.

**Status Update from the Joint Procurement Task Force - Bill Bronte:**

**a. Locomotive RFI response review – JPTF recommendation – Bill Bronte:**

Bill Bronte provided an overview of the findings of the RFI Response Review team and the recommendation of the JPTF. The RFI was released on July 6<sup>th</sup>. Industry's responses were collected on July 20<sup>th</sup> 2012 and resulted in 8 responses, 7 of which were compliant with the RFI questions.

On August 9<sup>th</sup> 2012, there was a combination in-person and video conference to review the compiled responses. The RFI responses were kept confidential so the individuals and teams would not know which locomotive manufactures were responding. All 7 respondents stated they could produce the 125 mph, Tier-4 locomotives within the specified timeframe, and the JPTF feels that based on the responses received, no changes to the technical specification or requirements document are needed.

He added that the industry had some questions in regard to performance standards and that those types of issues would be included in the RFP process.

Paul Nissenbaum, responding on behalf of Chad Edison who was not on today's call, stated that he believed

Bill had provided a “good summary of the report” provided by the review team and the JPTF.

At this point a fairly extensive discussion took place, with Mario Bergeron providing input in regard to meeting Amtrak’s operational needs going forward, and its interest in seeing the procurement and RFP process include an option for long distance locomotives derived from the PRIIA diesel locomotive spec. Mario added, “this approach would support the S305 mandate by meeting alternate service needs, and providing a platform that would include R&D and design engineering flexibility”.

Bill Bronte responded that, “as we go forward there is a fair amount of work to do” including top speed, sustaining speed, service plans etc. “to develop the best kinds of equipment standards.” He noted that “Caltrans has a need for 125 mph”. As a part of the actual manufacturing of the locomotives there will likely be different changes to come.

Bill was asked if there was a date for the RFP to go out and he responded no. The JPTF is “establishing a core team to begin developing and pairing out tasks”. “In some ways”, Bill noted, “the industry believed that a bit of a delay in releasing the RFP may help.”

Steve Hewitt reminded Bill that the Board would need to take an action to either accept or reject the JPTF recommendation which was that the RFI responses validated the NGEC Diesel-electric locomotive specification, and that no changes to the specification or requirements document are deemed necessary, based on the responses received.

At this point Bill reiterated the recommendation of the JPTF, based on the RFI Responses received, is that that “no changes need to be made to the specification or requirements document”. He then asked for a motion to accept the JPTF recommendation.

Eric Curtit, Missouri DOT, made the motion to accept, and it was seconded by Bill Bronte, Caltrans. Bill asked if there were any objections.

There were no objections, although Mario Bergeron clarified “Amtrak has no objection, but with the footnote” per the earlier discussion..

Steve Hewitt noted that there had been a significant discussion, and he emphasized the importance of capturing Mario’s comments accurately. He, therefore, asked Mario to provide him with the wording for the “footnote”.

Mario agreed, and provided the following for inclusion in the minutes:

*“Amtrak continues to support the PRIIA diesel-locomotive specification (#305-005, Revision A) and the recommendation from the JPTF to proceed with issuing the RFP which includes a Locomotive capable of 125 mph based on the industry comments received as part of the RFI.*

*Amtrak understands that the intent of the procurement and RFP process is to develop next generation diesel locomotives. This process will include an option for long distance locomotives derived from the PRIIA Diesel- Locomotive specification. We believe this approach will support the S305 mandate by meeting alternate service needs, and providing a platform that includes R&D and engineering design flexibility meeting Amtrak’s operational needs, including EPA, Tier 4, greater HEP and greater fuel tank capacity.”*

With no additional comments, and no objections noted, Bill Bronte, as NGEC Executive Board Chair determined that “consensus has been achieved” and the motion is carried.

**b. Status Update: Bi-Level RFP – Bill Bronte:**

Bill Bronte provided a brief update on the status of the Bi-Level Railcar RFP. He stated that the pre-submittal Process for the Bi-Level Railcar procurement is coming to an end. He also said the procurement schedule was delayed one week because of time to resolve some language issues. The Final Proposals are now due August 24, 2012, and the Notice of Intent to Award and Notice to Proceed is anticipated to be in mid-October, 2012.

