

XIV. Maintenance

Overview: Maintenance is any action required to preserve and maintain current facilities in such condition that it may be safely and effectively utilized for its designated or designed purpose. There are many types of maintenance, such as Preventive Maintenance (regularly scheduled inspection, minor repair), Scheduled Maintenance (planned maintenance resulting from preventive maintenance inspections), Unscheduled Maintenance (maintenance requiring immediate attention which, if not corrected, shall have a serious effect in the safety and efficiency of operations), and Normal Maintenance (recurrent day-to-day systematic care).

There are two types of funds which can be used for maintenance:

1. BIA Transportation Facility Maintenance Program, and
2. Program Funds (not more than 25%, except road sealing)

A. Statutory / Regulatory Requirements

- IRR funds may be used for maintenance in accordance with 23 U.S.C. 204(c).
- BIA road maintenance requirements are in 25 CFR 170.800 - 170.813.
- Eligible maintenance activities are listed in 25 CFR 170 Appendix A to Subpart G.
- Notwithstanding 25 CFR 170.116, in accordance with 23 U.S.C. 204(c), not more than 25 percent of the IRR Program funds allocated to a Tribe may be expended for the purpose of maintenance, excludes road sealing, which is not subject to any limitation.

B. Guidelines / Procedures

- The Tribe is responsible for making the determination of what can be considered a cost-effective means of extending the service life of a transportation system.
- Maintenance should be included on the FHWA approved TIP, if using IRR funds, before funds are expended, although each activity does not need to be listed as a separate line item. One line item can be used and should be labeled as “routine maintenance.”
- Maintenance Equipment can be leased, rented, or purchased using these funds after the Tribe provides the FLH Associate Administrator with written notice and a “cost analysis” (49 CFR 18.36) showing that it is more economical to purchase than lease (see **Example 14.1 - Equipment Acquisition Request Form**).
- Additional maintenance funds are available through the Bureau of Indian Affairs using Self-Determination or Self-Governance contracting or compacting procedures.

C. Resources

- American Association of State Highway and Transportation Officials (AASHTO) road and bridge maintenance manuals and maintenance management system manuals,
- National Association of County Engineers (NACE) action guides, and other Federal, State, Tribal, or local government maintenance standards.
- The BIA, with input from the IRR Program Coordinating Committee, will develop an IRR Transportation Facilities Maintenance Management System (TFMMS) for budgeting, prioritizing, and scheduling maintenance activities.

Example 14.1 - Equipment Acquisition Request Form

This form is to be utilized for all construction/maintenance equipment acquisition by Tribal Governments who have an Indian Reservation Road Program Agreement with the Federal Highway Administration.

1. How will this equipment be utilized for the IRR program? (If more space is needed, provide attachment)

2. Cost Comparison:

Item	Purchase	Lease/Rent
	\$	\$

3. What is the Tribes 25% IRR maintenance amount? \$ _____
4. What is the amount of IRR funds to be utilized for this acquisition? \$ _____
5. Attach cost analysis of all equipment both purchase and lease/rent. (Attach vendor quotes. Quotes may be provided in email and/or letter on company letter head)

Requestor: _____ Date: _____
Name/Title

FHWA Approved By: _____ Date: _____
Name/Title