

# SECTION 305 FINANCE and ADMINISTRATIVE SUB COMMITTEE

MINUTES

OCTOBER 14,  
2020

3:00PM EASTERN

CONFERENCE CALL

<b>FACILITATOR</b>	<i>Tim Ziethen, Chair of the S305 Finance and Administrative Subcommittee (FASC)</i>
<b>ATTENDEES</b>	<i>Tim Ziethen, John Oimoen, Jeff Gordon for Michael Lestingi, Brian Beeler II, Brian Beeler II as proxy for Ray Hessinger, Brent Thompson, Amanda Martin, Arun Rao, Mike Murray, Strat Cavros, Shayne Gill, Oscar Bermudez, Steve Hewitt</i>
<b>ABSENTEES</b>	<i>Ray Hessinger, Troy Hughes, Michael Lestingi, Larry Salci</i>

## DECISIONS MADE

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

Subcommittee Chair, Tim Ziethen, Amtrak, opened the conference call meeting and asked Steve Hewitt to call the roll.

### 2. Roll Call – Steve Hewitt:

Steve Hewitt called the roll and confirmed the presence of a quorum.

### 3.

#### Approval of Minutes from the 9-16-20 conference call – Tim Ziethen, Amtrak:

On a motion by John Oimoen, IDOT, and a second by Arun Rao, Wisconsin DOT, the minutes from 9-16-20 were approved as presented.

### 4.

#### Treasurer's Update – Tim Ziethen:

Tim Ziethen provided the following Treasurer's update:

Balance/Spend Rate:

Total Initial Grant Amount: \$1,250,000.

Amount Spent: \$645,579.00.

Balance remaining: \$ 604,421.00.

Projected spending through the remainder of the grant period through 9-30-20: approximately \$28,068.65.

Estimated balance remaining at the end of FFY 2020 (9-30-20): \$576,352.00.

Approximate current spend rate: \$14,034.00.

Estimated spend at current rate for the next 36 months (through 9-30-23 - \$505, 235.74

Estimated balance at the end of the Extension Period – 9-30-23 – (Contingency) - \$71,116.61.

Tim also confirmed that the 36-month no cost grant agreement extension has been executed and is in place.

Status: Execution of 36-month contract extensions – Amtrak/AASHTO; AASHTO/Subcontractors – Hewitt, Salci, Krause, Casamar (Cameron Cordell).

Tim Ziethen reported that he has confirmed with Amtrak's Contracts office that the current contract between Amtrak and AASHTO is valid and in place and is good for the foreseeable future and that AASHTO is not operating at risk and should continue to bill for its services. He also noted that a notice was (or was to be) sent to Strat Cavros, AASHTO, to confirm an addendum to the contract for an additional 36-months.

Strat Cavros reported that he has not received a letter from Amtrak confirming the contract extension. Tim Ziethen stated that he had the letter of intent from the buyer and thought it had been sent to AASHTO as well. Tim will follow-up to make sure that the letter confirming the extension of the Amtrak/AASHTO contract is sent to Strat.

Steve Hewitt noted that, "while AASHTO may not be operating at risk, the subcontractors (Hewitt, Salci, Casamar and Krause) are as they have not received contract extensions from AASHTO. Steve added that AASHTO cannot execute contract extensions to the sub-contractors until it has confirmed that its contract with Amtrak has been extended.

Tim Ziethen understood and emphasized "for the record" that "the purchase order is in good stead and is open, and AASHTO should continue billing and go ahead and extend the sub-contractor contracts."

Steve Hewitt added, for clarification, in 2017, the Executive Board approved a motion that the sub-contractor contracts be extended for the same length of time as the grant agreement period. Therefore, the sub-contractor contracts should also be for the same 36-month period. Strat Cavros agreed.

## **5.**

### **Status Update: NGENC Equipment Acquisition and Ownership Best Practices/Lessons Learned Document – Steve Hewitt:**

As of 10-14-20, The status remains the same. The Technical writer has the updates after the working group provided revisions to the first three versions and is compiling them into a 4<sup>th</sup> – clean – version. On 10-8-20, the status was that it was close to being completed. As stated previously, once complete, the updated version will be sent to working group members and a call will be arranged for at least two weeks after that to allow appropriate time for review.

When the working group meets, it is anticipated that they should be able to come to agreement on any lingering issues and approve the document (Recommended Practices). It would then go to the Executive Board members who would also be provided at least two weeks before having an open discussion on it on a Board call.

## **6.**

### **Annual review of the NGENC By-Laws – Review proposed changes – John Oimoen/Steve Hewitt:**

Steve Hewitt and John Oimoen completed their initial review of the NGENC By-Laws and presented some recommended changes/edits. Some of those were revising language and others were correcting punctuation not corrected in the last By-Law Revision.

Steve Hewitt provided an overview of the recommended changes, and of the process required for adopting those changes. (FASC approval – followed by the changes being submitted to the Executive Board in writing at least 30 days prior to its consideration of approval/adoption.

Following the overview of recommended changes and the discussion of process. Tim Ziethen called for discussion. Brian Beeler II, For Maine DOT, stated that he had reviewed the recommended changes and would be open to offering a motion to approve as presented.

With no further discussion, Tim Ziethen stated that he would entertain a motion to approve the recommended changes.

Brian Beeler II, NNEPRA for Maine DOT, offered a motion to approve. Brent Thompson, WSDOT, seconded the motion.

