

SECTION 305 NGEC Executive Board

MINUTES

SEPTEMBER 15
2011

8:30 AM EASTERN

MEETING

FACILITATOR	<i>Bill Bronte, Chair, S305 NGEC Executive Board</i>
ATTENDEES	Board Members: <i>Bill Bronte, Mario Bergeron, DJ Stadtler, John Tunna (proxy for Mark Yachmetz), Alan Ware, Tammy Nicholson, George Weber, Ray Hessinger, Pat Simmons, Joe Kyle, John Sibold, Eric Curtit, Ron Adams, (and Pat Simmons as proxy for Kevin Lawson)</i> Support Staff: <i>Chad Edison, Kevin Kesler, Jeff Gordon, Shayne Gill, Steve Hewitt, Leo Penne, Andrea Ryan, David Ewing, Nancy Greene, Ken Uznanski, Larry Salci, Dale Engelhardt, Melissa Shurland,</i> Observers: <i>Mandy Bishop, Don Itzkoff, Gagan Sood, Jeannie Beckett</i>
ABSENTEES	Board Members: <i>Mark Yachmetz (represented by John Tunna) Kevin Lawson (represented by Pat Simmons)</i> Support Staff/Observers: <i>Marvin Winston, Whitney Phend, Paul Nissenbaum, Stephen Gardner, Drew Galloway, John Bennett, Robin McCarthy, Rich Slattery, Nico Lindenau,</i>

DECISIONS MADE

Welcome – Bill Bronte, Chair, S305 NGEC Executive Board

Bill Bronte welcomed all attendees to the meeting of the Executive Board, held in Charlotte, North Carolina, and thanked our host Pat Simmons, NCDOT. Bill also welcomed those members and support staff who were unable to attend, but had called in for the meeting.

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

Bill Bronte asked all members in the room to introduce themselves and also those on the phone. Steve Hewitt noted that a quorum of the Board was present. (All Executive Board members were either in person, on the phone or represented by a designated proxy)

Approval of the Minutes of the August 30, 2011 Executive Board Meeting – Bill Bronte:

On a motion made by Al Ware, Georgia DOT, and a second by Pat Simmons, NCDOT, the Minutes of the August 30, 2011 conference call were approved without exception or objection.

Review: Action Items: - Steve Hewitt:

Steve Hewitt briefly reviewed the decisions and action items from the August 30, 2011 webinar/conference call meeting, giving a status update on each. Some of the items were to be discussed as part of the agenda, and Steve identified those items in his review. The action items were reviewed as follows (status in bold):

Status Review of August 30, 2011 Action items:

DJ Stadtler will finalize/format the 305 appropriations letter and get it out by August 31, 2011. (It will have 9 or 10 signatures on it - depending on the result of Kevin Lawson's discussions with his superiors).

Status: The letter has been finalized and sent out. It has 9 signatures of Board members on it.

Task Complete

FRA will complete its position paper in regards to CEM, and a suggested disclaimer statement, over the next several weeks – it will be done before the RFI goes out. This will remain an Executive Board agenda item until it has been resolved.

Status unknown: This item is on the 9-15-11 Executive Board meeting agenda. John Tunna stated that he could provide the update now rather than wait for it to come up as an agenda item. The Chair agreed. John reported that the CEM position paper is still making its way through the FRA process and there is nothing new to report at this time. Steve Hewitt asked if a proposed disclaimer statement will be part of the position paper, and John responded, yes it would.

Mark Yachmetz will get back to the Board over the next couple of days to let members know if the Committee will get a plus up of funding as a result of the FRA end of the year budget discussions/decisions. If additional funding is provided – a modification will be made to the grant agreement to reflect the additional funds.

Status unknown: This item is on the 9-15-11 Executive Board agenda

The Joint Procurement Process Task Force will continue its work and will provide ongoing updates to the Board as an open agenda item.

Status: Open agenda item – report will be provided to the Board on 9-15-11

The LTF will review the FRA Locomotive requirements document revisions, and Mario Bergeron, Dave Warner, John Tunna and Kevin Kesler, will discuss the issue and try to find a solution. Steve Hewitt will distribute the FRA marked up version.

Status: Mark up version was distributed; the LTF has reviewed the document with industry members and reported to the Technical subcommittee. This will be a Board agenda item in Charlotte on 9-15-11.

Once Rob Edgcumbe is under contract to the Committee, the Railroading 101 webinar series (equipment module) will be scheduled – with a specific date and time, and notification will be sent out to the states.

Status: DJ Stadtler to report on the status on 9-15-11.

The SFWG will resume its work, once Rob is under contract to the Committee, and will provide an update/status at the Executive Board meeting in Charlotte, NC – September 15th.