**Review NGEC Specification Utilization Form – Jeff Gordon:**

Jeff Gordon provided a brief summary of the NGEC Specification Utilization Form that was distributed to all Board members on August 1, 2012 for its consideration. The form is designed to maintain a record of how many times the specs have been utilized. He noted that the form was developed with the help of the ATF and, especially Nancy Greene.

The form, in essence, “collects who uses the spec, when and what they order.” Part 2 of the form tracks “when the equipment is ordered.”

Steve Hewitt is to collect and maintain the archives. There is an automatic email notification built into the form.

**Consider for Approval: NGEN Specification Utilization Form – Al Ware:**

Al Ware, Georgia DOT, and Chairman of the Administrative Task force (ATF) put forth a motion to approve the form as submitted. Jack Madden, NYSDOT seconded the motion to approve.

Bill Bronte asked if there were any comments, concerns, or objections. Hearing none, Bill, as NGEN Chairman of the Executive Board determined that "consensus has been achieved" and the motion carries.

**Preparing for the 9-20-12 face to face meeting of the Executive Board, Portland, ME – Bill Bronte:**

**a. Board member attendance – ensuring a quorum**

Bill asked Steve Hewitt who had responded that they planned to attend the September 20, 2012 Executive Board meeting in Portland, ME.

Steve reported that he had heard from only a few Board members and some support staff. He then polled the Board to see who would be attending:

**Board members confirming attendance:**

Bill Bronte, Caltrans  
Mario Bergeron, Amtrak (via conference call)  
Al Ware, Georgia  
Darrell Smith as designated proxy for Gordon Hutchinson, Amtrak  
Paul Nissenbaum, FRA  
Eric Curtit, Missouri DOT  
Kevin Lawson, Louisiana DOT  
Tammy Nicholson, Iowa DOT  
Ray Hessinger (pending travel approval from NYSDOT)  
Paul Morris, NCDOT  
(and Anthony Fuller, NCDOT)  
Johnson Bridgwater, Oklahoma DOT  
Jason Biggs or Ron Pate, Washington State DOT (at least by conference call – in person if travel is approved)  
Ron Adams, Wisconsin DOT

**Support staff confirmed:**

Steve Hewitt, NGEN Support Services Manager  
David Ewing, NGEN Policy Advisor  
Leo Penne, AASHTO  
Shayne Gill, AASHTO  
Jeff Gordon, FRA

Steve Hewitt asked that all members and support staff send him an email confirming their attendance and whether or not it will be in person or via conference call, by August 28, 2012. He also asked that anyone who is planning on doing a presentation send him the presentation in advance so that he can have it all loaded onto a thumb drive. Handouts, if any, are due to Steve by COB September 6, 2012 and to AASHTO by September 7, 2012.

Bill Bronte asked that Steve Hewitt also send a notice to industry members to inform them of the Board meeting and welcome their attendance. Steve will also ask that they register with him so that an accurate head count can be provided to AASHTO.

Shayne Gill asked that Steve Hewitt remind all state members of the travel guidelines when he sends out a



**The next Executive Board Conference call is September 4, 2012 Noon Eastern**

**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. **(Ongoing)**

Jeff Gordon will continue to coordinate the monthly conference calls among AASHTO. Amtrak and FRA public affairs and through AASHTO keep the state public affairs offices involved and inform the Board if any action in regards to the RFI will take place. **(Ongoing)**

Pending approval of the draft plan by the ATF on August 31, 2012, the work plan for RR101 will be presented to the Board for approval on September 4, 2012.

The Review Panel will meet on August 23, 2012 to consider Larry Salci's Report and Recommendation. Intent is to present it to the Board for consideration on the September 4, 2012 conference call.

Gordon Hutchinson, Amtrak, will contact Eric Curtit. Missouri DOT, to resolve the issue of providing a Notice to proceed to PB and to grant permission to AASHTO to execute or Let the contracts (to both PB and Larry Salci).

John Oimoen, Illinois DOT, has filled the Board member vacancy replacing George Weber who has retired.

All Board members are asked to review the proposed agenda for the September 20, 2012 Executive Board meeting in Portland, ME, and provide input to Steve Hewitt and Bill Bronte prior to the September 4<sup>th</sup> conference call.

