

March 23, 2010

Via E-mail Sharla.Dillon@tn.gov and
Via USPS

Chairman Sara Kyle
c/o Ms. Sharla Dillon
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

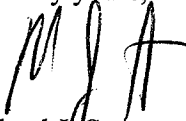
FILED ELECTRONICALLY IN DOCKET OFFICE ON 03/23/10
DOCKET NO. 10-00044

Re: Application of Electric Power Board of Chattanooga for a State-Issued
Certificate of Franchise Authority

Dear Chairman Kyle:

Enclosed please find an original and five (5) copies of Application of Electric Power Board of Chattanooga for a State-Issued Certificate of Franchise Authority. I am also enclosing our firm's check in the amount of \$2,000 for the filing fee. I would appreciate you stamping the extra copy of this document as "filed," and returning it to me in the enclosed, self-addressed and stamped envelope.

Sincerely yours,


Michael J. Stewart

MJS:kwr

Enclosures

cc: Mr. Harold DePriest
Mr. Aaron Webb
Ms. Diana Bullock

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *Application of Electric Power Board of Chattanooga for a State-Issued
Certificate of Franchise Authority*

AFFIDAVIT OF AARON WEBB

STATE OF TENNESSEE
COUNTY OF HAMILTON

I, Aaron Webb, having been duly sworn in accordance with the law, state as follows:

A. Identification of Affiant and Application Fee

1. Affidavit is Made by Officer of Applicant Consistent with Tenn. Code Ann. §7-59-305(c).

My name is Aaron Webb. I am VP, Legal Services of the applicant, the Electric Power Board of Chattanooga, an independent board of the City of Chattanooga, Tennessee, which has its principal office at 10 West M. L. King Blvd., Chattanooga, Tennessee 37422 (EPB). I am authorized to make this affidavit on behalf of applicant EPB.

2. Application Fee for Service Area as Set Forth in Tenn. Code Ann. §7-59-305 (b)(1).

EPB submits the application fee of \$2,000 with this application on the basis of a service area population of 100,000 to 500,000, as reflected by the most recent decennial census, of its entire service area, including the areas contained within Exhibit A as to which EPB seeks a State-issued certificate of franchise authority.

B. Required Information and Affirmations

1. Compliance with Laws Consistent with Tenn. Code Ann. §7-59-305(c)(1).

EPB agrees to comply with all applicable federal and state laws and regulations to the extent that such state laws and regulations are not in conflict with or superceded by the

provisions of the Competitive Cable and Video Services Act (the "Act") or other applicable law and will timely file with the FCC all forms required by the FCC in advance of offering video service or cable services.

2. Description of Municipalities and Unincorporated Areas Within Counties to be Served in Whole or in Part, Consistent with Tenn. Code Ann. §7-59-305(c)(2).

EPB has obtained individual franchises from Hamilton County and the municipalities of Chattanooga, Red Bank, East Ridge, Lookout Mountain, Signal Mountain, Collegedale, Soddy-Daisy, Lakesite, and Ridgeside. EPB is in the process of obtaining an individual franchise from Walden. EPB seeks a State certificate of franchise authority to serve the remaining areas of its service area, including Graysville and portions of Bledsoe County, Bradley County, Marion County, Rhea County, and Sequatchie County. EPB intends to offer cable or video services in the municipalities and counties from which it has received individual franchise authority as well as in the municipality and the portions of the counties as to which it seeks a State-issued certificate of franchise authority. The geographic boundaries of EPB's electric distribution service area in which EPB will offer cable or video services outside of Hamilton County are set forth in the maps attached as Exhibit A, which are hereby incorporated by reference.

3. Intent to Serve Consistent with Tenn. Code Ann. §7-59-305(c)(3).

EPB intends to begin to offer video service for purchase in each of the areas identified in Exhibit A within twenty-four (24) months of the date of issuance of a state issued Certificate of Franchise Authority.

4. Indemnity Consistent with Tenn. Code Ann. §7-59-305(c)(4).

EPB agrees to indemnify and hold harmless, in accordance with Tenn. Code Ann. §7-59-318, the state, municipality, county, and any employee or representative of the state, municipality

or county as well as any political subdivision, individually and collectively referred to in Tenn. Code Ann. §7-59-318 as "indemnatee".

5. Contact Information Consistent with Tenn. Code Ann. §7-59-305(c)(5).

EPB's principal place of business is 10 West Martin Luther King Drive, Chattanooga, Tennessee 37402, 423-648-1372. The principal executive officers are as follows:

Harold E. DePriest	President & Chief Executive Officer
Gregory S. Eaves	Chief Financial Officer
David Wade	Chief Operating Officer
Katie Espeseth	VP, Fiber Optic
Aaron Webb	VP, Legal Services
Diana Bullock	VP, Economic Development and Governmental Relations

EPB may be represented before the Tennessee Regulatory Authority by me or Frederick L. Hitchcock.

6. EPB has the Managerial, Financial and Technical Qualifications to Provide Video Service Consistent with Tenn. Code Ann. §7-59-305(c)(6) and (d)(2).

EPB has the managerial, financial and technical qualifications to provide cable or video service as required by Tenn. Code Ann. §7-59-305(c)(6) and (d)(2). EPB currently has cable or video service available to approximately one-half of its 170,000 customers and intends to have service available to every household in its entire service area, including the areas to be covered by the State-issued certificate of franchise authority, within thirty-six (36) months from the date of the issuance of the certificate. EPB has the managerial, financial, and technical qualifications to fulfill this plan of deployment.

7. Description of EPB's Customer Service Complaint Process Consistent with Tenn. Code Ann. §7-59-305(c)(7).

Customers who have questions or complaints regarding their cable or video service or questions or disputes concerning their bills may contact EPB's Customer Service at 423-648-

1372. Customer Service representatives are available by phone or email 24 hours a day, seven (7) days a week at EPB's Chattanooga Customer Service Center. Customers also may email EPB Customer Service at support@epbfi.com and may access customer support information at www.epbfi.com. Finally, customers may visit EPB's main office at 10 M. L. King Blvd or its branch offices at 5830 Brainerd Road and 2124 North Point Blvd to request assistance with any problem or dispute. It is EPB's policy to take prompt action to address any customer question or complaint.

8. Notice has been Provided to Affected Local Governments Consistent with Tenn. Code Ann. §7-59-305(c)(8).

EPB has provided notice and a copy of this Affidavit to each local government that would be affected by the State-issued certificate of franchise authority at the addresses set forth in the list attached as Exhibit B. EPB will comply with any applicable local ordinance or resolution requiring notice to other entities with facilities in the rights of way.

9. Compliance With Legal Requirements Consistent with Tenn. Code Ann. §7-59-305(c)(9).

EPB agrees to comply with the requirements set forth in the Act, expressly including the non-discrimination and service deployment requirements of Tenn. Code Ann. §7-59-311. EPB hereby acknowledges the provisions of Tenn. Code Ann. §7-59-311 relevant to enforcement of non-discrimination and deployment requirements.


10. Notice to Local Governing Authority Ten (10) Days Prior to Providing Service Consistent with Tenn. Code Ann. §7-59-305(c)(10).

Following issuance of the State-issued certificate of franchise authority, EPB will provide notice to an affected local governing authority ten (10) days prior to providing service in that jurisdiction.

11. Compliance with Minority-Owned Business Plan Consistent with Tenn. Code Ann. §7-59-305(c)(11).

C. EPB agrees to comply with its Minority-Owned Business Plan attached as Exhibit

FURTHER AFFIANT SAYETH NOT.

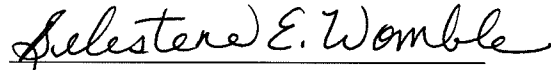


Aaron Webb, VP, Legal Services

STATE OF TENNESSEE
COUNTY OF HAMILTON



Sworn to and subscribed before me, this 23rd day of March, 2010.



