

SECTION 305 FINANCE and ADMINISTRATIVE SUB COMMITTEE

MINUTES

OCTOBER 11, 2023

3:00PM EASTERN

WEBEX MEETING

FACILITATOR	<i>Tim Ziethen, Chair of the S305 Finance and Administrative Subcommittee (FASC)</i>
ATTENDEES	<i>Tim Ziethen, John Oimoen, Brian Beeler II, Amanda Martin, Troy Hughes, Jeff Gordon, Mike Murray, Steve Hewitt</i>
ABSENTEES	<i>Ray Hessinger, Amanda Villani Larry Salci, Shayne Gill, Strat Cavros, Barley Fields</i>

DECISIONS MADE

1. Welcome and Open Meeting – Tim Ziethen, Amtrak:

FASC Chair Tim Ziethen opened the meeting and asked Steve Hewitt to call the roll.

2. Roll Call – Steve Hewitt:

After calling the roll, Steve Hewitt confirmed the presence of a quorum.

3. Approval of Minutes from the 9-13-23 meeting – Tim Ziethen, Amtrak

On a motion by John Oimoen, IDOT, and a second by Amanda Martin, Iowa DOT, the minutes from 9-13-23 were approved as submitted.

4. Treasurer’s Update- Balance and Spend Rate – Forecast – Tim Ziethen:

Balance/Spend Rate Through August 2023 (preliminary)

Total Initial Grant Amount: \$1,250,000.
 Expenses Incurred through August 2023: \$1,249,836.37.
 Balance remaining: \$163.63.
 Estimated spending, at current rate, for balance of the Grant: \$15,058.27
 Current Spend Rate per month (as info and used in calculating): \$15,058.27.
 Estimated Balance at the end of the Grant Period: (\$14,894.64) over target.

Tim noted that September will “push us over” the grant amount. He said we will rely on Amtrak to pick up the difference and added that it is in their budget. The initial estimate of overage costs was \$10,000 but Tim does not foresee an issue with Amtrak covering the amount above that.

Status – 6 month no-cost current grant agreement extension:

Tim has still not heard formally from the Amtrak Grants office that this extension has been finalized and executed. He noted that the no-cost extension is to allow “us to invoice until the funds are totally exhausted”.

Mike Murray, FRA, commented “before the last call (Exec Board Meeting 10-3-23) I heard that it was accepted by Amtrak in Grants Solutions”.

Tim responded that he would check with the Grants office and added that he is certain it will be executed if it has not been already.

Steve Hewitt noted that AASHTO will still need to be told that they are ok to pay invoices coming in from sub-contractors for work performed in September 2023. AASHTO is not on the call today, but it is most likely that authorization to pay will be required.

5.

NGEC 12-month Interim funding - Tim Ziethen:

Tim reported that the 12-month interim funding for the NGEC was approved by the Amtrak Board and there is a line item in the Amtrak Operating Program (AOP) for the agreed upon amount of \$260,000. This includes a contingency estimate for overage in the amount of \$10,000, but he feels it will still be good either way – even if it comes in at the projected amount noted above.

Sub-contractors – contract modifications:

Steve Hewitt, again, commented that he is certain that AASHTO will need authorization to extend the sub-contractor contracts. Until that authorization is received, the sub-contractors are working at risk.

Tim said that he will provide AASHTO with the authorization it will need. The language is being worked out.

Tim specifically asked Steve to **“put it in the minutes that it is authorized and approved – AASHTO can extend the sub-contractors contracts for another year”**.

Steve noted that he will include it in the minutes, but because Strat Cavros was not on this call or the last Executive Board call held on 10-3-23, and he may not be aware of these discussions and will definitely need to receive an authorization from Amtrak – in writing – to execute contract modifications for the sub-contractors.

Tim agreed and will be sure that authorization is provided. The only language caveat would be that because Amtrak is still operating under a Continuing Resolution (CR) the final appropriations has not yet been resolved. It would only create an issue if Congress’s action had a major negative impact in the ultimate budget.