Tim Ziethen asked Steve Hewitt to poll the voting members present (a quorum having previously been established):

Tim Ziethen, Amtrak – in favor  
Brent Thompson, WSDOT – in favor  
John Oimoen, IDOT – in favor  
Brian Beeler, NNEPRA for Maine DOT – in favor  
Brian Beeler as proxy for Ray Hessinger, NYSDOT – in favor  
Arun Rao, Wisconsin DOT – in favor  
Amanda Martin, Iowa DOT – in favor  
Jeff Gordon, FRA – affirmative

The motion carried and the By-Law Revisions as recommended by John Oimoen and Steve Hewitt have been approved and will be submitted to the members of the NGENC Executive Board. Chairman Ray Hessinger, NYSDOT will schedule a discussion and consideration for adoption by the Executive Board to follow after the 30-day requirement.

**7.**

**Status: Review and update of the NGEN two-page handout – Tim/Steve:**

Steve Hewitt reported that he has reviewed the NGEN two-pager and has a few changes in dates to Specification updates and is looking at language to update the Results narrative to report on current day status of equipment procurements and the wide spread use of the NGEN specifications across the country and beyond (Canada).

Steve Hewitt also reported that Troy Hughes, MODOT, has confirmed that their graphics arts department will, once again, take on the formatting and printing of the updated document.

Steve Hewitt and Tim Ziethen will arrange a call for the subgroup to discuss these potential updates for early next week (week of 10-19-20) if possible.

**9.**

**Other Issues/Questions – All:**

Update: 10-14-20:

SPRC did submit the NGEN Reauthorization package to the House and Senate committees of jurisdiction. In the meantime, Congress extended the FAST act (a clean extension) for a year as a part of the CR that funds the Federal Government through December 11, 2020.

Note: Much of what was said in the SPRC transmittal to Congress, states well what the NGEN should include in its two-pager.

**Date of next call:**

**Due to the next meeting falling on Veterans Day, Chairman Ziethen asked Steve Hewitt to reschedule the next call for 11-10-20 at 3:00PM Eastern. Steve will send a calendar notice (11-11-2020) Veterans Day.**

**Adjourn:**

With no further business forthcoming, Chairman Ziethen adjourned today's meeting at 3:38pm Eastern.

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

by phone: 1-415-655-0001

Access code: 126-073-1531

**Next call – 11-10- 20**

**Decisions - Action Items**

**Treasurer's Report – 10-14-20:**

On 10-14-20, Tim Ziethen provided the following Treasurer's report:

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Steve Hewitt added, for clarification, in 2017, the Executive Board approved a motion that the sub-contractor contracts be extended for the same length of time as the grant agreement period. Therefore, the sub-contractor contracts should also be for the same 36-month period. Strat Cavros agreed.

#### **Conveying the message:**

##### **Reauthorizing the NGEN in the FAST Act successor:**

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Arun Rao, Wisconsin DOT – in favor  
Amanda Martin, Iowa DOT – in favor  
Jeff Gordon, FRA – affirmative

The motion carried and the By-Law Revisions as recommended by John Oimoen and Steve Hewitt have been approved and will be submitted to the members of the NGEC Executive Board. Chairman Ray Hessinger, NYSDOT will schedule a discussion and consideration for adoption by the Executive Board to follow after the 30-day requirement.

**Overview: Quarterly Grant Progress Report to FRA:**

The quarterly report for the period ending 6-30-20 was submitted to FRA on time on 7-30-20.

The next quarterly report will be for the period ending 9-30-20 and will be due to FRA by 10-31-20.

**Status Update: NGEC Equipment Acquisition and Ownership Best Practices Working Group development of "Recommended Practices" document as of 10-14-20:**

As of 10-14-20, The status remains the same. The Technical writer has the updates after the working group provided revisions to the first three versions and is compiling them into a 4<sup>th</sup> – clean – version. On 10-8-20, the status was that it was close to being completed. As stated previously, once complete, the updated version will be sent to working group members and a call will be arranged for at least two weeks after that to allow appropriate time for review.

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**Next FASC meeting:**

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

by phone: 1-415-655-0001

Access code: 126-073-1531

**Next Call -11-10-20**

**ATTACHMENTS**



*Our Vision: The NGEN will provide national leadership in standardization, acquisition, and management of passenger rail equipment.*

**SECTION 305 NGEN Finance and Administrative Subcommittee (FASC)**

**Web Ex video/audio information:**

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

by phone: 1-415-655-0001

Access code: 126-073-1531

**AGENDA**

**10-14-20**

- |   |                          |
|---|--------------------------|
| 1. Welcome/Open   | Tim Ziethen              |
| 2. Roll Call  | Steve Hewitt             |
| 3. Approval of the Minutes from 9-16-20   | Tim Ziethen              |
| 4. Treasurer's Update   | Tim Ziethen              |
| a. Balance-Spend Rate   |                          |
| b. Status: Execution 36-month contract extensions Amtrak/AASHTO, AASHTO/subcontractors – Hewitt, Casamar (Cameron Cordell), Krause, Salci |                          |
| 5. Status: NGEN Equipment Acquisition and Ownership Best Practices Document   | Steve Hewitt             |
| 6. Annual review of the NGEN By-Laws – Review proposed changes  | John Oimoen/Steve Hewitt |
| 7. Status: review and update of the NGEN two-page handout   | Tim/Steve                |
| 8. Other Issues/questions   | All                      |

**Next Call November 10, 2020**