

ATTACHMENT C

PURCHASES FROM SMALL, MINORITY, AND WOMEN OWNED BUSINESSES

Objective:

The Tennessee Board of Regents (TBR Institutions), consistent with state and federal law, seek to optimize opportunities for entering into contractual or purchasing opportunities with minority-owned businesses, woman-owned, and small businesses. TBR Institutions will seek to do business with firms and organizations that demonstrate and foster commerce with diversity businesses within their programs and policies. Through these efforts TBR Institutions will actively pursue its goals of building a more reflective marketplace for the community within the State of Tennessee.

TBR Institutions will fully cooperate and seek guidance from the Governor's Office of Diversity Business Enterprise (GO-DBE) to meet this objective.

Supporting Legislation:

TCA §§12-3-101, 12-3-103 and 12-3-801 through 12-3-808.

Tennessee Minority Owned, Woman Owned and Small Business Procurement and Contracting Act

Executive Order Number 14 issued December 8, 2003.

Definitions:

Minority-owned business – A continuing, independent, for profit business which performs a commercially useful function and is at least 51% owned and controlled by one or more minority individuals who are impeded from normal entry into the economic mainstream because of past practices of discrimination based on race or ethnic background in accordance with the provisions of T.C.A. § 12-3-802.

Woman-owned business – A women owned business that is a continuing, independent, for profit business which performs a commercially useful function, and is at least 51% owned and controlled by one or more women; or, in the case of any publicly owned business, at least 51% of the stock of which is owned and controlled by one or more women and whose management and daily business operations are under the control of one or more women in accordance with the provisions of T.C.A § 12-3-802.

Small business – A business which is independently owned and operated, in accordance with the provisions of T.C.A § 12-3-802, and is not dominant in its field of operation.

Procedures:

1. TBR Institutions shall incorporate diversity language into the vendor application/registration process.
2. TBR Institutions shall ensure that minority owned, woman owned and small businesses are included when soliciting bids for awarding of contracts or purchasing goods or services, through the purchasing department, whenever practicable. These businesses are subject to and governed under the same policies and procedures applicable to all businesses in relationship to terms, price, conditions, and quality for participation in procurement activities with the State of Tennessee.
3. TBR Institutions will request diversity information for all bids and requests for proposals processed through Purchasing Departments.
4. The Governor's Office of Diversity Business Enterprise has compiled a comprehensive directory of minority owned, woman owned and small businesses. This directory and TBR Institutional lists of qualified bidders will be used in locating potential sources for various products and services. The directory maintained by the State of Tennessee is located on the world-wide-web at: www.tennessee.gov/diversity or intranet site at www.intranet@state.tn.us. The State of Tennessee's database provides a listing of diversity businesses including industry capabilities for which these vendors are registered.
5. Vendor/bidder complaints that may lead to the cancellation or termination of contracts or purchase orders awarded to diversity businesses registered with

the Governor's Office of Diversity Business Enterprise, and will be shared with the Director of the Governor's Office of Diversity Business Enterprise.

6. The Tennessee Board of Regents shall provide a report to the Governor's Office of Diversity Business Enterprise, as requested.

Related Policies and Guidelines:

Policy No. 4:02:10:00

Guideline No. G-030