Notary Public

My Commission Expires: 03-06-2013

EXHIBIT A

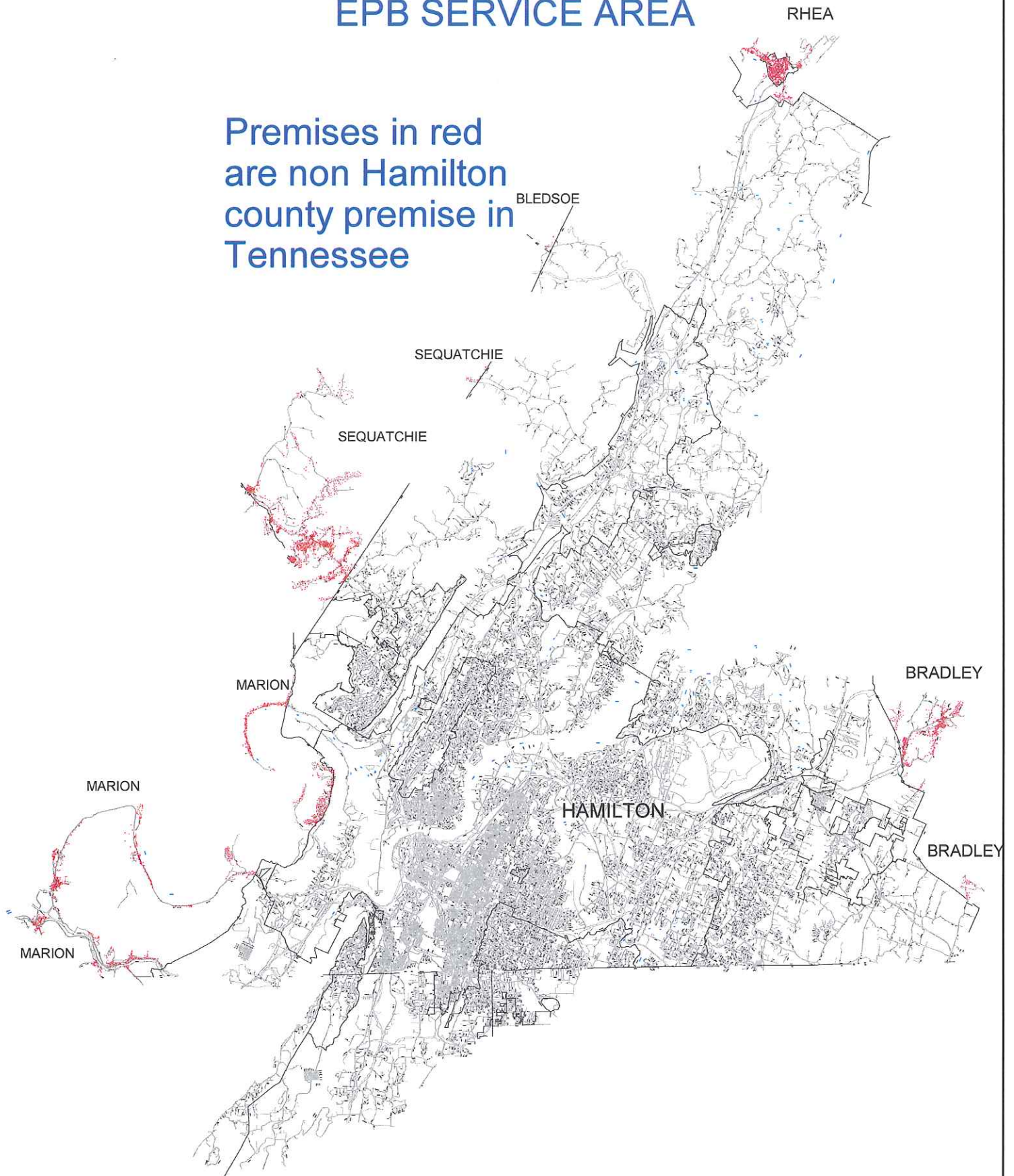
To

**APPLICATION OF ELECTRIC POWER BOARD OF CHATTANOOGA
FOR A STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY**

**Maps of Areas to be Served
Outside of Hamilton County, Tennessee**

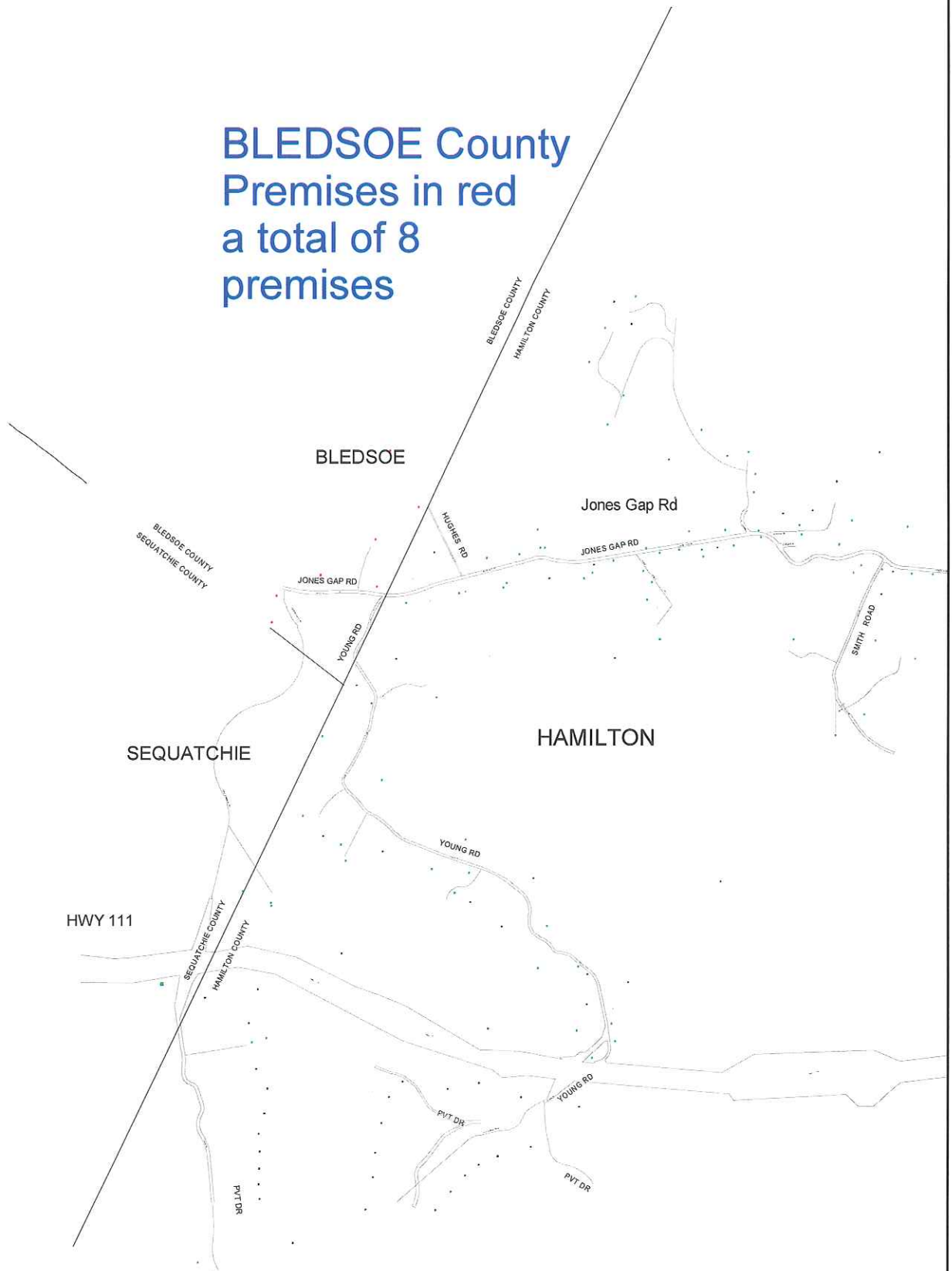
EPB SERVICE AREA

Premises in red
are non Hamilton
county premise in
Tennessee



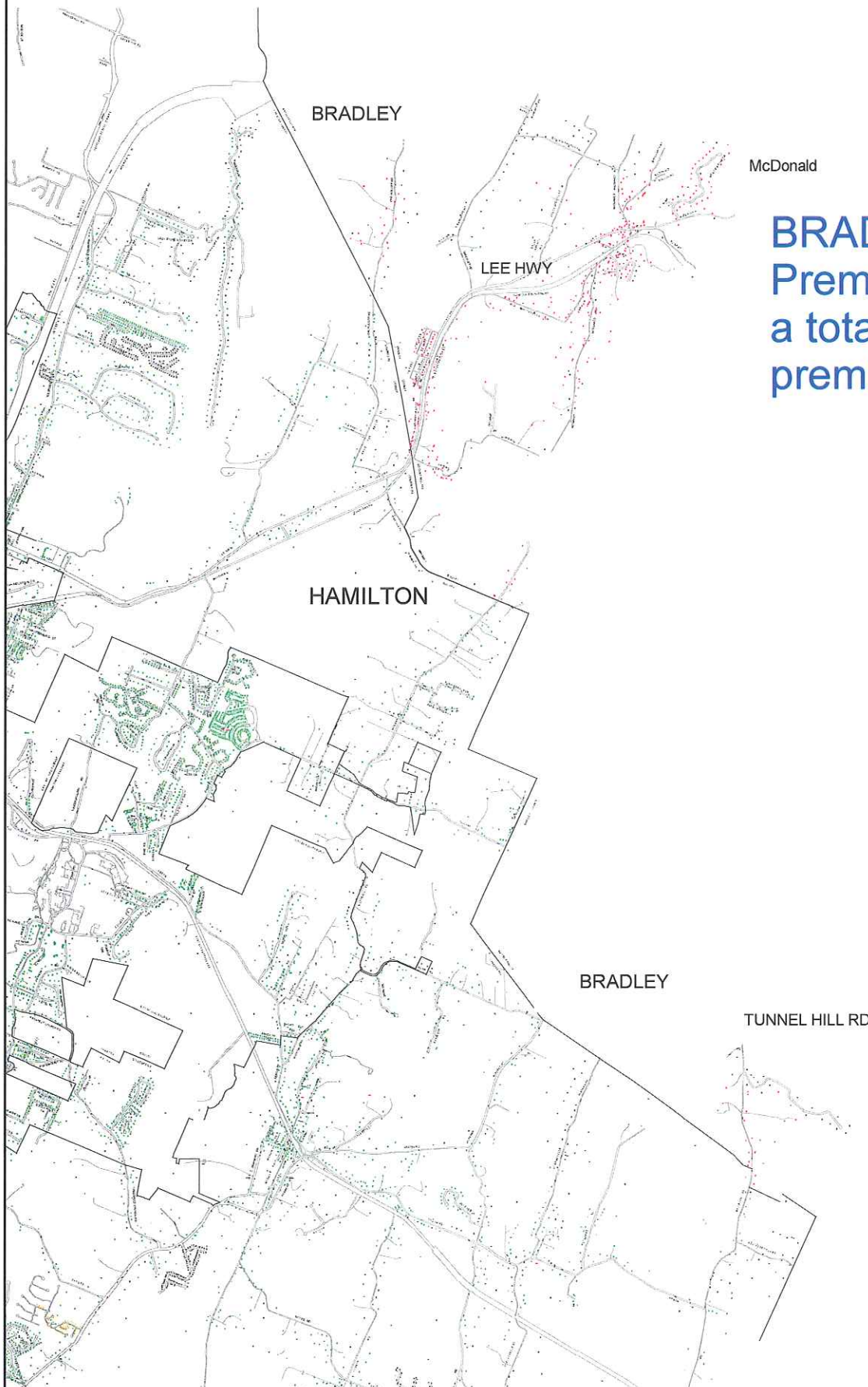