Tim added again that it has been confirmed internally in Amtrak.

Next Steps/Close Out Documents required for grant agreement ending on 9-30-23:

Steve Hewitt, returning to the subject of the prior grant agreement, asked if Tim had determined what close out documents would be required. Tim stated that he is still waiting to hear from the Grants office on this. He added that his assumption is that as long as the 6-month no-cost extension is in place, the quarterly reports should be provided for the prior grant. He will get confirmation from the Grants office on what else needs to be done to close out the grant.

He added that he would expect that a quarterly report for the new funding would also be required but he was not certain who the recipient would be since it is Amtrak’s funds. Likely it would still go to FRA as well as Amtrak, to keep all parties informed of the activities and progress of the NGEC during this new performance period. He will again defer to the Grants office for a decision on what will be submitted to FRA.

6. Annual NGEC By-Laws Review – John Oimoen/Steve Hewitt:

John Oimoen and Steve Hewitt reviewed the NGEC By-Laws and agreed that no changes to the By-Laws were needed at this time.

Steve added that this review included a look to see if there was anything in the By-Laws that would have to be changed due to there being a new funding source. There did not seem to be anything in the By-Laws that addressed funding sources.

Steve Hewitt recommended that the FASC members review the By-Laws with the understanding that he and John Oimoen were recommending no changes. Members would be asked to let Steve Hewitt know if there are changes that they feel should be made, that, perhaps Steve and John missed.

Tim agreed and added that Amtrak Legal had previously stated that they did not see any changes needed in the By-Laws or structure of the Committee, but that he will ask that Legal take another look and that the FASC take the issue up for a recommendation to the Executive Board on the next FASC call scheduled for 11-9-23.

7. Updating the NGEC 2023 Educational (two Pager) Document – Steve Hewitt:

Steve Hewitt reported that he had checked with Troy Hughes, MODOT, and Troy confirmed that MODOT would, once again, take on the formatting, production, and printing of the 2024 NGEC two pager (Thank you Troy!)

Steve gave an overview of changes he would recommend and asked all FASC members to do a review of the document over the next month and provide comments, suggestions or recommendations for changes that would update and improve the two-pager for 2024.

Recommendations provided by Steve Hewitt:

On Page one:

- Insert a new photo.
- Change date to 2024 in the upper right-hand corner.
- Update the Timeline column by including current numbers of Charger Locomotives and Venture cars in service. (John Oimoen, IDOT will provide updated numbers)
- Steve suggested and asked for input – that on the timeline the updating of the 305-900 NGEC Reference specification series is listed as completed in September 2023. (Troy Hughes, MODOT, suggested that this be included so as to show that there were activities completed in 2023.)

On Page two:

- Update the photos. Steve noted there are three currently on Page two and refreshing them would be good to do. (John Oimoen suggested the new photos include interior pictures as well. IDOT has some good pictures of the interiors of Café and Coach cars. He will have some sent to Steve Hewitt.)
- Steve Hewitt noted that he was aware of one additional entity - Utah Transit Authority (UTA)- that was using the NGEC specs. All other listed under Realization on the second page continue to be relevant. He asked members of FASC to let him know if there are others.

Ultimately, it was agreed that FASC members will review the two-pager and provide comments/suggestions for the 2024 version in advance of the 11-9-23 FASC meeting.

8.

Other issues/questions – All:

Tim reported that there has been a request (Mike Murray, FRA) that a discussion take place with regard to considering changing from WebEx to Microsoft TEAMS for the NGEC meetings. It was suggested that this be done with either AASHTO or Amtrak as the host providing Steve Hewitt with contractor access.

Tim asked about the current costs associated with WebEx for the NGEC.

Steve Hewitt noted that the NGEC was not incurring any costs, that he (Steve Hewitt) paid for the service and did not ever ask for reimbursement. Steve added that the cost was minimal (around \$225) a year and he simply absorbed it. Steve also added that a couple of years ago AASHTO asked that he look at services other than what AASHTO was using and that it no longer be under the AASHTO banner, rather, that Steve Hewitt contract with the provider and he would be reimbursed the cost.