Status: An update is an agenda item for 9-15-11.

Steve Hewitt and Bill Bronte will work on a draft agenda for the September 15th meeting. Members will inform Steve of their intent to attend and/or name their representative or proxy.

Status: Final agenda went out 9-13 -11 – quorum confirmed for the meeting

Task Complete

In Charlotte, the issue of filling the vacant Board Secretary officer position and Administrative Task Force Chair will be discussed and, hopefully, resolved.

Status: This item is on the Executive Board agenda for 9-15-11.

The Technical subcommittee will begin work on the 305 DMU specification, beginning with the development of a requirements document to be presented to the Board in "about" six weeks.

Status: Work is progressing in the subcommittee – a brief update will be provided on 9-15-11

Agenda items covered:

FRA year end budget discussion re: additional NGEC funding – DJ Stadtler/John Tunna:

John Tunna, FRA, reported, "we're still tidying it up – nothing has happened yet", and DJ Stadtler commented that the "unofficial word is that it's very likely there will be some funding for us" John agreed and he and DJ noted that it would have to happen in the next ten days – and the Committee will need to put together a statement of work for the additional funds quickly.

DJ suggested that the Committee use the appropriations request letter and statement of work as a basis, with some additional activities looking forward. He advised the Board, the Technical and Finance subcommittees and the Administrative Task Force to look at their current work plans and budgets and cover work to be done over the next 12 months following the end of the current agreement. The period of time to be covered in a new statement of work and budget for the additional funds would likely be from April 1, 2012 through March 31, 2013.

Steve Hewitt noted that he has the work plans that had been put together for the current period ending March 31, 2012 and would send them to the Chairs of the subcommittees and the Administrative task force as a starting point. Ken Uznanski will work with the chairs to modify the language as needed.

John Tunna advised the Board to look at line items for consultants and "be generous in your estimates." The ongoing work of the Committee will undoubtedly need expert assistance as activities accelerate towards procurement, etc.

While neither John or DJ could say what the anticipated level of funding, if granted, will be, they both emphasized the importance of getting the work plans done quickly to be able to act fast to get an agreement modification in place if funds become available.

Chairman Bill Bronte thanked DJ, and John for their efforts, and the Committee members expressed their gratitude for any additional funds that can be made available to keep the important work of the Committee moving forward, especially as the Committee moves into the crucial area of procurement.

Bill also thanked DJ for his hard work in getting the FY 2012 appropriations request letter finalized and out to the Hill. He also acknowledged the tremendous amount of support the NGEC received from national and regional organizations which had written strong letters of support for funding for the NGEC. Bill cited a few of the organizations such as; the Railway Supply Institute (RSI); States for Passenger Rail Coalition (S4PRC); the National Association of Rail Passengers (NARP); the Council of State Governments Eastern Regional Conference

(CSG-ERC); AASHTO; and others as a sampling of the organizations that had sent NGEN letters.

Next Steps for the Structure and Finance Working Group/status of contract with Rob Edgcumbe - DJ Stadler:

DJ Stadler reported that he had clearance from Amtrak's lawyers to move forward with bringing Rob Edgcumbe back under a 305 contract. The next step is for Amtrak to have an "ethical debrief" with Rob prior to procuring his services through 305. DJ will provide a statement of work for Rob's services to the Finance subcommittee to include continuing his efforts in regards to the Structure and Finance Working Group; and Mario Bergeron will provide a statement of work for Rob's services to the Technical subcommittee.

The goal is to get Rob back on board by October 1, 2011. Once Rob is on board, the work of the SFWG will proceed.

Pat Simmons, NCDOT referred to John Tunna's earlier statement with regard to procuring consultants; and citing this situation as an example, (where there has been a gap in getting Rob back on board). Pat suggested that the NGEN may wish to put in provisions requiring that "we look at contracts 90 days out and track end of contract dates" so that "we do not have gaps in contracts when work is not complete" costing time and money. He suggested that Steve Hewitt may be one to monitor and track these end of contract dates and alert the appropriate subcommittee or task force chair as to where things stand.

Members agreed that a process does need 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.

Update/Status: Buy America survey of the industry – Kevin Kesler:

Kevin Kesler reported that the survey of 9 members of the industry has been completed (9 was the maximum that could be surveyed without prior OMB approval). The survey effort has provided the FRA with "a good understanding of the landscape." The survey was followed up by calls to each respondent to review the questions and responses in depth.

Kevin noted that "carbuilders are capable of 60-80% US content, by FTA rules", and with "sustained funding and a pipeline they can get to 80-90%."