BLED SOE COUNTY

BLED SOE County
Premises in red
a total of 8
premises



BRADLEY COUNTY

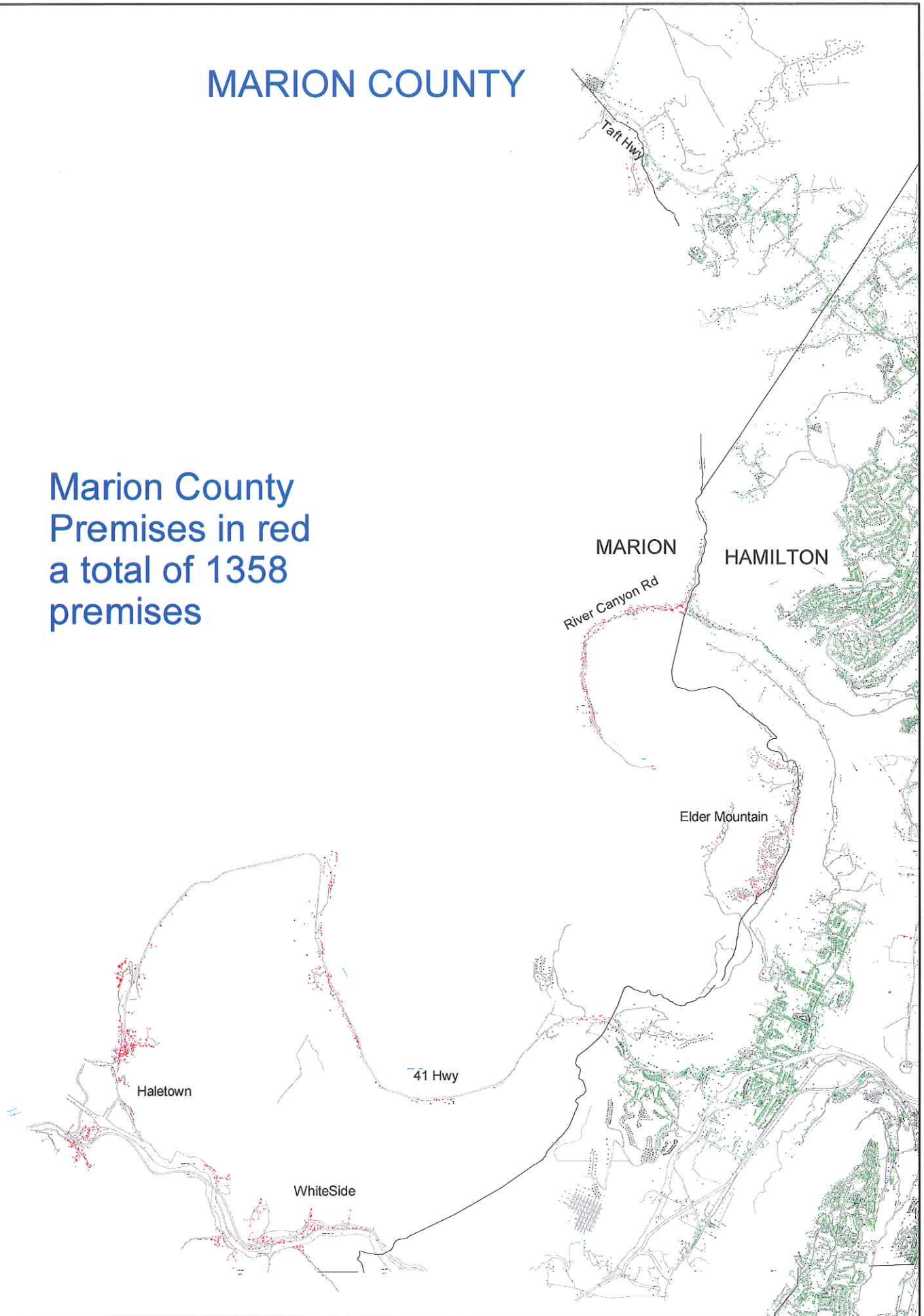
CLEVELAND



BRADLEY County
Premises in red
a total of 414
premises

MARION COUNTY

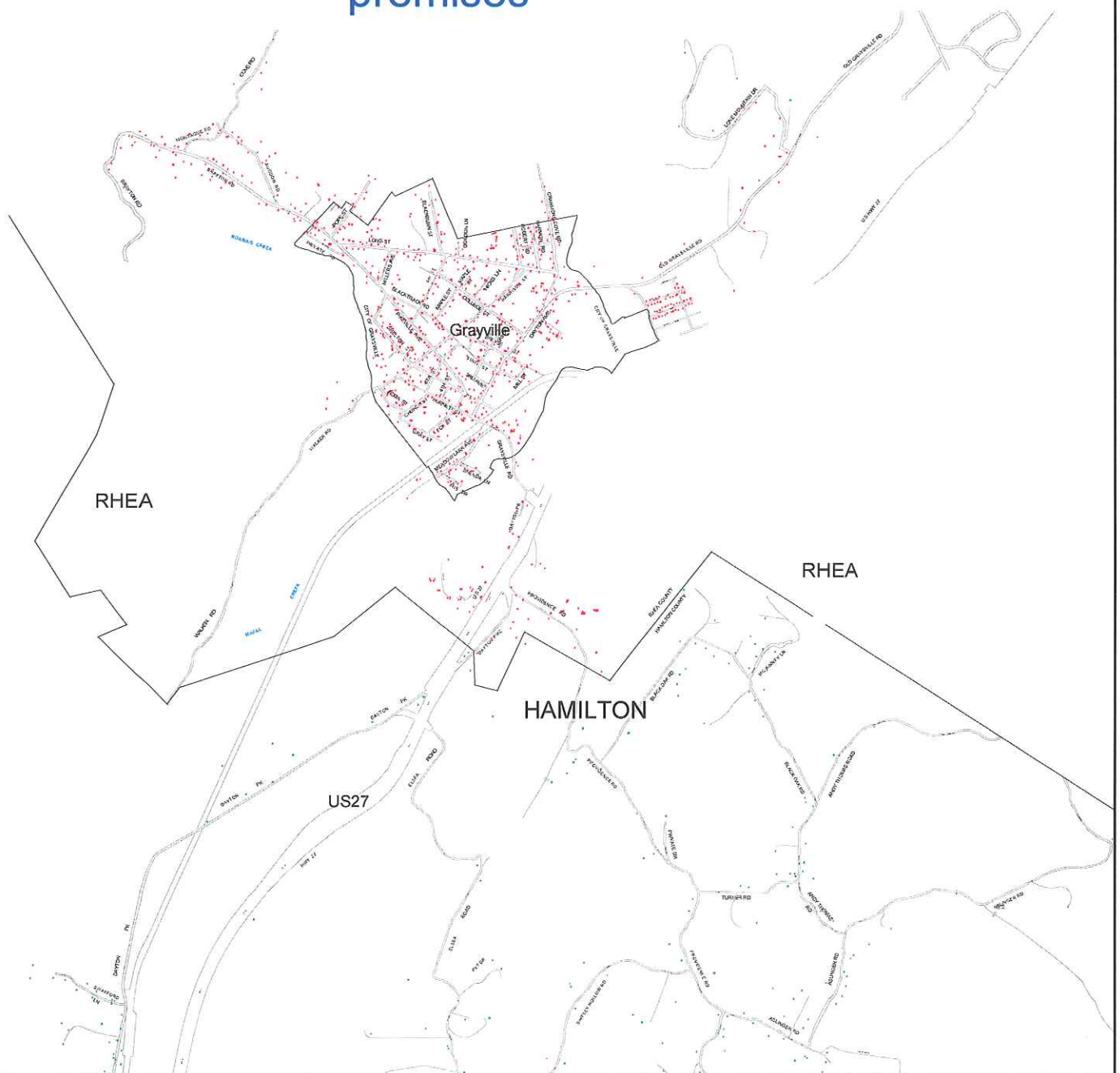
Marion County
Premises in red
a total of 1358
premises



RHEA COUNTY

DAYTON

RHEA County
Premises in red
a total of 962
premises



SEQUATCHIE COUNTY

HWY 111

SEQUATCHIE

Sequatchie County