WebEx, when compared to ZOOM, and a few others provided the coverage (in participants) and the services that the NGEC would need for the best price at the time. Steve Hewitt contracted with WebEx as it was the most cost-effective.

Steve added that he was fine with whatever the NGEC members wanted as their web-service. He noted that the industry should also be consulted on what would be the best provider, and the number of participants the line would accommodate was critical, especially for the Annual Meeting.

Mike Murray noted that cost wasn't something that prompted his request for this discussion. I was more from a functionality point of view that he has raised the issue. WebEx is "clunkier" than TEAMS. Mike noted also that FRA and most of the state agencies and other organizations use it as well- and are more familiar with it.

He added that he has had a hard time connecting to it – most recently for the Exec Board call on 10-3-23, and he would like to hear if others are having similar problems.

Tim Ziethen noted that he sometimes has had some issues connecting.

Steve agreed that there were times that some on the calls have had issues, but he noted that these issues were not exclusive to WebEx. He has experienced similar problems with other providers as well.

Tim asked that the members think about this and asked members to confirm if WebEx is ok or is problematic, Also Tim asked - does everyone use TEAMS on their computers? Let Steve know your thoughts.

Mike Murray added that he can access TEAMS on his I-Phone as well along with web-conference capabilities.

FASC members are asked to provide their comments/thoughts on this to Steve Hewitt and, in the meantime, Steve will ask the Tech subcommittee members (specifically the industry members to weigh in. (The Tech SC meets on 10-12-23.)

Steve added that it is a good time for a decision as this is the beginning of a new year of the NGEN.

With no other business forthcoming, Tim Ziethen adjourned the call at 3:49pm Eastern.

By Computer: <https://stephenhewitthewittconsulting.my.webex.com/meet/shewitt109>

by phone: 1-415-655-0001

Access code: 126-073-1531

11-9-23

Decisions - Action Items

Treasurer's Report – 10-11-23:

Balance/Spend Rate Through August 2023 (preliminary)

Total Initial Grant Amount: \$1,250,000.
Expenses Incurred through August 2023: \$1,249,836.37.
Balance remaining: \$163.63.
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Estimated Balance at the end of the Grant Period: (\$14,894.64) over target.

Status – 6 month no-cost current grant agreement extension:

As of 10-11-23, Tim Ziethen has still not heard formally from the Amtrak Grants office that this extension has been finalized and executed.

Mike Murray, FRA, commented "before the last call (Exec Board Meeting 10-3-23) I heard that it was accepted by Amtrak in Grants Solutions".

Tim Ziethen will confirm.

Once confirmed, Tim Ziethen will provide AASHTO with authorization to pay invoices charged against the prior grant through the 6-month period.

Next Steps/Close Out Documents required for grant agreement ending on 9-30-23:

On 10-11-23, Steve Hewitt asked if Tim had determined what close out documents would be required. Tim stated that he is still waiting to hear from the Grants office on this. He added that his assumption is that as long as the 6-month no-cost extension is in place, the quarterly reports should be provided for the prior grant. He will get confirmation from the Grants office on what else needs to be done to close out the grant.

He added that he would expect that a quarterly report for the new funding would also be required but he was not certain who the recipient would be since it is Amtrak's funds. Likely it would still go to FRA as well as Amtrak, to keep all parties informed of the activities and progress of the NGEN during this new performance period. He will again defer to the Grants office for a decision on what will be submitted to FRA.

NGEN funding issues/potential interim solutions as of 10-11-23:

On 10-11-23, Tim Ziethen reported that the 12-month interim funding for the NGEN was approved by the Amtrak Board and there is a line item in the Amtrak Operating Program (AOP) for the agreed upon amount of \$260,000. This includes a contingency estimate for overage in the amount of \$10,000, but he feels it will still be good either way – even if it comes in at the projected amount noted above.

Sub-contractors – contract modifications:

Steve Hewitt, again, commented that he is certain that AASHTO will need authorization to extend the sub-contractor contracts. Until that authorization is received, the sub-contractors are working at risk.