Kevin did note that "a few difficulties stand in the way of a robust supply chain" and that FTA guidelines are quite appropriate. An order volume of 50-200 vehicles a year is adequate to establish a factory for manufacturing here and a volume of 2000 a year would be needed to re-establish a supply chain industry.

Long term funding is needed to accomplish the goals. The carbuilder industry acknowledges that they are "system integrators – we buy everything – all the materials from the suppliers." Stability is of utmost importance on the supply side.

The next step is to brief the Administrator and the Secretary.

In response to a question from Steve Hewitt about arranging a briefing of the Board and Technical subcommittee members, Kevin noted that "a presentation has been prepared and we can brief the Board and subcommittee whenever we want to set it up."

Pat Simmons commented on the fact that it is a "thin competitive field." For some components there is only a single supplier and for other components there are only a few suppliers. This "sometimes makes it difficult to assemble the product."

Kevin commented that there "is no problem in the supply side globally. We need to re-establish the industry here. There is not a global shortage of anything even though there may be a shortage here."

John Tunna commented that it is important to get a clear definition of "made in America" and that the FRA Chief Counsel is working on that.

Chad Edison, FRA, stated that work is underway with the Chief Counsel to update the contents of the website. They are "making progress on what the statutory authority lets us do and how to tie it to the overall way to comply."

The discussion turned to the fact that this addresses the issue of whether FRA would look at subcomponents or component level and that the details will be found in the FAQ section of the internal guidance on the FRA website.

(Chad Edison, after the meeting, provided me with the section of the website that FRA expects to update regarding Buy America. It is: <http://www.fra.dot.gov/Pages/11.shtml>. It can also be accessed through the Buy America "highlight" link on the FRA homepage, followed by selecting the FAQ link under "Guidance and Information" at the bottom of the Buy America intro page).

Chad will also let Steve Hewitt know when the update is complete and Steve will notify subcommittee members.

Update/Status ADA Working Group – Kevin Kesler/Melissa Shurland:

The ADA WG has been meeting every two week, Melissa Shurland reported. The WG is preparing recommendations for travel on NGEC cars to be accessible. The ADA WG will be making recommendations for the next generation cars. The items being covered have to do with the design of wheel chair load of the lift as well as accommodating wheel chair size.

A long discussion took place in regards to the need to recognize flexibility in different cars with different consists. Concern is that there are differences in changing from car to car – and how is that communicated to the traveler and to the crews so that the travel is kept fluid and dynamic.

Melissa responded that ADA and accessibility information can be made available to the disabled person.

Bill Bronte asked, "Are we being forced into fixed consists?" His concern is – from car to car or car – "what is the kind of lift? What is the weight capability? And is the next train going to also have that same capability?"

Kevin Kesler commented that during the transition, communication is a key. Coordination and communication must be stressed.

Dale Engelhardt noted that the question about standardization requirements for wheel chairs "hasn't happened yet". "The standard must be set as you move to new equipment – otherwise it will be a guess."

Melissa Shurland clarified that the "intent of the ADA WG is not to change the requirements, but to determine the needs as pertaining to ADA rules in new equipment". The ADA WG "cannot make changes to the regulations but can make recommendations for specifications to accommodate the disabled."

Kevin Kesler noted that we ensure that "we accommodate the disabled community by legal authority with Congress and the Department of Justice (DOJ), but the NGEC should look at an appropriate path forward from a foundation of fact and technology."

Ray Hessinger asked about wheel chair width – and clearances. "What is the range to change the foot print of cars to accommodate door openings for average new wheel chairs of about 52 inches– going from vestibule to coach car can be difficult. It is not addressed in current ADA regulations looking at new equipment in use today."

Kevin Kesler stated that "we are attempting to be certain the cost impact is negligible and the technological information is made available. We are not looking for a mandate for new costs. He went on to say, "current regulations (Law was made in 1990) pertain to unpowered chairs. We are looking to capture what the equipment is today and create a foundation of fact – so that the specifications do their best to accommodate current needs and on into the future."

Mario Bergeron asked if this does not lead us into a similar challenge as we are having in regards to CEM in the 305 Requirements documents and specifications when current regulations call for something less.

He suggested that "we clarify up front what we'll do with the information the ADA WG provides to us."

Kevin suggested it be a parallel effort with the NGEC and/or the ADA WG having a full understanding of the legislation and DOJ requirements.

Mario asked "who does this? ADA WG?" Kevin responded that the ADA WG is the "right place for it."

Mario again noted, "we have had discussions about what happens if we exceed requirements in our recommendations. We can't violate the minimum requirements..."

Kevin noted that DOJ seems to be waiting to see what the ADA WG comes up with and then they will determine if it's ok.

