



# EXECUTIVE DECISION DOCUMENT

<b>GENERAL MANAGER APPROVAL:</b>		DocuSigned by: <i>Michael Jones</i> 47000790F2D7463...	<b>GENERAL MANAGER ACTION REQ'D:</b> Yes		
<b>DATE:</b> 1/13/2025		1/16/2025	<b>BOARD INITIATED ITEM:</b> No		
<b>Originator/Prepared by:</b> Maureen Wetter <b>Dept:</b> Customer & Performance Research	<b>General Counsel</b>	<b>Controller/Treasurer</b>	<b>District Secretary</b>	<b>BARC</b>	
Signed by: <i>Maureen Wetter</i> 83EB0D4537AC480...	DocuSigned by: <i>Amelia Sandoval</i> 2528C067C44147D...	Signed by: <i>Steph Brach</i> 7D9A7C6E7348456...		DocuSigned by: <i>Val Menotti</i> AA8F1409A8F748E...	
<b>Signature/Date:</b> 1/16/2025	1/16/2025 [ ]	1/16/2025 [ ]	[ ]	1/16/2025 [ ]	

## Authorize Public Opinion Research Services Agreement

### PURPOSE:

To obtain Board authorization for the General Manager, or his designee, to award a sole source agreement to Fairbank, Maslin, Maullin, Metz, & Associates (FM3) for public opinion research services to inform a potential transit revenue measure, in an amount not to exceed \$247,500.

### DISCUSSION:

Due to the COVID-19 pandemic's impact on how Bay Area residents live, work, and travel, BART ridership remains below 50% of pre-pandemic levels, which has had a huge impact on BART's ability to cover its operating expenses. Revenue from passenger fares and parking once covered nearly 70% of BART's operating expenses; in FY24, only 22% of operating expenses were covered by fares. This has created an ongoing structural financial deficit, severely impacting BART's long-term ability to deliver the high-quality transit service upon which the Bay Area relies.

While federal, state and regional emergency assistance has kept BART afloat since the pandemic, this funding is projected to be fully expended by spring 2026. BART is facing a \$35 million operating deficit in FY26, a \$385 million operating deficit in FY27, and an annual \$300-\$400 million structural deficit after that.

Ridership recovery has been slow, largely due to the prevalence of remote work. BART's historical reliance on fare revenue to pay for operations is outdated and no longer

sustainable. Greater investments are needed to avoid significant service cuts to ensure BART will continue to provide solutions for many of the Bay Area's most pressing challenges, including traffic, commuting affordability, housing, safety, equity, and climate change.

BART is working with the region's metropolitan planning organization, the Metropolitan Transportation Commission (MTC), and other stakeholders to pursue funding to address the growing transit financial challenges, potentially with a tax measure on the November 2026 ballot. Securing a new ongoing source of funding is critical to avoiding devastating service cuts that would have serious impacts on the quality of life in the Bay Area.

In order to inform the development of the potential tax measure, as well as gauge the likelihood of its success, carefully crafted research with likely voters will be required. Staff recommends that BART continue to work with FM3 on public opinion research in order to maintain continuity with previous research conducted for BART by FM3 in January 2022 and September 2024. Note that when these last two projects were conducted, they were competitively bid, and FM3 was the lowest bidder in both cases.

The recommended scope and timing of the public opinion research is as follows:

*Task / Description / Timing*

Baseline feasibility survey / Test funding mechanisms, gauge appeal of items funded, assess pro and con arguments / Spring 2025

Tracking survey / Gauge changes vs. 2025 / January 2026

Focus groups / In-person, qualitative discussions with likely voters / February 2026

"Go/No-Go" survey / Gauge changes vs. January; determine whether to place measure on ballot / June 2026

Pursuant to the District's Non-Federal Small Business Program, the District conducted an analysis and determined that there are no certified Small Businesses certified by the California Department of General Services available for proposing on this Agreement. Therefore, no Small Business Prime Preference was set for this Agreement.

Pursuant to the District's Non-Discrimination Program for Subcontracting, the Availability Percentages for this Agreement are 8.4% for Minority Business Enterprises ("MBEs") and 5.7% for Women Business Enterprises ("WBEs"). FM3 committed to 0% MBE and 0% WBE participation. FM3 did not meet either the MBE or WBE Availability Percentages; therefore, FM3 was requested to provide the Office of Civil Rights with supporting documentation to determine if it had discriminated on the basis of race, national origin, color, gender or ethnicity. Based on the review of the information submitted by FM3, the Office of Civil Rights found no evidence of discrimination.

**FISCAL IMPACT:**

The funding required for all four tasks is not to exceed \$247,500. Funding will come from the Adopted FY25 + FY26 budget (Cost Center: 0602357, Account: 681300 - Professional & Technical Services).

**ALTERNATIVES:**

If not authorized, BART would not be able to conduct public opinion research with likely voters to inform a potential transit revenue measure. Without research, the ballot measure may not reflect voters' concerns and may ultimately be unsuccessful.

**RECOMMENDATION:**

Approval of the following motion.

**MOTION:**

The General Manager, or his designee, is authorized to award a sole source agreement to Fairbank, Maslin, Maullin, Metz, & Associates (FM3) for public opinion research services from February 2025 through June 2026 to inform a potential transit revenue measure, in an amount not to exceed \$247,500.