Tim Ziethen will provide AASHTO with the authorization it will need. The language is being worked out.

Tim specifically asked Steve to **"put it in the minutes that it is authorized and approved – AASHTO can extend the sub-contractors contracts for another year"**.

Tim agreed and will be sure that authorization is provided. The only language caveat would be that because Amtrak is still operating under a Continuing Resolution (CR) the final appropriations has not yet been resolved. It would only create an issue if Congress's action had a major negative impact in the ultimate budget.

Tim added again that it has been confirmed internally in Amtrak.

CRISI Grant Application Status:

CRISI Grants were announced at the end of September – **the NGEC was NOT awarded a grant.**

NGEC two-pager:

The 2023 version of the two-page educational flyer is now available electronically or in hard copy by request from Steve Hewitt. It is also posted on the NGEC website www.ngec.org.

To date: 338 copies (hard and electronic) have been distributed.

Updating the two-pager for 2024:

On 10-11-23, Steve Hewitt gave an overview of changes he would recommend and asked all FASC members to do a review of the document over the next month and provide comments, suggestions or recommendations for changes that would update and improve the two-pager for 2024.

Recommendations provided by Steve Hewitt:

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- Steve Hewitt noted that he was aware of one additional entity - Utah Transit Authority (UTA)- that was using the NGEC specs. All other listed under Realization on the second page continue to be relevant. He asked members of FASC to let him know if there are others.

It was agreed that FASC members will review the two-pager and provide comments/suggestions for the 2024 version in advance of the 11-9-23 FASC meeting.

Quarterly Grant Progress Reports to FRA:

The FFY 2023 third quarter report was submitted on time.

The next report is due to FRA by October 31, 2023.

Annual NGEC By-Laws Review:

On 10-11-23, John Oimoen and Steve Hewitt reported that they reviewed the NGEC By-Laws and agreed that no changes to the By-Laws were needed at this time.

Steve added that this review included a look to see if there was anything in the By-Laws that would have to be changed due to there being a new funding source. There did not seem to be anything in the By-Laws that addressed funding sources.

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Potential Change from WebEx to TEAMS as web-conference service:

On 10-11-23, Tim Ziethen reported that there has been a request (Mike Murray, FRA) that a discussion take place with regard to considering changing from WebEx to Microsoft TEAMS for the NGEC meetings. It was suggested that this be done with either AASHTO or Amtrak as the host providing Steve Hewitt with contractor access.

After some discussion, it was agreed that FASC members will provide their comments/thoughts on this to Steve Hewitt and, in the meantime, Steve will also ask the Tech subcommittee members (specifically the industry) to weigh in. (The Tech SC meets on 10-12-23.)

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Next Call 11-9-23

ATTACHMENTS



Our Vision: The NGEC provides national leadership in standardization, acquisition, and management of passenger rail equipment.

SECTION 305 NGEC Finance and Administrative Subcommittee (FASC)

Web Ex video/audio information:

By Computer: <https://stephenhewitthewittconsulting.my.webex.com/meet/shewitt109>

by phone: 1-415-655-0001

Access code: 126-073-1531

**AGENDA
10-11-23**

3:00PM Eastern

- | | |
|---|--------------------------|
| 1. Welcome/Open | Tim Ziethen |
| 2. Roll Call | Steve Hewitt |
| 3. Approval – Minutes from 9-13-23 | Tim Ziethen |
| 4. Treasurer’s Update
Update - Balance/Spend Rate/Forecast
Status – 6 month no-cost current grant agreement extension
Next steps/Close-out documents required for prior grant agreement. | Tim Ziethen |
| 5. 12-month interim funding

Sub-contractors – contract modifications | Tim Ziethen |
| 6. Annual NGECE By-Laws Review | John Oimoen/Steve Hewitt |
| 7. Update of NGECE Educational Document (two-pager) | Steve Hewitt |
| 8. Other Issues/Questions | All |

Next Call 11-9-23