The discussion continued with Pat Simmons noting that "the ADA WG recommendations may be material to the specifications – we need a protocol for the NGEC to respond to. We can't get bound up and not move ahead. I am concerned about operational and cost impacts. Chairs are larger in weight and dimension – and much different than they were in 1990." This could have long ranging impacts.

Mario stated that "we can't change regulations –we'll have material that wants change and those changes will come with numerous impacts. As with CEM, we need clarification on how we handle proposed recommendations as a Committee. Do we want to put ourselves in that position? I know why and the value of doing it, but I'm still concerned about what we do" and its impacts.

Kevin Kesler commented that the "assignment is to give the NGECC a responsible projection of future needs and to look at available technology. The ADA WG will produce a report of facts so that the Committee can determine what should be in a spec."

When it was noted that the RFI will be going out at the end of the month – the question was asked – when will the ADA WG have a report ready?

Kevin suggested that RFI questions could be drafted from early things learned by the ADA WG, as the report will not be ready for a couple of months.

Members reminded Kevin that a procurement (Bi-level cars) is moving and that the NGECC "cannot turn on a dime as we go to procurement."

Kevin responded that "nothing produced by the ADA WG will impact the bi-level procurement. Future RFIs can include the information from the ADA WG, but not the bi-level."

John Tunna agreed that "there is a parallel with the CEM issue. It is similar since the law says this is the minimum level. In the first procurement we want to say we'd like to go above the minimum and the FRA may not fund it going beyond current regulations."

Mario noted that "we need a middle ground – with the trainset spec, the FRA liked the spec, but, at the subcommittee level, voted against it and abstained at the Board. Going over and above regulations caused the dissenting vote – this gives a poor perception."

John Tunna agreed, and said that "there may well be future abstentions when we cannot vote for something, but we will not dissent."

In the end, after continued discussion, it was agreed that the ADA WG will look at comparing regulatory requirements when the report is done and will work with FRA on how best to move forward.

The ADA WG will also provide a list of specific questions for the RFI for bi-level cars.

Melissa Shurland will work with Amtrak in regards to the template they used in a similar effort when determining what to do about weapons on board trains.

Progress report: Joint Procurement Task Force – Bill Bronte:

Bill Bronte reported that a lot of work has been done by the JPTF. A detailed scope of work and schedule will be going forward to the JPTF. There are also weekly reports that go out to the JPTF and various stakeholders.

The joint procurement document between California and Illinois and the Mid-west states is in process. A draft went from Caltrans to IDOT legal (It has already been approved by Caltrans legal)

The group is developing the RFI for Bi-Levels and Bill expects it to go out by the end of September using the current specification and using T&Cs used in APTA LRV and T&Cs used in Caltrans procurement years ago and from BART. They are melding these various T&Cs together to share with FRA for its input.

Ron Adams suggested they also look at the Amtrak T&Cs from their single level procurement. Bill agreed and will ask staff to take a look.

George Weber, IDOT, reported that the document development process was moving forward. "We sent our initial comments from legal to Lisa (Caltrans) yesterday or the day before."

George also noted that the document between IDOT and the mid-west states "has been put together , but I haven't seen it yet and neither have the other states"

Bill expressed concern about the money having to be expended by October 2017 and the need to set up the procurement as to who gets what – when. "We don't want rolling stock showing up without locomotives to push or pull them forward."

Mario Bergeron asked what role is anticipated for the Technical subcommittee as the procurement moves ahead.

Mario's concern is to ensure against any conflicts of interest as the makeup of the subcommittee includes industry members. Responding to technical questions will be difficult because of the current makeup and the fact that the spec came from 305.

Bill expressed concern about quick turnarounds and meeting timelines.

Bill reiterated the need for a clarification of the Technical subcommittee involvement and the possibility that another task force may need to be established with roles "for Amtrak, FRA and the 305 Technical subcommittee without interfering with timing. We need a process that is streamlined and effective".

Bill agreed to discuss with his team (Caltrans) and the project team about what the role of the Technical subcommittee should be. The Executive Board will, on its next call, have an agenda item: Role of the Technical subcommittee – design/design review.

In the end, it was agreed, that the action item is Bill Bronte's lead – and it is an Executive Board action. Bill and George Weber and other members of the JPTF will meet to discuss the role of the Technical subcommittee and the project team – with the understanding that there is concern about the full Technical subcommittee having a potential conflict with the industry.

