



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

SECTION 305 NGEC Executive Board

MINUTES

JUNE 1, 2021

11:30 EASTERN

CONFERENCE CALL

FACILITATOR	<i>Ray Hessinger, Chair, S305 NGEC Executive Board</i>
ATTENDEES	Board Members: Ray Hessinger, George Hull, Tim Ziethen, John Oimoen, Arun Rao, Jeff Gordon, Troy Hughes, Jason Orthner, Jason Biggs for Ron Pate, Mike Jenkins, Kyle Gradinger, Brian Beeler II Support Staff: Jon Dees, Jennifer Bastian Momo Tamaoki, Tammy Krause, Steve Hewitt, Shayne Gill, Oscar Bermudez, Strat Cavros, Joe Paul, Mike Kraft, Dave "Emeritus" Warner, Patrick Centolanzi, Mike Murray, Ryan Arbuckle, Michael Lestingi, Deputy Administrator, FRA: Amit Bose
ABSENTEES	Board Members: Ron Pate, Amanda Martin, Support: Larry Salci,

DECISIONS MADE

1. Welcome – Ray Hessinger, Chair, S305 NGEC Executive Board:

Chairman Hessinger, NYSDOT, welcomed all to the meeting and asked Steve Hewitt to call the roll.

2. Roll Call –Steve Hewitt, NGEC Program Manager:

Steve Hewitt called the roll and confirmed the presence of a quorum with all, but one Board member represented.

3. Introduction of FRA Deputy Administrator Amit Bose – Ray Hessinger, NYSDOT – Chair NGEC Executive Board:

NGEC Executive Board Chair Ray Hessinger welcomed FRA Deputy Administrator Amit Bose and thanked him for taking the time to meet with the NGEC Executive Board today (6-1-21).

Ray added that the agenda for this meeting is dedicated solely to hearing from the Deputy Administrator and having a discussion with him.

Chairman Hessinger introduced Deputy Administrator Bose with a brief overview of his Bio:

Amit Bose serves as the Deputy Administrator of the Federal Railroad Administration (FRA). Previously, Amit worked at HNTB, an architectural and engineering firm, where he also served as board chair of the Coalition for the Northeast Corridor and on the New Jersey Restart and Recovery Advisory Council. He has previously served at the FRA during the Obama-Biden Administration as Deputy Administrator, Chief Counsel, Senior Advisor and Director of Governmental Affairs and the U.S. Department of Transportation (DOT) as Associate General Counsel and Deputy Assistant Secretary for Governmental Affairs. In those positions, he worked on safety, policy, regulatory, and governmental affairs matters and provided legal counsel, guidance and advice to the Office of the Secretary and DOT's operating administrations. Before joining DOT, Amit also worked for New Jersey Transit, the New Jersey Department of Transportation and as a transportation staffer in the U.S. Congress.

His involvement in many rail and transportation issues prior to joining the Executive Branch includes; securing the full funding grant agreement for the Hudson Bergen Light Rail, Newark Light Rail and Congressional authorization for the 50-foot deepening of New York Harbor. In addition, he was in private practice in Georgia, focused on land use, environmental, and municipal law.

Amit has an AB from Columbia College, a MIA from Columbia University's School of International and Public Affairs, and

a JD from the University of Georgia.

**4.
The American Jobs Plan – Amit Bose, FRA Deputy Administrator:**

Deputy Administrator Bose thanked Chairman Hessinger and the Board for the opportunity to meet and noted that he would begin his comments with the Administration's proposed American Jobs Plan, which provides for an unprecedented level of \$80 billion for Rail.

The \$80 billion includes funding for the national system; state supported service, corridors; the NEC, as well as freight rail and safety.

The Deputy Administrator added that Congress is taking a serious look at the proposal right now and the final outcome remains to be seen.

He also emphasized that the proposed rail funding program is not only for Amtrak and is not only for High-Speed Rail. It is intended to be national in scope. He noted that even at a level of \$80 billion, though, it does not get everything that rail supporters want, but is an important step that lays a foundation for dedicated, consistent, funding.

The Deputy Administrator also added that the American Jobs Plan is not a substitute for Reauthorization of the Federal Surface Transportation Act or the Budget – it is in addition to.

Addressing the point that he has heard that some want more details, Amit commented that the Administration wanted to highlight a broad framework and let Congress fill in the blanks. They did not want to be too prescriptive. He also added that equipment procurement can be a part of that.

**5.
Discussion – Member Input:**

Discussion ensued with comments and questions.

Ray Hessinger brought up the prominent issue of Buy America waivers. This is important in the equipment procurement context.

Ray pointed out that those who lived through the ARRA period – and the lessons learned – in the equipment context and beyond would be able to share their experiences with the Deputy Administrator.

Ray thanked Deputy Administrator Bose for his efforts on the Buy America issues noting that it is a challenge.

Ray also emphasized the need for harmonization on use of funds across DOT (FTA, FRA, FHWA) and the flexibility needed for the use of funds for equipment purchases. He stressed that mixing money from various modal agencies with various versions/interpretations of Buy America cannot be done.

The Deputy Administrator noted that this is an on-going issue and that it is on his radar.

