Bureau of Indian Affairs
Office of Facilities Management
and Construction
Minor Improvement and Repair
Policies and Procedures

MINOR IMPROVEMENT AND REPAIR PROGRAM

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MINOR IMPROVEMENT AND REPAIR PROGRAM

1.0   Purpose

The Bureau of Indian Affairs (BIA) has the responsibility of providing Bureau facilities to ensure continuity of the facility programs. The BIA has established the Minor Improvement and Repair (MI&R) Program to fulfill this responsibility. This document outlines the policies and procedures regarding this program and has been prepared for BIA Regional Agencies and Offices, Bureau of Indian Education Programs and Office of Justice Services Facilities Management personnel.

1.1   Scope

The MI&R program identifies and provides funds to mitigate serious health/safety and other high priority deficiencies for Education, Non-education and Office of Justice Services facilities (Quarters excluded).

1.2   Authorities

Public Law 91-695 (The OSHA Act 1971) and 29 CFR 1960 require that **ALL** working areas, including offices, have a health and safety inspection conducted at least once a year by a Bureau Safety Officer. Interim and final abatement plans are required for all deficiencies not mitigated within 30 days. The MI&R program is normally used to provide funding for long-term abatement plans.

The Minor Improvement and Repair Program operates under the following authorities:

A. **25 U.S.C. Snyder Act**
B. **25 U.S.C. 2005 (P.L. 95-561)**

1.3   Policy

The Facilities Management Program (FMP) considers approving MI&R funding for any serious health/safety deficiencies existing in the backlog or identified in an annual health and safety inspection with completed abatement plans. An annual backlog review is performed by the jurisdictional authorities to identify high-priority (rank 1 or 2) backlog deficiencies to be considered for MI&R funding.

A. The minimum and maximum funding levels are:

      Minimum $ 2,500 per backlog item.

      Maximum $ 250,000 per backlog item.

Backlog items greater than $250,000 should be considered under OFMC's Facilities Improvement and Repair (FI&R) Program.

Grant Schools utilizing MI&R for projects over $100,000 must have the Education Line Officer (ELO) determine the capabilities of the Grantee and the need for a P.L. 100-297 application.

B. MI&R funds not obligated within the current year will be withdrawn at the end of the fiscal year. Redistribution of withdrawn funds will be considered based on a Regional request submitted within the first quarter of the new fiscal year. The Regional request must be accompanied by justification indicating the intent to utilize funding by the end of the second quarter.

C. Since work must be accomplished in the current fiscal year, only projects requiring minimum design should be considered for MI&R funding.

D. MI&R funds are for the abatement of the identified critical deficiencies which cannot be delayed for inclusion in an FI&R project and urgency requires that action be taken as soon as possible. All Regions/Agencies, Grant and Contract Schools must prioritize projects that can be completed within the fiscal year, utilizing existing in-house staff or contracted services.

E. Emergency (U) backlog items are funded through the Emergency Reimbursement Program.

F. Demolition (D) backlog items are funded separately through the Demolition Program.

G. Reprogramming of Funds.

(1) Within the same location, savings from one funded MI&R backlog can be used to correct another existing backlog identified in FMIS. A memorandum (electronic E-mail) identifying the need for utilizing the savings must be forwarded from either the ELO or the Agency to the Region and then to OFMC. When the backlog has been corrected, the completed cost and date must be entered into FMIS.

(2) Additional, non-programmed (no backlog) projects can be funded with savings from a completed MI&R project by submitting a reprogramming request. A reprogramming request memorandum (electronic E-mail) must be submitted by the ELO or Agency to the Region and then forwarded to OFMC for approval. The location/Agency/Region must establish a backlog in FMIS and bring the project forward for funding as a Supplemental Funds Request.

1.4   Milestones

The following schedule is the approximate timeframes for Supplemental Funds Request (SFR) submission and for the distribution of annual MI&R funds:

A.   August 15: Regional Facility Management reviews field prioritized lists by comparing them to the FMIS P09 Reports (Detail of Locations Backlog) for accuracy and current cost estimates. The prioritized lists from the field are submitted to OFMC through the Supplemental Funds Request.

B.   September 1: OFMC reviews the prioritized list, provides feedback and informs the Regions of estimated Fiscal Year allocation of funds.

C.   September 15: Region submits any changes to the MI&R prioritized list to OFMC.

D. September 30: OFMC initiates Funds Distribution Documents (FDD) and submits FDD to Budget/Finance when appropriations are enacted.

1.5   Procedures

A. Review of the P09 Reports.

(1) The Regions need to review the location's P09 reports, making corrections and deletions as warranted based on field prioritization. This review will identify health/safety and other high-priority deficiencies. Safety report deficiencies with abatement plans will be considered for

MI&R funding when established as backlogs. Emergency (U) backlog items are funded through the Emergency Reimbursement Program.

(2) S-1 backlogs or other high-priority deficiencies residing in an FI&R project Program of Requirements (POR) can be removed from the POR for consideration under MI&R funding. The Region, in consultation with the Location/Agency, must determine the urgency for correction of the deficiency prior to the commencement of the FI&R project. The Region should request that OFMC Program & Planning release the subject items from the FI&R POR. This action will allow the backlog to be funded under the MI&R program.

B. Abatement Plans.

(1) All identified deficiencies not mitigated within 30 days must have interim and permanent abatement plans developed and encoded as backlogs into FMIS.

(2) All cited health and safety deficiencies not corrected within 30 days will require an interim and final abatement plan. The Regions and Agencies are responsible for verifying that this has been accomplished. If a critical deficiency is not listed in the Annual Health and Safety Report, then the Region or Agency should approach the appropriate Safety Officer to ascertain whether the deficiency can be included in an existing or new safety report.

(3) All Safety deficiencies identified for abatement must be developed as backlogs by Facility Management and encoded into the FMIS for approval.

1.6   Validation Process and Prioritization

Using the P09 Reports, the Regions must validate their MI&R projects utilizing the following criteria:

A. Verify the backlog deficiencies are not to be duplicated in a Program of Requirements (POR) for an FI&R project.

B. Verify that the backlog deficiency has not already been corrected.

C. Verify that the backlog item is described adequately and the cost estimate for correction is current.

D. Verify that the region, agency or location staff can successfully accomplish the MI&R projects within the fiscal year.

E. Verify that there are there sufficient planning, execution, and procurement resources.

F. Verify that the MI&R funds can be obligated in the current fiscal year.

When the Agencies and ELOs have prioritized their MI&R projects from the field locations, the prioritized listing of those projects must be forwarded to the Region in FMIS SFR. The Regions must provide the final check of validation of backlog items and submit the regional prioritized list via the FMIS SFR to OFMC by August 15, as identified in 1.4 Milestones.

Changes to regional lists should be presented to OFMC no later than September 15. When OFMC receives appropriations, funding will be immediately distributed to the regional offices and/or ELOs.