

CLASSIFIEDS

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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

RONALD BRYANT and)
KENNETH SMITH, individually)
and on behalf of all others)
similarly situated,) Civil No. 91-256-MA
)
)
Plaintiffs,) NOTICE
v.)
)
FRED PEARCE, G. H. BALDWIN,)
C. B. TAYLOR, and JOHN DOE 1)
through 10,)
)
Defendants.)

TO: All persons of African-American descent who are or were inmates confined at the Eastern Oregon Correctional Institution or the Oregon State Correctional Institution.

The plaintiffs, Ronald Bryant and Kenneth Smith, charge that since at least March 26, 1984, the defendants, Fred Pearce and other members of the Oregon Department of Corrections, have unconstitutionally assigned inmates of African-American descent to their individual housing units at the Eastern Oregon Correctional Institution (EOCI) and the Oregon State Correctional Institution (OSCI) based upon their race or skin color and as a result those inmates have suffered damages. The defendants admit liability.

The Court has ruled that this lawsuit may be temporarily maintained as a claim on behalf of a class consisting of all persons of African-American descent who were assigned to their individual housing units at EOCl and OSCl based upon their race or skin color at any time during the period between March 26, 1984 and March 26, 1992, unless the class member was finally released from incarceration prior to March 26, 1989. The Court has also preliminarily approved the Settlement Agreement entered into by the parties.

Counsel for plaintiffs and the Class represented by them have investigated the facts and circumstances underlying the issues raised by the pleadings, and the applicable laws, have conducted discovery, and have concluded that it would be in the best interests of the named plaintiffs and the Class they represent to settle the Action upon the terms set forth in the Settlement Agreement and that such terms are fair, adequate and reasonable.

SUMMARY OF THE ISSUES AND CONTENTIONS

The following description of the action and the proceedings is merely a summary. A complete set of all documents in this action, including the Settlement Agreement, is available for inspection and copying at any time from 10:00 a.m. to 4:00 p.m. Mondays through Fridays holidays excepted, at the Office of the Clerk.

This case was brought by Ronald Bryant and Kenneth Smith, who are African American prisoners housed at the Eastern Oregon Correctional Institution (EOCI). They allege that at least since March 26, 1984, defendants Fred Pearce and other members of the Oregon Department of Corrections have unconstitutionally assigned inmates of African-American descent to their individual housing units at the EOCl and the Oregon State Correctional Institution (OSCI) based upon their race and skin color and as a result those inmates have suffered damages.

By Order dated February 11, 1992, the Court temporarily certified plaintiffs as representatives of a class including "all persons of African-American descent who were inmates at EOCl or OSCl between March 26, 1984 and March 26, 1991, who were not finally released from incarceration prior to March 26, 1989 and who were assigned to their individual housing units based upon their race or skin color."

IF YOU ARE A CLASS MEMBER, THIS NOTICE AFFECTS YOUR RIGHTS.

SUMMARY OF SETTLEMENT TERMS

The following description of the proposed settlement is a summary only, and reference shall be made to the full text of the Settlement

Agreement on file with the court and available for inspection in the manner mentioned previously.

The parties agree that defendants will pay to the members of the class the sum of \$375,000.00 in settlement of all claims concerning the housing assignments of the class members based on race or skin color during the affected period. The sum of \$375,000.00 to be paid to the members of the class is inclusive of attorney fees, costs and expenses incurred by plaintiffs' and class members' counsel, in an amount to be determined by the Court.

All fees, costs and expenses that are incurred in administering and distributing the Settlement Fund and in providing all notices to the Class shall be borne and paid for by defendants.

Payment to members of the class will be paid from the Settlement Fund on a **pro rated** basis with the exception that the named plaintiffs will receive an additional share of the fund from their services on behalf of the class, so that all class members included will receive the same amount, with the exception noted.

If more than ten percent (10%) of the number of potential class members who file claim forms (opt into the class) opt out of the class, then defendants may have a rebate or refund to them of a proportionate pro rate share of the Settlement Fund for those persons over ten percent (10%) who opt out of the class.

The amount of the settlement that you will receive will depend upon how many other class members seek to participate in the settlement; the fund will be divided equally among all those class members who seek compensation and file claim forms, so long as not more than ten percent (10%) opt out of the class, with the exception that the named plaintiffs will receive an additional share of the fund for their services on behalf of the class.

ADDITIONAL INFORMATION

Any questions you have concerning the matters contained in this notice (and any corrections or changes of name or address) should NOT be made to the court but should be directed in writing to: Roy S. Haber or Spencer M. Neal, 815 S.W. 2nd Avenue, #500, Portland, Oregon 97204.