Report from the Technical Subcommittee – Mario Bergeron/Dale Engehardt:

Mario and Dale provided an overview of key activities and issues of the Technical subcommittee. A summary of the presentation provided is:

Overview:

What has happened since the Chicago June 23 Meeting

- Status of Vehicle Specifications
- Diesel Locomotive Requirements Document
- Systems Engineering Task Force
- Document Management System
- Locomotive Technology Task Force
- Standardization Task Force

Vehicle Specifications:

- Trainset
 - Approved by Executive Board at the August Teleconference Meeting-FRA Abstained
 - Upon receipt of FRA CEM White Paper and Disclaimers can be released
- Bi-Level Passenger Car
 - Revision A part of Document Change Control Pilot Project
- Diesel Multiple Unit (DMU)
 - State Survey performed to gauge interest
 - Volunteers solicited to help prepare specification
 - Executive Board Directed Creation of Requirements Document
- Dual Mode Locomotive
- Diesel Electric Locomotive

Diesel-Electric Locomotive Requirements document:

- Root issue is whether to modify top speed from 125 mph to 110 mph
- Discussed at Exec Board call on 8/16/11.
- Draft of modified Requirement Document prepared.
- FRA requested an "upgradeable" option be added.
 - LTTF tasked to provide some answers
 - Numerous Teleconferences Held to Discuss
- LTTF recommended "No Change" to Diesel Requirements Document 9/8/11
 - 3 Of 5 ready to Produce 125 MPH
 - General Consensus Recommendation for Non-Upgradeable

Systems Engineering Task Force:

- Ensures
 - Documentation meets stakeholder needs

- Documentation is kept current
- Benefits
 - Common approach to equipment acquisition
 - Adoption of industry lessons-learned
 - Improved ability to promote standardization
- Activities
 - Document Management System
 - Support FRA Buy America guidance
 - Standardized language related to bi-level RFI

Document Management System:

- Manage NGEC-Approved Documents
 - Consistency w/NGEC guiding principles
 - Ensure appropriate review
 - Configuration control
- Pilot Project Still Proceeding
 - Bi-Level Passenger Car Rev. A
 - Anticipate completion of pilot this month
- Changes for other Specifications Received
- Will Incorporate Standardization Program
- Considering Key Administrative Support for Future

Locomotive Technology Task Force:

- Diesel Locomotive Reports Issued
 - Locomotive-Vehicle Technology Report
 - Top Speed Variation Impact Study
 - Potential Other Locations for Dual Mode Locomotives
- "Questions" Answered
 - Fuel Consumption Simulation
 - "Upgradeable" Locomotive Feasibility

Standardization Task Force:

- Pilot Program
 - Established in May
 - Seven standardization candidates identified
 - Train set specification delayed work
 - First standards should be issued this month
- Challenges
 - Support of members
 - Resource Issue
 - Train set specification took priority
 - Considered low priority by some volunteers

Some of the key points of the presentation and action to be taken:

The bi-level specification

A change summary form has been submitted to the Executive Board with changes to be reviewed against the original specification. The Board has received the change summary and must re-form a Review Panel to review the changes and ensure consistency.

The Board agreed to re- form a bi-level review panel to undertake a review of the change summary and provide a recommendation to the Board on its September 27th conference call. Larry Salci will, once again be the consultant to the panel and draft the recommendations. The Review Panel members agreed to by the Board are:

Bill Bronte, Caltrans
 Eric Curtit, Missouri DOT
 Ron Adams, Wisconsin DOT
 Tammy Nicholson, Iowa DOT
 John Tunna, FRA
 Larry Salci, Consultant

The DMU specification development:

The Technical subcommittee is progressing the development of a DMU requirements document. The document will be presented at the Technical subcommittee conference call on September 22nd. If approved, the intent is to take the document to the Board for its consideration on its September 27th conference call.

Dual Mode Locomotive:

The Dual Mode Locomotive requirements document has been developed and approved by the Technical subcommittee. The Executive Board has received it, but will not take action on it until the CEM issue is resolved. Once that occurs, the Technical subcommittee can begin the process of developing a Dual Mode locomotive specification.

Diesel – Electric Locomotive Requirements document:

The Executive Board requested that the Technical subcommittee's Locomotive Technology Task Force take a look at the issue of changing the top speed requirement from 125-110, at least for the first procurement. The LTTF looked into the issue and provided a great deal of feed back to the Technical subcommittee. The LTTF looked at the previously proposed change to the requirements and at a marked up version prepared by the FRA.

Feedback received indicated that the LTTF believed that the Requirements document should be left as is, with no change to the top speed. The LTTF also rejected as a "bad idea" the notion of providing for an upgradable locomotive to allow for 110 but be upgradable to 125.

The general view appears to be to leave the document as is and let the RFI process take its course and determine changes as necessary based on that input.

The Board agreed to address this issue later in the meeting.

Systems Engineering:

There is going to be a need for administrative support for the future whether the NGEC exists or not. The specs and requirement documents will need to be maintained and kept current – and, at this point, the administrative side has not been determined. Dave Warner is a technical expert, but is spending a lot of time on administrative support. This is an issue for Board consideration moving forward.