Premises in red
a total of 903
premises

SEQUATCHIE

Montlake Mountain

Poe Rd

HAMILTON

Taft Hwy

Signal Mountain

MARION

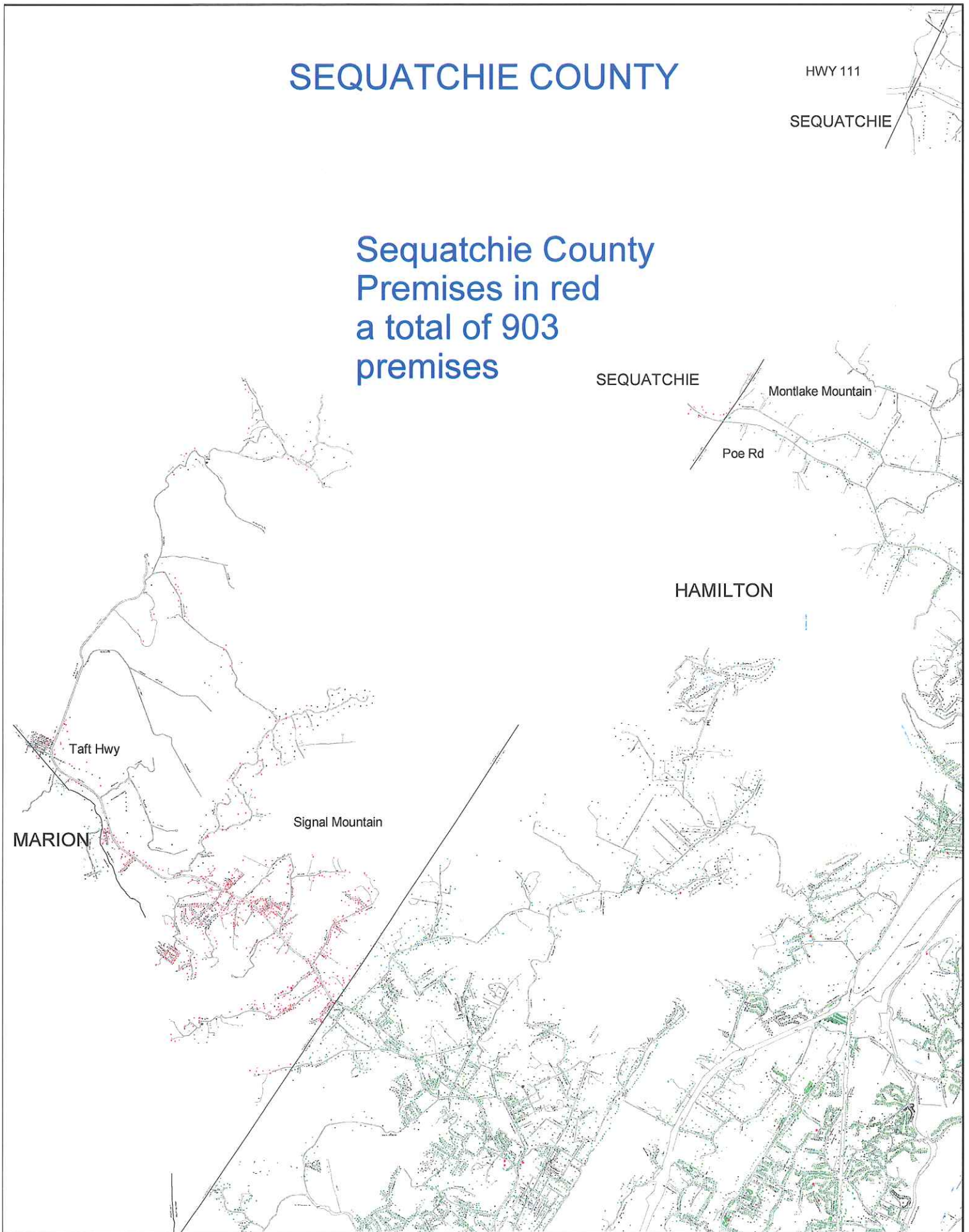


EXHIBIT B

To

**APPLICATION OF ELECTRIC POWER BOARD OF CHATTANOOGA
FOR A STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY**

Local Governments Provided Notice

Rhea County

County Executive:
Billy R. Patton
375 Church Street Suite 215
Dayton, TN 37321
(423) 775-7801