By COB August 28, 2012, all NGEC Board members and support staff are asked to confirm their attendance at the Portland meeting of the Board by sending Steve Hewitt an emails and notifying him if they will attend in person or via conference call. Steve will send reminders to the Board members and include in the reminder the guidelines for states for NGEC travel.

Steve Hewitt will notify the industry of the Board meeting to be held September 20, 2012 and invite them to attend. In order to be sure there is adequate space, Steve will ask industry members to register their intentions with him.

All presentations (power point or handouts) are to be sent to Steve Hewitt by COB September 6, 2012.

The next Board conference call is scheduled for September 4, 2012. The time is being changed for that day only to noon Eastern so as not to conflict with a scheduled S4PRC call. Steve will send a notice of the time change.

Mario Bergeron to provide "footnote" language to Steve Hewitt for inclusion in the minutes.

Bill Bronte to provide Paul Morris, NCDOT, with contact information for Stacey Mortenson.

**ATTACHMENTS**



**S305 NGEC Executive Board Conference Call  
August 21, 2012**

**11:30 AM – 1:00PM Eastern**  
**Call in number: 866 299 7945 passcode: 1601544#**  
**Agenda**

- |  |                         |
|--|-------------------------|
| 1. Open the Meeting  | Bill Bronte             |
| 2. Roll Call   | Steve Hewitt            |
| 3. Approval of Minutes from July 10, 2012 conference call                      | Bill Bronte             |
| 4. Action Items Review   | Steve Hewitt            |
| 5. Update: Filling Board Member vacancy (IDOT)                                 | Bill Bronte/Joe Shacter |
| 6. Introduction of Darrell Smith, Amtrak Finance, NGEC role/responsibility     | Gordon Hutchinson       |
| 7. Introduction of Vincent Brotski, Amtrak Legal                               | Bill Bronte             |
| 8. Status Update: SFTF Section 6/deployment effort                             | Eric Curtit             |
| 9. Status update from the JPTF:  | Bill Bronte             |
| a. Locomotive RFI response Review – JPTF recommendation                        | Bill Bronte             |
| b. Status: Bi-Level RFP  | Bill Bronte             |
| 10. Review NGEC Specification Utilization Form                                 | Jeff Gordon             |
| 11. Consider for approval: NGEC Specification Utilization Form                 | Al Ware                 |
| 12. Preparing for 9-20-12 face to face meeting of the Exec Board, Portland, ME | Bill Bronte             |
| a. Board member Attendance – ensuring a quorum                                 |                         |
| b. Developing an agenda –  |                         |
| <b>13. Other</b>   | All                     |

Decisions/Action Items
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# DRAFT DRAFT DRAFT DRAFT

## S305 NGEN Executive Board Meeting

Portland, Maine

September 20, 2012

8:30 AM – 4:00 PM Eastern

### DRAFT AGENDA

8:00-8:30	Registration	
8:30-8:40	Open the Meeting - self introductions	Bill Bronte
8:40 – 8:45	Roll Call - establishing a quorum	Steve Hewitt
8:45 – 9:00	Welcome and Opening Remarks	Bill Bronte
9:00- 9:05	Approval of Minutes from September 4, 2012 conference call	Bill Bronte
9:05 – 9:15	Review of Action Items	Steve Hewitt
9:15 – 9:25	Treasurer's Report	Gordon Hutchinson
9:25 - 9:35	Report from the Finance Subcommittee	Gordon Hutchinson
9:35 – 9:55	Report from the Administrative Task Force	Al Ware
9:55 – 10:15	Update from Amtrak	TBD
10:15 – 10:30	Break	
10:30- 10:50	Update from FRA	Paul Nissenbaum
10:50 – 11:30	Report from the Technical subcommittee	Mario Bergeron
11:30 – 12:00	Update: Joint Procurement Task Force Activities - Bi-Level car status update - Diesel-electric status	Bill Bronte
12:00 – 1:00	Lunch	
1:00 – 2:15	Report from the Structure and Finance task force - Update on Section 6/Deployment project	Eric Curtit PB
2:15 – 2:30	Break	
2:30 – 3:30	Discussion: Strategy for Moving the NGEN Forward	Bill Bronte

3:30 – 3:45	Questions and Comments	All
3:45- 4:00	Next Steps/Action Items	Bill Bronte
4:00	Adjourn	