Standardization Task Force:

7 candidates have been identified. The first standards should be issued by the end of this month (September) The challenges – member support. or lack there-of, has affected the ability of the group to move forward and do its work.

John Tunna recommended that the subcommittee consider using an "engineering consultant to get through some of this."

Kevin Kesler commented on the fact that the FRA believes strongly in standardization and feels that it will help to reinvigorate the supply chain and costs. The Administrator feels that, while the 305 NGEC has made good progress in many areas, it hasn't moved ahead enough in the area of standardization.

Kevin noted "we are in the middle of a pilot. There are opportunities for lessons learned that have not yet been captured in regards to the standardization process and carbuilders reluctance. The effort has not moved far enough to recommend standardization methods to move forward and reinvigorate the industry."

Dale Engelhardt emphasized that "it is moving forward – the first recommended component will be out by the end of September (includes: Brake shoes/belts/discs). "Michael Burshtin, who heads up the Standardization Task Force simply wanted to identify that there are challenges, but they will move ahead and develop solutions to bring to the subcommittee and the Board."

Bill Bronte agreed that an outside consultant may be needed.

Mario acknowledged this, but stated that "to have the ability to recommend moving on with additional support - it depends on available funds."

At this point, the Board began the discussion concerning the Diesel-electric locomotive requirements document's proposed change from top speed of 125 mph to 110 mph.

Dale Engelhardt reviewed the history of the request for the LTTF to review proposed changes to the Diesel -

electric locomotive requirements document and provide the subcommittee with feedback. There are 5 industry members represented on the LTTF and 3 were opposed to changing to 110 mph; one was in favor; and one was in favor of phasing to 125 mph. All were opposed to changing the requirements to allow for an upgradable design – calling it a “bad idea.”

The Technical subcommittee had agreed during the August 30th, 2011 Executive Board call to go back to the LTTF and ask them to review recommended changes drafted earlier as well as the marked up version provided by FRA. The Technical subcommittee was to then take the feedback received from the LTTF and subcommittee members back to the Executive Board for it to make the final decision on whether changes are to be made, and, if so, what are they; or if the Diesel-electric locomotive requirements should remain as is.

Discussion:

Pat Simmons asked FRA “What is upgradable? What do you mean?”

John Tunna responded, “Design features on 110 that would not need to be changed to do 125 in the future. An easy example – speedometer – a more difficult example – drive train – unsprung mass impact.”

Dale Engelhardt reviewed the original requirements document changes which included “speed – 125 to 110; HEP and track forces”

Ray Hessinger commented that “it seems that the LTTF view is to continue with 125 and leave the specification as it is. Those wanting to operate at 110 can”.

Mario Bergeron responded that “the recommendation belongs to the Board – the Technical subcommittee has answered the questions posed by the Executive Board.”

Bill Bronte noted, “In essence, how they responded at the Technical subcommittee level – gives us our recommendation.”

Pat Simmons touched on the issue of upgradable again, asking about procuring at 110 upgradable – “how would FRA award bids?”

John Tunna responded that “this is not the way we want it to go. We want 125, but were trying to find a way for the first procurement process to be in 110.” The FRA is “clear – keep the spec at 125 and through the RFI we want to determine what can be done by suppliers and use the information in the RFP”. The general idea is to learn through the RFI what can be done, take the knowledge to balance the requirements in the RFP to have an evaluation through the process. The RFI clarifies and more formally identifies the issue.

Ray Hessinger commented that “NY is in the middle of a Tier I EIS” He noted that the speeds could be 90-110-125 – unknown right now. His concern is if there is only a 125 spec – “I’m faced with costs of capabilities I’ll never use.”

John Tunna responded that “price is an evaluation criteria and is factored into the evaluation of bids to the RFP.”

Bill Bronte reiterated what he has said throughout the process – “Is it biddable? Is it buildable? This should come through the RFI process.” Bill went on to ask, “from a political standpoint, do we want to say we have developed a 125 mph spec and we are going to back away? Politically, we do not want to step away from 125 when we march down this path.” It makes us look stupid and puts us in a bad place.”

George Weber agreed with Bill, “there could be potential political fallout of stepping backwards. It is a bad idea – perception would be bad and the timing is bad.”

Bill again noted that the “RFI may determine a change – this sets the baseline.”

Observers attending the meeting expressed the view that;

- The depth of the Committee’s investigation of this matter is appreciated and the goal of 125 is a key.
- Some in the industry want to see the NGEC have the opportunity to deliver a 110 vehicle prior to 2015 to the benefit of creating jobs and benefitting life cycle costs.
- The RFI process is one which we would look forward to, but would want a full and complete consideration so that the Committee can make a more fully informed decision.
- It’s important to look at the overall perspective as to advantages and the fact that 125 are not ready yet.