Marion County

County Mayor:
Howell Moss
1 Court Sq. Rm 105
Lafayette, TN 37083
(423) 942-2552

Bledsoe County

County Mayor:
Gregg Ridley
3150 Main Street
Pikeville, TN 37367
(423) 447-6855

Sequatchie County

County Executive:
Michael Hudson
22 Cherry St.
Dunlap, TN 37327
(423) 949-3479

Graysville

Mayor Ted Doss
151 Mill Street
Graysville, TN 37338
(423) 775-9242

Bradley County

County Mayor:
D. Gary Davis
P.O. Box 1167
Cleveland, TN 37364
(423) 728-7141

EXHIBIT C

TO

**APPLICATION OF ELECTRIC POWER BOARD OF CHATTANOOGA
FOR A STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY**

**Minority-Owned and Women-Owned Business Development Program of the
Electric Power Board of Chattanooga**

Program Outline

1. Policies

- Mission Statement 1
- Policy Statement 2
- Objectives 3

2. Facts About the Program

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- EPB's Approach to the Minority and Women-Owned Business Development Initiative 5
- Implementation 6
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- Job Description – Manager, Minority and Women-Owned Business Development 19
- Job Summary – Manager 21
- Forms 22
 - ▶ Certification & Pre-Qualification Form (QVA)
 - ▶ Supplier Information Form



Mission Statement

EPB's mission is to enhance the quality of life in our community through the excellence of all our activities. Our customers have grown to expect this level of dedication from us.

We will use these same principles in initiating our Minority and Women-Owned Business Development Program. Our mission is to support minority and women-owned businesses by assuring them fair and courteous treatment, and equal access to business opportunities.

We will provide assistance, equal access and equal opportunity to any/all of those who supply EPB with goods and services. EPB will proactively find ways to increase contract and supplier opportunities for minority and women-owned businesses. EPB is committed to this and all efforts that will enhance the standard of living and the quality of life within the community we serve.

Policy Statement

It is the policy of EPB of Chattanooga to provide opportunities to minority and women-owned businesses. EPB's mission is to enhance the quality of life in our community by providing energy, communications and related services reliably, efficiently and courteously at competitive prices. In establishing this policy, EPB recognizes its responsibility to the community we serve and to the society in which it conducts business. We understand that small businesses contribute greatly to the overall economic strength of this country. Understanding this, we feel it is our responsibility to afford every opportunity to minority and women-owned businesses to assist in our procurement process.

In adopting this policy, EPB demonstrates commitment to its core values of reliability, efficiency, credibility and innovation while rededicating itself to the value of diversity. We expect our suppliers to reflect these same values so that we may continue to provide the type of service our customers expect.

Through a strong proactive effort, EPB will seek minority and women-owned businesses that are qualified and able to meet our needs. We will provide assistance wherever possible for these businesses. Each department will contribute to the success of this program. The responsibility for this initiative will be coordinated and directed by our Chief Financial Officer. Purchasing will actively support the manager of this initiative (Minority and Women-Owned Business Development), through support and interaction.

Harold E. DePriest
President and CEO
EPB of Chattanooga

Objectives

The basic objective of the Minority and Women-Owned Business Development Program is to provide the opportunity for Minority and Women-Owned Business Development enterprises to establish a mutually profitable business relationship with EPB. To accomplish this, our objectives are:

- A. Identify those goods and services for which minority and women-owned businesses have the capability of becoming a source of supply,
- B. Actively and diligently seek out minority and women-owned businesses having the capability of supplying those goods and services necessary for EPB's varied operations,
- C. While satisfying the normal requirements for business goods and services, use the identified minority and women-owned businesses whenever possible, thereby increasing the volume of expenditures into the minority business community,
- D. Participate in the nurturing of minority and women-owned businesses, aiding those businesses in becoming competitive, viable and self-sustaining enterprises,
- E. Foster relations within the minority and women-owned business community.

The Rationale Behind a Minority and Women-Owned Business Development Program

Developing a minority business development initiative for EPB has always been a part of our mission. Understanding that it is our duty to include all segments of our community into our procurement efforts has always been our consideration.

In order to serve those businesses that have been traditionally and historically challenged, we at EPB have elected to formalize and increase our efforts to ensure that all parts of our community have equal opportunity to do business with us.

It is essential that each employee put forth a concerted effort to assist the company in fulfilling its mission. It is imperative that each employee recognize that this is not a social issue, but a business decision made by the Management and Board of EPB. We expect each employee to recognize that when procuring goods and services they have a responsibility to provide equal opportunities to minority and women-owned businesses and to exhaust every resource to locate and provide effective and fair consideration.

We carry a commitment to all of our customers to provide a high quality product and good service at the best possible cost. If minority and women-owned businesses can provide EPB with this same commitment, it is the responsibility of our company to provide equal access and opportunities to these businesses.

EPB's Approach to The Minority and Women-Owned Business Development Initiative

The key to EPB's success in this initiative is our commitment to this program and our setting goals to achieve them. But having the ability to meet these commitments is not enough, we must be able to change our attitudes and clearly provide a defined program that everyone supports.

Merely setting a program in place is not enough; we must understand what is being proposed. This effort is not just for the assistance of minority and women-owned businesses, but is beneficial to the total organization.

The issue is sensitive and is sometimes considered controversial. But in the spirit of our company, EPB has always been a leader in this community. We will address such issues by proactively pursuing them when they are preformed for the advancement of our company and the community in which we serve.

We will approach minority and women-owned business development by fostering an inclusion process in procurement that invites the broadest possible participation of suppliers who are able to meet the needs of EPB.

Implementation

EPB has initiated processes to aid minority and women-owned business in their development. Some of the areas we have initiated are:

- Policy, mission and procedures,
- Management Teams to continue discussions on opportunities and problem-solving efforts among buyers, user groups and buying entities,
- Assigned a Manager of Minority and Women-Owned Business Development with responsibility for this effort, acting as ombudsman and advocate,
- Monitoring, accountability and reporting,
- Certification and qualification process,
- Establishment of goals and timetables,
- Advocacy groups and organization involvement,
- Project management.

Role of Purchasing and Manager, Minority and Women-Owned Business Development

The Purchasing and Stores Manager and buyers will work closely with the Minority and Women-Owned Business Manager to determine the company's procurement level and to a large extent, the company's performance level relative to minority and women-owned business participation. Purchasing will work closely with the Manager of Minority and Women-Owned Business Development office to monitor performance throughout the company.

The Manager, Minority and Women-Owned Business Development reports to the President and CEO of EPB. The day-to-day duties are the responsibilities of the Manager, Minority and Women-Owned Business Development. The duties include:

- 1) implementing policy,
- 2) compliance with budgetary restraints,
- 3) ensuring employee awareness,
- 4) conflict resolution,
- 5) adhering to employee needs,
- 6) working closely with Purchasing to ensure that opportunities are found and given to minority and women-owned business suppliers,
- 7) advocating minority and women-owned business opportunities with user areas,
- 8) seeking new supplier resources,
- 9) training of minority and women-owned business resources, and
- 10) community and organizational involvement.

The Manager, Minority and Women-Owned Business is required periodically to report to the Senior Management Team of EPB and the Board of Directors as to the milestones associated with the program. He/she has the responsibility of generating reports throughout the company, keeping each department informed on the progress of the program and to keep each employee informed of new resources and results.

The Purchasing Manager and Minority and Women-Owned Business Development Manager together will ensure that all minority and women-owned businesses receive a fair hearing, information and feedback and an equal opportunity to compete for EPB's business.

Minority and Women-Owned Vendor Program

The purpose of our Minority and Women-Owned Vendor Program is to proactively seek and develop business relationships with minority and women-owned businesses. This will offer competitively priced, high quality products and services and excellent customer service.

