

## XIV. Maintenance

**Overview:** Maintenance is any action required to preserve and maintain a current facility in such condition that it may be safely and effectively utilized for its designated or designed purpose. The main categories of maintenance are:

- Preventive Maintenance is regularly scheduled inspection, and minor repairs.
- Scheduled Maintenance is planned, and results from preventive maintenance inspections.
- Unscheduled Maintenance is immediate action needed to correct occurrences impacting safety and efficient operations.
- Normal Maintenance is 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. Tribal Transportation Program Funds (not more than 25% or \$500,000, whichever is greater, except road sealing)

### A. Statutory / Regulatory Requirements

- TTP funds may be used for maintenance in accordance with 23 U.S.C. 202(a).
- TTP funds may be used for eligible maintenance activities listed in 25 CFR 170 Appendix A to Subpart G.
- TTP funds can be used for the maintenance of TTP facilities identified in the National Tribal Transportation Facility Inventory (NTTFI) (25 CFR 170.803).
- TTP road maintenance requirements are in 25 CFR 170.800 - 170.808.
- TTP road maintenance standards are in 25 CFR 170.806. Notwithstanding 25 CFR 170.116, in accordance with 23 U.S.C. 202(a)(8) and 25 CFR 170.802, not more than 25 percent of the TTP funds allocated to a Tribe or \$500,000, whichever is greater, may be expended for the purpose of maintenance. Road sealing is not subject to this 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 TTIP, if using TTP 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 TTP funds after the Tribe provides the FLH Director of the Office of Tribal Transportation Program with written notice and a “cost analysis” (49 CFR 18.36) showing that it is more economical to purchase than lease (See Appendix A - [Exhibit 14.1 - Equipment Acquisition Request Form](#)). The maintenance equipment cannot be purchased with TTP funds unless specific approval is granted by the FLH Director of the Office of Tribal Transportation Program. If the maintenance equipment purchase is approved, then the approved cost of the maintenance equipment purchase must be shown separately on the Tribe’s TTIP.
- 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.