- It's good for the NGEN to take into consideration all of the various alternatives.
- Some companies are ready to deliver 110 Tier III locomotives and it could be considered in this Committee and balanced against PRIIA requirements.
- The Committee should not foreclose on all of its options.

Continued discussion points by members included;

- Can the RFI evaluate cost differential – can it include feedback at 110 since we do not have a 110 spec?
- The RFI should show, if you can't do this, what can you do.
- The RFI questions are commercial neutral
- The timeline under consideration for the RFI to RFP is January – RFI and 3-6 months later RFP.
- An key comment concerned the fact that corridor development plans within a 25 year timeframe are looking at sustained operating speeds of 110. The specification talks about a top speed, not sustained speed. A top speed of 110 could burn up the life cycle – whereas a top speed of 125 could assist in sustaining 110.

The discussion ensued around many of these points. Mr. Bronte began to bring the discussion to a close. "I do not think that we can step away from 125 – we need more information for the RFP and need to go out with an RFI to fully consider the issue. Is it buildable and economically feasible? We need Dave Warner and the FRA to help us phrase the questions for the RFI and how we address 110. What are the advantages of 110 vs. 125? We need industry input. We do not have a strong business case saying that 125 is not feasible."

At this point discussion revolved around taking action and what the motion should be. Ultimately, Pat Simmons made the motion stating; "The S305 NGEN will utilize the RFI process to assess the capability of the industry to deliver locomotives in full compliance with specification # _____ and with sustained operating speeds of up to 125 mph." (The spec number was unavailable at this meeting – to be filled in after) Ray Hessinger seconded the motion as made by Pat Simmons.

Bill Bronte asked Steve Hewitt to take a poll of the voting members:

Results of the poll are as follows:

Bill Bronte, Caltrans – in favor
 Mario Bergeron, Amtrak – in favor
 DJ Stadtler, Amtrak – in favor
 John Tunna (for Mark Yachmetz) FRA- in favor
 Pat Simmons, NC – in favor
 Pat Simmons – proxy for Kevin Lawson, La. – in favor
 Ray Hessinger, NY – in favor
 Eric Curtit, Missouri – in favor
 Al Ware, Georgia – in favor
 Joe Kyle, Oklahoma – in favor
 Ron Adams, Wisconsin – in favor
 Tammy Nicholson, Iowa – in favor
 George Weber, IDOT – in favor
 John Sibold, Washington State – in favor

The vote to approve the motion was unanimous in favor and the Chair determined that consensus had been achieved.

As an action item – Bill Bronte will send a request to Dale Engelhardt, Amtrak, and Chad Edison, FRA, asking that they develop questions for the RFI.

It was also pointed out that once the RFI is out – there can be no discussion with anyone – in consideration of conflict of interest. The Board will need legal clarification on how to handle any public discussion of the responses to the RFI.

Other:

Ray Hessinger reported that he had just received notice that the USDOT had just announced final rules on bi-level platform and level boarding. You must have high level boarding on non freight tracks. Ray will provide Steve Hewitt with the final rules and he will distribute to Board members.

Discussion: Filling the Administrative Task Force Chair position and the vacant Secretary officer

position – Bill Bronte:

Bill reported that his search and request for members to fill these two positions had resulted in one candidate agreeing to assume the vacancies left by the departure of Rod Massman.

Al Ware, Georgia DOT, a Board member and a member of the Administrative Task Force has agreed to become the Secretary and to Chair the Administrative Task Force. All members agreed and were very pleased with Al's willingness to take on these roles. The Chair determined that consensus was clearly achieved and Al will assume the two vacant positions.

Setting a date for the NGEC Annual Meeting – Bill Bronte:

Bill Bronte reported that he had been working with AASHTO on a date and location for the NGEC Annual Meeting, during which, the officers of the Executive Board will be elected (or re-elected).

The tentative date for the Annual Meeting is February 23, 2012 (a Thursday) in Washington, DC. This date may change if Amtrak's Board meeting is held that same day. If that is the case, the meeting will be moved/adjusted to another day during that same week. DJ Stadtler will find out about the Amtrak Board meeting and let NGEC members know. Tentatively, the meeting of the NGEC will be held at the Hyatt.

Other:

Al Ware informed Board members that he has been given permission to hire a rail engineer at Georgia DOT and asked members to let him know if they knew of a qualified individual who may wish to be considered., Possibly an intern about to graduate.

Joe Kyle raised the issue of inquiries regarding the decision made re 110-125 and who would be the spokes person for the Board. Bill Bronte agreed to have any inquiries sent to him.