How To Get Started

- You must be a business that is Majority Owned by an individual who is an ethnic or racial minority, a woman, or a disabled person, including disabled veterans.
- "Majority Owned" means you must own at least 51% of your business and be involved in personally managing and controlling the daily operations.

How To Qualify For The Program

- Submit pre-qualification and certification forms (which can be obtained by contacting our Minority and Women-Owned Business Development Department at 423-648-1434).

Who Is A Minority

- Minorities are defined as African-Americans, Hispanics, American Indians, Alaskan Natives, Asian-American, Pacific Islanders, Eskimos and Aleuts.

What You Can Expect From EPB

- An equal chance to compete for EPB's business,
- A clear assessment of your supplier potential,
- A reciprocally fair, honest and beneficial relationship.

What EPB Expects Of You

- Quality products and services at a competitive price,
- Timely delivery of products and services,
- Prompt responses to information requested,
- Input on EPB's procurement process,
- Excellent customer service.

In order to create a strong and effective Minority and Women-Owned Vendor Program, EPB continues to establish business programs that are supported and implemented at the executive level. Consistent leadership at the executive level is particularly important. The business rationale for establishing this program includes:

- 1) Awareness of corporate social and economic responsibilities,
- 2) State and Federal requirements,
- 3) Customer and relationship building.

As mentioned previously, support from upper management is key to the program's success. The proper utilization of time, people and resources will assist in achieving the desired results. Additionally, it is beneficial to involve employees in the following support systems:

- 1) The South Region Minority Business Council (a.k.a., ALMSDC),
- 2) Minority and Women-Owned Trade Fairs, Expositions, Local and National Conferences,
- 3) Customer and relationship building.

Buyer/End-User Role

The role of the Purchasing Buyer is to negotiate and contract on behalf of EPB.

- 1) The Purchasing Buyer's highest priorities are to secure contracts benefiting EPB and to carry out the procedures of the Minority and Women-Owned Vendor Program.
- 2) The Purchasing Buyer will fully recognize, understand and be sensitive to the minority and women-owned business efforts.
- 3) The Purchasing Buyer will be open to innovative means to utilize minority and women-owned businesses.
- 4) The Purchasing Buyer will carry out their duties in a courteous, timely and professional manner.
- 5) The Purchasing Buyer oversees all agreements to assure the supplier meets requirements in the areas of quality, timeliness and competitive pricing.
- 6) The Purchasing Buyer will work with User Departments on qualifying minority and women-owned businesses.

The subject of race and gender must be addressed. The term "minority" can sometimes evoke a negative connotation. Webster defines minority as the "smaller of two groups forming a whole; a racial, religious or other group different from the larger group of which it is part." It must be understood that minority and women-owned businesses are disadvantaged by virtue of not having the same opportunities and access to capital as majority companies.

Assessing Suppliers Capabilities

Management's willingness to invest time and effort into assessing the suppliers' capabilities is crucial to successfully implementing EPB's Minority and Women-Owned Vendor Program. At the completion of the assessment, all potential suppliers will fall into one of these categories: Qualified, Qualifiable and Unqualified.

Qualified

A "qualified" business is one that is fully capable of performing all supplier functions necessary in a manner consistent with normal business operations. Without any additional assistance, the qualified supplier will be able to perform.

Qualifiable

The category where minority and women-owned businesses may fall. A "qualifiable" business is one that possesses strong capabilities and significant potential to perform all supplier functions. However, to be successful, these suppliers need limited assistance, generally in the area of understanding what the company requires. By providing this assistance, both the supplier and EPB will benefit and valuable resources will be developed.

Unqualified

"Unqualified" businesses are unable to perform the necessary functions and do not currently have the potential to do so. Providing guidance as to why these businesses are not qualified and suggesting more promising areas is often the best course of action.

The assessment and bidding processes are good tools to use for preparing minority and women-owned businesses to succeed as suppliers. While guarding the confidentiality of other businesses, it is important to make these businesses aware of why they lost a bid. Our constructive assistance will increase their future competitiveness. Although minority and women-owned businesses may not seem totally receptive to constructive assistance at first, the value of our efforts will be recognized as we continue to work with them.

Pre-Qualification

Pre-qualification is the process by which the initial assessment of potential suppliers is made. Areas of concern would include business category, products/services offered, resources available and competitive pricing.

Pre-qualification information will be evaluated by the buyer(s) and end-user(s) as decided by EPB to determine the potential of the minority and women-owned business as a supplier. This would involve reviewing the products and services, as well as reference checks, to determine if they meet the standards of the company. Upon completion of the review, the supplier will be designated in one of three categories: Qualified, Qualifiable or Unqualified.

In fairly assessing suppliers, it is important to notify the potential supplier of not only how they ranked, but also the basis for the ranking. False expectations hurt both the company and the supplier.

Minority and women-owned businesses should be proactively sought through all resources available to EPB.

Certification

In order to assure accurate information and program compliance, minority and women-owned suppliers seeking an opportunity to be added to EPB's vendor database, will be required to submit a completed certification form. The certification process used by EPB is a "self" certification process.

It must be understood that certification cannot be used to preclude a supplier from participating in procurement practices. It is the pre-qualification process that will determine if a supplier is qualified to be included in EPB's database. Other forms of certification will be accepted such as certification from trade associations, state and federal agencies.

The Manager of Purchasing and Stores will be responsible for filing these forms for EPB.

For a Minority and Women-Owned Business Development Program to succeed, adequate training must bolster it. Because of the level of expertise and objectivity required, it is inadvisable to utilize an in-house trainer or proficient employee to perform this critical function. A professional minority and women-owned business trainer (Consultant) is generally the most effective resource.

The trainer's major responsibility is to identify and cultivate the specific skills necessary to ensure the program's success. Through the positive imparting of the program goals and objectives, the trainer will create broad-based support for the Minority and Women-Owned Vendor Program.

Classifications of individuals who will participate in the training sessions include:

- Executives
- Managers
- Supervisors
- Buyers
- User Department Buyers
- Technical Specification Experts
- Other employees involved in the buying process

The Management responsible for the Minority and Women-Owned Business Vendor Program will preside over all aspects of the training process such as:

- Assembling preplanning meetings with key buyers, purchasing staff and user departments.
- Identifying training needs and aspirations and providing feedback as to how the training program should proceed.
- Reviewing the trainer and assess his/her proposed format, training materials and presentation style.
- Attending training sessions will ensure the training fulfills need.

Glossary of Terms

Bid - A quotation, proposal or offer by a bidder or contractor to perform or provide labor, materials, supplies or services for a price.

Bidder - Any person who submits a quotation, bid, offer or proposal to provide labor, materials, supplies or services for a price.

Certification - To attest as being or as represented or as meeting a standard.

Commitment - An agreement or pledge to do something in the future; being obligated or emotionally impelled.

Compliance - The act or process of complying to a desire, a demand, or proposal or to coercion.

Consignment - To set apart; something consigned with the provision that payment is expected only on completed sales.

Consortium - A cooperative arrangement among an association of businesses.

Contractor - A person that contracts to perform work or provide goods, supplies or services.

Disadvantaged Business Enterprise (DBE) - A business of which at least 51% is owned (or, in the case of publicly owned businesses, at least 51% of the stock) by minority or other disadvantaged individuals, as established by the Small Business Administration, the management and daily operations of which are controlled by such individuals.

Disparity - The condition that has prevented disadvantaged and small businesses from having equal access to contractual services.

Diversity -The quality of being diverse; a variety or multi-formity.

Goods - Something that has economic utility or satisfies an economic want, having intrinsic value, but usually excluding money, securities, and negotiable instruments.

Joint Venture - An association of two or more persons, partnerships, corporations or any combination of them, established to carry on a single business activity which is limited in scope and duration.

Large Business (LB) - A major corporation with more than 500 employees.

Mentor - A trusted counselor or guide.

Minority Business Enterprise (MBE) - A minority business that is at least 51% owned, controlled and operated by one or more racial or ethnic minority persons.