Further – on the equipment side - Ray Hessinger mentioned the America Recovery Act provision that entities using ARRA funds for equipment procurements were required to use specifications developed by the Next Generation Corridor Equipment Pool Committee (NGEC). While it worked out well, it did present a challenge when processing change orders which needed to go through the NGEC process for document change requests (DCRs) to ensure compliance. Although the NGEC established Urgent DCR procedures, it was still a heavy lift in time and effort by the NGEC and inserted it between the procuring state(s) and the vendor and it would impact the pace of the procurement.

To the extent that future equipment funds are available, Ray believes a mandate to use NGEC specifications is not necessary. Ray emphasized that the specifications are being used widely anyway without a mandate. In fact, to Ray's knowledge every passenger rail vehicle procurement that has taken place in the US since the NGEC specifications were first published has used those specification without a requirement that they do so.

One point not raised, but critical to this issue is that the NGEC provides the specifications to states (whether they are a part of the NGEC or not) free upon request and asks that those entities provide the NGEC with the as built version of the specification at the end of the process. The NGEC is then able to review any changes that have been made and formally go through the document management process to address the changes to see if they comply with the NGEC specification requirements document and improve the specification. If so, the specification can then be updated through the NGEC process without the concerns of pace or getting in between a state and vendor. The end result is an updated, improved, and compliant NGEC specification.

Kyle Gradinger, Caltrans, thanked Deputy Administrator Bose for his efforts on the Buy America issue and also thanked Ray Hessinger for his comments related to the role of the NGEC during a procurement, adding that for all the challenges, the NGEC performed very well.

Kyle then raised the issue of Caltrans' efforts with regard to zero emissions and other environmental activities that he believes should be put on the table.

Deputy Administrator Bose commented that one of the areas he has been looking at is technologies and eligibility including the Research and Development (R&D) aspects. He is making sure that emission reductions are a part of R&D on the passenger and commuter rail side. He also noted that Safety (at FRA) fully understands the importance of reduction of green-gas emissions as well.

The Deputy Administrator stated that he will have FRA "folks" follow up with Kyle.

Turning to the issue of the NGEC, the Deputy Administrator asked about the extent of manufacturers and suppliers' involvement with the Committee and if it was continuous. He noted that he believes that their (the industry) engagement is important.

Steve Hewitt responded in detail about the industry's consistent and strong involvement in the NGEC from its inception in 2010. He explained that over 200 representatives of the passenger rail equipment manufacturing and supply industry (including all of the major OEM's) are members of the NGEC's industry participation group. The number of industry representatives has been very consistent over the years. They are actively engaged and have been involved in the development and updating of each of the NGEC vehicle specifications as well as the recently adopted PRIIA 305-200 Recommended Practices document.

Steve explained that the industry participants are non-voting members of the NGEC's Technical subcommittee which is chaired by George Hull, Amtrak CMO and Vice chair of the NGEC Executive Board. The Technical subcommittee meets bi-weekly via WebEx call and averages between around 30 (and sometimes more) industry member participation. The industry members also participate on each of 6 technical working groups which develop various sections of the vehicle specifications. They are also an integral part of the NGEC Equipment Acquisition and Ownership working group which developed the Recommended Practices document.

One of the things that sets the NGEC apart from other committees or coalitions is the active and enthusiastic involvement of the passenger rail manufacturing and supply industry.

Steve also mentioned that the participants list grew as recently as last week when three new members joined the NGEC.

The Deputy Administrator commented on how it would be helpful to have a map or some type of graphic depicting the locations of manufacturers and suppliers across the country – something that would show the breadth of the industry throughout the US. While it did not come up during the meeting, as time ran out, the NGEC did use a One Rail produced map of manufacturers and suppliers as a part of its previous versions of the two-page background and educational document. It does give a clear and concise picture of the national presence of this industry in the US.

Mike Jenkins, Oregon, closed out the Board Member Q&A section of today's meeting commenting on the active involvement of the States in Amtrak's ongoing trainset procurement and the significant overlap of those States with the NGEC membership.

Deputy Administrator Bose thanked the Chair and the Board members and asked that any additional comments or questions they may have for him be sent to Ryan Arbuckle and also added that Michael Lestingi, who had a long-time involvement with the NGEC, having been the FRA representative on the Board for several years, was also a resource in his new role as Interim FRA Executive Director.

Adjourn – Ray Hessinger:

Chairman Hessinger thanked the Deputy Administrator for his time and interest in meeting with the NGEC Executive Board and with no other business planned for this special meeting of the NGEC executive Board, Chairman Hessinger adjourned the meeting at 12:01PM Eastern.

Next Meeting – 6-15-21

6-1-21

11:30 AM – 12:00 Noon Eastern

By computer:

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

By phone:

1-415-655-0001

Access code:

126-073-1531

Agenda

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| 1. Welcome and Open the Meeting | Ray Hessinger |
| 2. Roll Call | Steve Hewitt |
| 3. Introduction of FRA Deputy Administrator Amit Bose | Ray Hessinger |
| 4. The American Jobs Plan | Amit Bose |
| 5. Discussion | All |
| 6. Adjourn | Ray Hessinger |

Next call/meeting – 6-15-21