Adjourn:

On a motion by Al Ware and a second by Eric Curtit – the NGEC Executive Board meeting adjourned at approximately 2:30pm Eastern.

The next regularly scheduled bi-weekly call of the Board will be held on September 27, 2011 at 11:30am Eastern.

Decisions/Action Items – from 9-15-11 Executive Board meeting

FRA will complete its position paper in regards to CEM, and a suggested disclaimer statement, over the next several weeks – it will be done before the RFI goes out. This will remain an Executive Board agenda item until it

has been resolved.
The FRA will get back to the Board within ten days to let members know if the Committee will get a plus up of funding as a result of the FRA end of the year budget discussions/decisions. If additional funding is provided – a modification will be made to the grant agreement to reflect the additional funds. Ken Uznanski will work on new statements of work based on the current work plans and any revisions that may be provided by Chairs of the Board, Admin Task Force and the Technical and Finance subcommittees. Steve Hewitt to provide the Chairs with the most recent work plans.
The Joint Procurement Process Task Force will continue its work and will provide ongoing updates to the Board as an open agenda item.
Mario Bergeron will provide a statement of work for Rob Edgcumbe’s services to DJ Stadtler by COB Friday, September 9, 2011. DJ will make arrangements to have Rob meet with Amtrak legal for an “ethics debrief”. And, hopefully, get him under contract by October 1, 2011.
Larry Salci will begin work on reviewing the Bi-level summary of changes and will prepare a report for consideration by the Review Panel. The panel will make a recommendation to the Board to consider on September 27, 2011.
Bill Bronte will send a request to Chad Edison, FRA, and Dale Engelhardt, Amtrak to ask that they develop questions for the RFI.
On September 27, 2011, the Board will consider the DMU requirements document, provided it has been completed and moved through the Technical subcommittee (anticipated to be presented to the Tech sc on September 22, 2011)
Dual Mode locomotive Requirement document will remain an agenda item – to be considered only when the CEM issue is resolved.
The Technical subcommittee will begin work on the 305 DMU specification, beginning with the development of a requirements document to be presented to the Board in “about” six weeks.
The ADA WG will look at comparing regulatory requirements when its report is done, and will work with FRA on how best to move forward.
The ADA WG will also provide a list of specific questions for the RFI for bi-level cars.
Melissa Shurland will work with Amtrak in regards to the template they used in a similar effort when determining what to do about weapons on board trains.
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.
Kevin Kesler will work with Steve Hewitt to arrange a briefing of the Board and Technical subcommittee on the progress of the Buy America survey effort.
The standardization working group, if funding becomes available, will look at the possibility of procuring an engineering consultant to assist in the effort that is underway.
Bill Bronte and the Caltrans and the project team to discuss the role of the Technical subcommittee in design/design review. This will be a Board agenda item on September 27, 2011
Next conference call: September 27, 2011 -11:30am – 12:30pm Eastern Call in number: 866 299 7945 passcode: 1601544#



**S305 NGEC Executive Board Meeting
Holiday Inn, Charlotte, NC
September 15, 2011
8:00am-5:00pm Eastern
Call in number: 866 299 7945 passcode: 1601544#
Agenda**

- | | |
|---|--------------------------------|
| 1. Welcome | Bill Bronte |
| 2. Roll Call | Steve Hewitt |
| 3. Approval: August 30, 2011 Minutes | Bill Bronte |
| 4. Review: Action Items | Steve Hewitt |
| 5. FRA year end budget discussion re: additional NGEC funding | DJ Stadtler |
| 6. FRA position paper on CEM | John Tunna |
| 7. Update/Status: Buy America survey of the industry | John Tunna/Kevin Kesler |
| 8. Update/Status: ADA Working Group | Kevin Kesler/Melissa Shurland |
| 9. Progress Report: Joint Procurement Task Force | Bill Bronte |
| 10. DMU Requirements Document progress report | Mario Bergeron/Dale Engelhardt |
| 11. Update: Technical subcommittee review of 110-125 mph - Locomotive Requirements document revision | Mario Bergeron |
| 12. Update: Standardization Pilot | Mario Bergeron |
| 13. Consideration of the Bi-Level Document Change Summary Revision A and re-forming the Bi-Level Review Panel | Mario Bergeron |
| 14. Discussion: Filling Admn Task Force Chair vacancy and Board Secretary position vacancy | Bill Bronte |
| 15. Update/Next Steps: Structure and Finance Working Group: | DJ Stadtler |
| 16. Setting a Date for the NGEC Annual meeting – 2012 | Bill Bronte |
| 17. Other: | All |
| 18. Adjourn | |