Minority Members - Members of a socially or economically disadvantaged group, which includes African-American, Hispanics, American Indians, Asian-Americans, Alaska Natives, Pacific Islanders, Eskimos and Aleuts.

Partnership - One associated with another in an activity or a sphere of common interest. When a supplier of goods and services enters into an agreement to provide quality products and services to you at a competitive price, and in a timely manner at an advantage that is mutually beneficial.

Pre-qualification - For purposes of determining whether a business is a Minority Business Enterprise or Women-Owned Business Enterprise, the minority or the women-owner(s) shall:

- A. Possess and exercise the legal authority and power to manage business assets, goodwill and daily operations of the business, and
- B. Actively and continuously exercise such managerial authority and power in determining the policies and directing the operations of the business

Procurement - To obtain goods or services by particular care and effort.

Sealed Bid - A bid submitted with a closure that must be broken to be opened and that thus reveals tampering.

Small Business (SB) - A business independently owned and operated which is not dominant in its field and which meets Small Business Administration standards as to the number of its employees, generally under 500, and/or dollar volume of its business.

Small Business Administration (SBA) - A Federal Agency dedicated to the concerns of small business. This agency administers and advocates public policy.

Small Business Enterprise (SBE) - A business that is not dominant in its field and meets the specific size requirements under gross dollar volume and employee level as set for each industry by the SBA.

Subcontract - A contract, purchase order, amendment or other legal obligation executed by the prime contractor/subcontractor calling for supplies or services required for the performance of the original request.

Supplier – Any business that makes available for use, quantities of goods or services offered for sale at a particular time at one price.

Women-Owned Business (WOB) - A business that is at least 51% owned by a non-minority woman who controls the daily management.

Legislation Affecting Minority Purchasing

Since 1968 when the Small Business Administration's 8(a) program was first established to channel federal purchases to socially or economically disadvantaged owners of small businesses, legislation affecting minority purchasing has appeared regularly. The following is a brief summary of the legislation and their major points.

Executive Order 11485 (1969)

Established the U.S. Office of Minority Business Enterprise within the Department of Commerce with the purpose of mobilizing federal resources to aid minorities in business.

Executive Order 11625 (1971)

Expanded Executive Order 11485 and gave the Secretary of Commerce the authority to implement federal policy in support of minority business enterprise programs, provide technical and management assistance to disadvantaged businesses and coordinate activities between all federal departments to aid in increasing minority business development.

Public Law 95-89 (1977)

Increased loan authorization and surety bond guarantee authority to minority businesses.

Public Law 95-507 (1978)

Mandated that bidders for federal contracts in excess of \$500,000 for goods and services and \$1,000,000 for construction submit a plan which includes percentage goals for the utilization of minority businesses prior to contract award.

H.R. 1961 (1985)

Established criminal penalties for front companies stating that any false statement knowingly made to any party for the purpose of obtaining an 8(a) contract, a small business set aside, a subcontract award under Section 8(d) subcontracting plan, or a contract awarded under the ten-percent set aside of the Surface Transportation Act of 1982, would be a crime punishable by a fine and/or a jail term of five (5) years.

Public Law 99-661 (1986)

Required affirmative efforts by all government contractors towards 3-year goal of 5% minority (disadvantaged) business participation in DOD procurements. It provided that contractors: 1) 'to the extent practical' must demonstrate full compliance with the intent of the legislation; 2) may pay no more than fair market price (which may exceed 10% of the market price); 3) may be criminally prosecuted for acts of misrepresentation; and 4) must report utilization for all separate groups that make up the protected class of minorities.

Manager for Minority and Women-Owned Business Development

Manager will act as advocate and Ombudsman for the program. He/she will coordinate activities and train minority and women-owned businesses on what is expected as a supplier of EPB.

He/she will develop and mentor those businesses needing assistance.

He/she will report directly to the Executive Vice President and have a dotted line reporting relationship to the President and CEO.

Job Description: Manager, Minority and Women-Owned Business Development

Functionalization:

To better serve the minority and women-owned businesses interested in supplying EPB with products and services, the position of Manager, Minority and Women-Owned Business Development will serve in a leadership position for EPB of Chattanooga, Tennessee. This will require the manager to work with the Chief Financial Officer, Manager Purchasing and Stores, and with the Buyers and End-Users in each department of EPB.

The Chief Financial Officer will give the Manager, Minority and Women-Owned Business Development direction and guidance. He/she will receive instructions for the program from the President and CEO, as related to the company's policy and goals for this program and initiative. The manager will report regularly to the President and occasionally on an "as needed basis," providing pertinent findings and information regarding this initiative.

He/she will make regular reports to the officers of the company, possibly through executive staff meetings. He/she will assist in areas of external affairs, economic development, community relations and government areas related to minority and women-owned business and community-related issues at EPB.

The Manager, Minority and Women-Owned Business Development will be required to work closely with department heads whose areas have and offer greater opportunities for the success of the program. He/she will work regularly with the purchasing area, to ensure equal access and opportunities are provided to these businesses. He/she will provide guidance and leadership to those areas of the company needing training and assistance with minority and women-owned businesses.

The Manager, Minority and Women-Owned Business Development will proactively seek new business resources. He/she will provide the community in which EPB serves with information on this initiative. He/she will provide leadership and guidance to those businesses needing assistance in proper instruction for locating the individual(s) in the areas in which the supplier serves. He/she will provide proper leadership and guidance in correcting problems and conflicts associated with the program.

The Manager, Minority and Women-Owned Business Development will work closely with the community, organizations and government entities advocating minority and women-owned business interest. Through local and regional business organizations, the Manager, Minority and Women-Owned Business Development will attend awareness programs, trade-fairs, training sessions and symposiums on minority and women-owned business issues.

The Manager, Minority and Women-Owned Business Development will lead a team of officers, managers and subordinates in a team building effort. The "Management Team" will meet on a regular basis to discuss issues, define opportunities, resolve problems and to develop new approaches to developing and utilizing minority and women-owned businesses.

The Manager, Minority and Women-Owned Business Development will have the responsibility for reporting internally and externally the achievements of the program. He/she will be responsible for reporting goals and objectives for compliance reasons. He/she will report achievements to the Board of Directors, EPB.

Description (what is expected):

1. Must operate within budget.
2. Must increase minority and women-owned business participation by:
 - a. Developing a list of existing suppliers,
 - b. Developing a list of qualified supplier resources,
 - c. Developing a listing of products and services utilized by EPB,
 - d. Identify gaps that exist between current suppliers and requirements,
 - e. Develop strategy for filling gaps,
 - f. Develop a quality analysis for existing suppliers to identify capacity, experience, technical expertise, reliability, problem resolution, etc.,
 - g. Develop market analysis for geographic locations to identify suppliers that can provide materials and services for such areas for future projects.
3. Maintain or provide customer relations.

Work Dimensions and Traits:

1. Should have a four- (4) year college degree or a two- (2) year technical degree.
2. Able to act spontaneously to challenges.
3. Should have a good working knowledge of company and its business.
4. Non-militant personality and attitude.
5. Well spoken, able to speak in public forums; good analytical skills.
6. Capable of building relationships and forming alliances.
7. Able to perform work as outlined by EPB officers.
8. Able to provide leadership and guidance.
9. Able to think "out of the box."
10. Must have good mathematical background.
11. Must have people skills.
12. Judgment skills; mental ability to form an opinion, distinguish relations and draw sound conclusions.

Career Growth Goals:

Training, promotional opportunities and considerations should be consistent with management development outlined by officials of EPB.

Major Strengths and Skills:

Integrity, initiative, energy, builds relationships, implements and sponsors change, promotes innovation and creativity, negotiates, flexible, motivates, time management and fosters two-way communication.



EPB Chattanooga, TN

Quality Value Analysis (QVA) Supplier Questionnaire Certification Form

Your company is being considered as a potential bidder. Please complete the following questionnaire in its **entirety** and return to us. This information is to assist us in accurately identifying the type of work you perform. All information submitted will be considered confidential and treated accordingly.