You may, of course, seek the advice and guidance of your own attorney if you desire. The pleadings and other records in this litigation may be examined and copied at any time during regular office hours at the Office of the Clerk, 516 United States Court-house, 620 S.W. Main, Portland, Oregon.

CLASS MEMBERS RIGHTS

*** In order to be included within the class and receive funds under this settlement, you must send a letter to Spencer M. Neal or Roy Haber, 815 S.W. 2nd Avenue, Suite 500, Portland, Oregon 97204, by mail post-marked no later than April 15, 1992, indicating you wish to be a member of the class. Please give your correct name and address, the approximate dates you were incarcerated at OSCl and EOCl, and your institution number, if available, for identification purposes. **IF YOU SEND A LETTER TO MR. NEAL OR MR. HABER AND IF YOU ARE ELIGIBLE, YOU WILL RECEIVE FUNDS FROM THE SETTLEMENT AND WILL BE BOUND BY THE FINAL JUDGMENT IN THIS CASE.**

*** If you wish to be excluded from the class, you must send a letter to Spencer M. Neal or Roy Haber, 815 S.W. 2nd Avenue, Suite 500, Portland, Oregon 97204, by mail post-marked no later than April 15, 1992, indicating you wish to be excluded from the class. **IF YOU SEND A LETTER INDICATING YOU WISH TO BE EXCLUDED FROM THE CLASS TO MR. NEAL OR MR. HABER, YOU WILL NOT SHARE IN ANY OF THE SETTLEMENT FUNDS AND WILL NOT BE BOUND BY THE FINAL JUDGMENT IN THIS CASE.**

If you do not respond to this notice, you may not receive any settlement funds and you may be bound by the final judgment in this case.

*** If the settlement is finally approved and you have not contacted Mr. Neal or Mr. Haber by April 15, 1992, you will not receive any settlement funds and you will lose your right to pursue further legal action.

DONALD M. CINNAMOND
CLERK OF THE COURT
UNITED STATES DISTRICT COURT

Advertisement for Bid:

Document 00020

The Port of Portland
Portland Ship Repair Yard
Terminal 1, Berth 104
MARAD Improvements

Sealed bids for the Portland Ship Repair Yard, Terminal 1, Berth 104, MARAD Improvements, will be received at the office of the Manager, Contracts and Procurement, of The Port of Portland, 700 N.E. Multnomah Street, 15th floor, Portland, Oregon (Mailing address: P.O. Box 3529, Portland, Oregon 97208) until, but not after, 2 p.m. March 3, 1992, and thereafter publicly opened and read.

Description of work:

Construction of two mooring dolphins; installation of new bollards; modifications to fender system; installation of security fencing; installation of complete water service; installation of complete electrical service; and demolition of existing dolphin (additive alternate).

A prebid conference will be held at 10 a.m. on February 24, 1992, at the Terminal 1, Berth 104 site to discuss all phases of the work.

Please direct technical questions to the Project Engineer, Walt Haynes at (503) 731-7343.

Bids must be on the bid form which will be provided to prospective bidders and must be accompanied by a certified or cashier's check drawn on a United States bank or a bid bond payable to The Port of Portland in an amount equal to at least 10 percent of the total amount bid.

Bidders are required to prequalify in the following category:

Reinforced Structural Concrete - Retaining Walls, Buildings, Bridges, Water Reservoirs

Prequalification applications must be submitted not later than 5 business days prior to the bid opening date.

The drawings and the contract manual may be examined at Port offices. Copies may be obtained by prospective bidders at no cost from Contracts and Procurement (address above).

No bid will be received or considered unless it contains a statement by the bidder as a part of the bid that the provisions of ORS 279.350 (regarding prevailing wage rates) are to be complied with.

Bidders are required to state whether or not the bidder is a resident bidder, as defined in ORS 279.029. (Reference Article 3 in the Instructions to Bidders.)

No bid will be received or considered unless the bidder is registered with the State of Oregon Construction Contractors Board, pursuant to ORS 701.055 (1), prior to submitting a bid. (Reference Articles 10, 12, and 13 in the Instructions to Bidders.)

A license under ORS 468A.720 is required for work involving asbestos.

Bids may be rejected if not in compliance with bidding procedures and requirements. Any or all bids may be rejected if in the public interest to do so.

The Port of Portland
Ron Stempel, Manager
Contracts and Procurement

Request for Proposals

Since its establishment in 1941 the Housing Authority of Portland has been Portland's major provider of safe, decent, affordable housing to the lower income community. The Housing Authority, through its several programs, provides housing assistance to over 7,300 households. A portion of this housing (251 housing units) is directly owned by the Authority and is operated within Section 8 New Construction/Moderate Rehabilitation program.