Failure to answer all questions and provide all information requested may result in your company not being considered as a potential bidder when it might otherwise have been. Please complete to the best of your ability. If some area of this questionnaire does not fit your business, please note by placing N/A (not applicable).

<h3>I. General Information</h3>

A. Provide the following information:

Company Name _____

Previous Company Name(s) _____

Tax I.D. Number _____

Street Address/Zip _____

Mailing Address/Zip _____

City/State _____

County _____

Telephone/Fax _____

E-Mail Address _____

Pager/Cellular Phone _____

B. Principal Officers, Key Personnel and Persons to Contact

Name

Title

C. Name and Title of Owner(s) _____

D. Emergency Contact (Please provide names and telephone numbers of individuals who can be contacted to render assistance in case of an emergency during non-working hours).

Name

Title

Signature of Preparer

Date

Signature of Authorized Representative

Title

II. Business Qualification

**Complete below to identify your company as Large, Small, Women or
Minority-Owned**

- ☐ **Large Business Concern** – A major corporation with more than 500 employees.
- ☐ **Small Business Concern** – A business independently owned and operated which is not dominant in its field and which meets Small Business Administration standards as to the number of its employees, generally under 500, and/or dollar volume of its business.
- ☐ **Minority or Women-Owned Business Concern** – A business, at least 51% of which is owned (or, in case of publicly owned businesses, at least 51% of stock of which is owned) by one or more minority individuals, women, disabled individuals (including disabled veterans) or other individuals found to be disadvantaged, and whose management and daily operations are controlled by such individuals

Check appropriate boxes below:

- ☐ Male
- ☐ Female
- ☐ African-American
- ☐ Hispanic-American
- ☐ Asian-Pacific American
- ☐ Native American (American Indian, Eskimo, Aleut)
- ☐ Women Owned Business Concern - A business that is at least 51% owned by a non-minority woman who controls the daily management
- ☐ Disabled individual (including disabled veterans).

Certification Status

- ☐ My Company is certified by an authorized agency (attached copy).
- ☐ I hereby self-certify my status as a Minority or Woman-owned company.

III. Products

A. Provide a list of the principal products produced, fabricated, manufactured, or distributed by your company. Include descriptive brochures and literature which may assist in the assessment of your capabilities.

B. List those manufacturers for whom you are a licensed distributor:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

IV. Work History

A. Has your Company ever done work for EPB?

If so, list project, place, amount, and percent complete.

Project Name

Location

Approx. Contract Amount

B. Provide a resume of work performed by your firm within the last five (5) years.

Information shall include:

- Owner and/or Client to include name of representative and telephone number;
- magnitude of contract in dollars;
- list General Contractor - include representative and telephone number;
- type of work performed;
- location of work;
- completion data (at least one);
- any pertinent information about the project.

C. Provide any company literature you have which will provide additional pertinent information about your company.

D. Please list the products and services you are capable of offering to EPB.

E. Please indicate if you are presently doing business with EPB and who are the contacts.

V. Business References

List name, location, phone # of person(s) with whom you have done business.
Please attach additional sheet(s) if necessary.

VI. Organization

- A. Type of business: _____ Sole Proprietorship _____ Partnership _____ Corporation
- B. Nature of business:
_____ Assembly Shop _____ Distributor _____ Manufacturer's Rep
_____ Supply House _____ Manufacturer
- C. Date business founded _____
Under present management since _____
- D. Plant size (SF) _____ Total # of employees _____
- E. Geographic location serviced by your company _____

- F. Preferred job cost range
Minimum _____ Maximum _____

G. Facilities and equipment owned (major items pertinent to service being proposed)

H. List by priority the top six services your company provides:

1. _____ 4 _____
2. _____ 5 _____
3. _____ 6 _____

VII. Financial Information

- A. Net worth _____
- B. Annual dollar volume with our firm (last 3 years)
20__ _____ 20__ _____ 20__ _____
- C. Banking references _____
- D. Attach most current annual report or notarized financial statement. If document cannot be made available, please provide the following information at a minimum: current assets, net fixed assets, other assets, current liabilities and other liabilities.

VIII. Contractor's Representation and Certification

A. Has your firm been certified by a Federal or State Agency, Municipality or other organizations as a Minority Business Enterprise or Women-Owned Business Enterprise?

If yes, attach a copy of the certification form.

If not, do you represent any MBE/WBE manufacturers/suppliers? ____ Yes ____ No

If yes, please identify those contractors and provide names, addresses and phone numbers.

B. What is your normal MBE/WBE sub-tier participation in other projects?

MBE _____ % WBE _____ %

C. What special programs does your company offer, such as stocking, consignments, etc.?

D. Do you have any Quality Management Procedure, such as ISO-9000?

Yes _____ No _____

Licensing Information

License Number	State	Type of Work for Which Licensed

Bidding Interest

A. Type of work _____

B. Counties/State/Countries _____

C. Type of work usually subcontracted _____

XI. Quality Assurance Program

- A. Does your company have a formal quality assurance program? ____Yes ____No (If no, complete C)
- B. Does your quality assurance program meet:
____ ANSI N45.2 ____10CFR50.Appendix B ____Other (Explain)
- C. Have you performed on contracts under a quality assurance program of an owner or a prime contractor, and if so, what contracts or program? _____

XII. Engineering and Technical Support

- A. How many and what types of engineering degrees do your employees have? _____
-
- B. How many are Registered Professional Engineers? _____
- C. Do you or have you utilized Engineering Consultants for engineer support?
____ Yes ____ No Firm Used _____
- D. Would you be willing to acquire engineering support, if required? _____

P.O. Box 182255 Chattanooga,
Tennessee
37422-7255
www.epb.net



Dear Valued Supplier:

We at EPB appreciate the contribution our suppliers make toward our success. Therefore, in an effort to better match your services and products with our needs, we are redefining and updating our supplier information.

To ensure that your company will be considered as an EPB supplier, please complete the enclosed form. Be aware that failure to complete this form could result in your company being deleted from our current procurement system.

Upon completion of the enclosed form, please mail it in the enclosed self-addressed envelope so that the information may be properly processed.

Again, we at EPB thank you for your cooperation and the products/service you provide.
Sincerely,



Supplier Information Form

Please type the following information

COMPANY NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

E-MAIL ADDRESS: _____

CONTACT PERSON: _____

TITLE: _____ PHONE: _____ FAX: _____

FORM PREPARED BY: _____

TITLE: _____ PHONE: _____ FAX: _____

PRINCIPLE PRODUCT/SERVICE: _____

_____ I AM _____ AM NOT A CURRENT SUPPLIER

TAX I.D. NUMBER: _____

This is to certify that this business qualifies as: (check all that apply)

- ☐ **LARGE BUSINESS CONCERN** – A major corporation with more than 500 employees.
- ☐ **SMALL BUSINESS CONCERN** – A business which is not dominant in its field and which meets small business administration standards as to the number of its employees and/or dollar volume of its business. (generally, under 500 employees).
- ☐ **MINORITY BUSINESS CONCERN** – A business at least 51% of which is owned (or in the case of publicly owned businesses. At least 51% of the stock of which is owned) by one or more minority individuals or individuals found to be disadvantaged as established by the Small Business Administration and whose management and daily operations are controlled by such individuals. (check below)
- _____ African-American _____ Male
_____ Hispanic-American _____ Female
_____ Asian-Pacific
_____ Native American (American Indian, Eskimo, Aleut)
- ☐ **WOMEN-OWNED BUSINESS CONCERN** – A business that is at least 51% owned by a non-minority woman who controls daily management.
- ☐ **BUSINESS OWNED BY DISABLED PERSON (INCLUDING DISABLED VETERAN)** - A business that is at least 51% owned by a disabled person (including a disabled veteran) who controls daily management.

Certification Status

- ☐ My company is certified by an authorized agency (attach copy).
- ☐ I herewith self-certify my status as a minority or woman-owned company.

Signature of Preparer

Date