Grace Peck Terrace, Rosenbaum Plaza and Unthank Plaza provide 251 one-bedroom housing units to participants in the Section 8 program. The Housing Authority has managed these buildings through a Property Management agent. The existing Management Agreement has expired and, at this time, the Authority is requesting proposals to manage these sites. Proposals may be made on individual sites or on groups of sites.

Proposals for Management of these three properties will be evaluated on the following criteria: 1) Experience in the management of housing for low income households, 2) Financial resources, financial history and stability of the management company, 3) Management plan for the subject property(s), and, 4) reasonableness of cost for management services.

A Request for Management Proposals packet may be obtained from the Housing Authority of Portland, 8910 N. Woolsey Ave., Portland, Oregon 97203. Proposals must be submitted to the Housing Authority of Portland on or before 2:00 p.m. PST, March 17, 1992. Questions regarding the Request for Proposals may be directed to Mr. Joe Pribil at 735-4215.

Notice of Cancellation of Public Hearing

Notice is hereby given that the public hearing previously scheduled to be held by the Tri-County Metropolitan Transportation District of Oregon (Tri-Met) at 3:30 p.m. Wednesday, February 26, 1992 at the Portland Building, 1120 S.W. 5th Avenue, Second Floor Meeting Room "C" will not be held because no requests for hearing were received.

The hearing would have been held for the purpose of considering a grant application for Section 20 Human Resources Program Assistance for a Disadvantaged Business Enterprise Training program.

The grant application is still available for public inspection at Tri-Met, Public Services Division, 4012 S.E. 17th Ave., Portland, Oregon 97202.

Douglas L. Capps
Executive Director
Public Services Division

Multnomah Education Service District Invitation for Bids

#086-92-206

for furnishing

Dairy Products and Eggs

Bids are solicited to furnish dairy products and eggs for this agency's Environmental Education Outdoor School program. Bids will be received by Michael Mlynarczyk, Purchasing Agent, at 11611 N.E. Ainsworth Circle, Portland, OR 97220-9017 (P.O. Box 301039, Portland, OR 97230-9039) (Phone: 503-257-1791) until no later than 4:00 p.m., Pacific Standard Time (PST), March 5, 1992, at which time and address the bids will be publicly opened, but will not be read aloud.

The successful bidder will not be required to be licensed for asbestos abatement under section 7 of ORS 468.883.

Specifications may be obtained at the above office. Each bid must contain a statement as to whether or not the bidder is a resident bidder as defined in ORS 279.029. The District may reject any bid not in compliance with all prescribed public bidding procedures and requirements, and may reject for good cause any or all bids upon a finding of the agency it is in the public interest to do so. No bid will be considered that is received after the appointed date and time.

Sub-Bids Requested

Tacoma Street I/C
Milwaukie, Oregon
O.D.O.T.

Bid Date: Feb. 27, 1992 9:00 AM

Kiewit Pacific Co.

P. O. Box 1769

Vancouver, Wa 98668

(206) 693-1478 (503) 285-4687

FAX (206) 693-5582

We are an equal opportunity employer and request sub-bids from women and minority-owned business enterprises.

Multnomah Education Service District Invitation for Bids

#015-92-199

for furnishing

School and Office Supplies

Bids are solicited to furnish various school and office supplies for this agency's Cooperative Purchasing program. Bids will be received by Michael Mlynarczyk, Purchasing Agent, at 11611 N.E. Ainsworth Circle, Portland, OR 97220-9017 (P.O. Box 301039, Portland, OR 97230-9039) (Phone: 503-257-1791) until no later than 4:00 p.m., Pacific Standard Time (PST), March 19, 1992, at which time and address the bids will be publicly opened, but because of the voluminous nature of the bids, individual bids will not be read aloud.

The successful bidder will not be required to be licensed for asbestos abatement under section 7 of ORS 468.883.

Specifications may be obtained at the above office. Each bid must contain a statement as to whether or not the bidder is a resident bidder as defined in ORS 279.029. The District may reject any bid not in compliance with all prescribed public bidding procedures and requirements, and may reject for good cause any or all bids upon a finding of the agency it is in the public interest to do so. No bid will be considered that is received after the appointed date and time.

Sub-Bid Requested

Bandon Waste Water Treatment Plant Improvements
Bandon, Oregon

Bid Date: Friday February 28th at 2pm

Wildish Building Company

P. O. Box 7428

Eugene, Oregon 97401

(503) 485-1700 · Fax (503) 683-7722

CCP34429

We are an equal opportunity employer and request sub bids from disadvantaged, minority, women and emerging small business enterprises.