

**-CITY OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2025-49**

**A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR AND DIRECTOR
TO EXECUTE CHANGE ORDER #1 WITH FILLMORE CONSTRUCTION LLC FOR
THE CITY'S 2025 PAVING PROGRAM, AND DECLARING AN EMERGENCY**

WHEREAS, on June 17th, 2025, the City Council adopted Resolution No. 2025-22 and entered a contract with Fillmore Construction LLC ("Contractor") for the construction of the 2025 City of South Lebanon Paving Program in the amount of \$382,940.50; and,

WHEREAS, subsequent to the award of said Contract, the City was awarded Warren County Community Development Block Grant (CDBG) funding for calendar year 2026 for the resurfacing of Hobart Street, which was included in the 2025 Paving Program; and,

WHEREAS, a section of Pike Street from High Street to Section Street was added to the Paving Program based on the poor condition of the pavement in lieu of the Hobart Street portion; and,

WHEREAS, various storm and sanitary sewer contingency items included in the Project bid proposal were non-performed due to the lack of necessity of said items; and,

WHEREAS, per the attached change order form, said changes in the 2025 Paving Program will result in a net decrease of \$148,209.55 to the contract price and a final contract price of \$234,730.95; and,

WHEREAS, immediate action is required to approve said change order and close out the Project in calendar year 2025 and such action is necessary to preserve the public peace, health, safety or welfare of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Lebanon, at least two-thirds of all members elected thereto concurring:

Section 1. Approve Change Order #1 with Fillmore Construction LLC, a copy of which is attached hereto, and further authorize the Mayor and Director of Finance to execute Change Order #1 on behalf of the City for a net decrease of \$148,209.55 and a final contract price of \$234,730.95.

Section 2. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 3. That this Resolution is hereby declared to be an emergency measure in accordance with Section 731.30 of the Ohio Revised Code for the immediate preservation of public peace, health, safety and general welfare; and this Resolution shall be in full force and effective immediately upon its passage.

Section 4. That it is found and determined that all formal actions of the Council concerning and relating to passing this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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Resolution No. 2025-49
Page 3

Adopted this 20th day of November 2025.

Linda S. Burke
Linda S. Burke, Mayor

Attest: [Signature]
Jennifer O'Brien, Clerk of Council

Rules Suspended:	<u>11/20/25</u> (if applicable)
First Reading:	<u>—</u>
Second Reading:	<u>—</u>
Vote:	<u>4</u> Yeas <u>—</u> Nays
Effective Date:	<u>11/20/25</u>

Prepared by and approved as to form:
[Signature]
Chase T. Kirby
Law Director
City of South Lebanon, Ohio

A	B	C	Contract Information				Work Completed				M	N	O	
			D	E	F	G	H	I	J	K				L
Ref. No.	Item No.	Description	Unit of Measure	Item Quantity	Unit Price	Total Contract Price (EXF)	Unit Quantity Completed Previously	Unit Quantity this Pay Application	Amount this Pay Application (FXJ)	Total Unit Quantity Completed to Date (FXK)	Amount to Date (FXK)	Materials Stored	Amount Completed and Stored (L+M)	Balance to Finish (G-N)
Original Contract														
1	611	12" CONDUIT, CPSLP, 707.33, STORM REPAIR	FT.	75	\$100.00	\$7,500.00			\$0.00	0	\$0.00		\$0.00	\$7,500.00
2	611	12" CONDUIT, RCP CL IV, 706.02, STORM REPAIR	FT.	75	\$120.00	\$9,000.00			\$0.00	0	\$0.00		\$0.00	\$9,000.00
3	611	15" CONDUIT, CPSLP, 707.33, STORM REPAIR	FT.	50	\$120.00	\$6,000.00			\$0.00	0	\$0.00		\$0.00	\$6,000.00
4	611	15" CONDUIT, RCP CL IV, 706.02, STORM REPAIR	FT.	25	\$155.00	\$3,875.00			\$0.00	0	\$0.00		\$0.00	\$3,875.00
5	611	18" CONDUIT, CPSLP, 707.33, STORM REPAIR	FT.	50	\$150.00	\$7,500.00			\$0.00	0	\$0.00		\$0.00	\$7,500.00
6	611	18" CONDUIT, RCP CL III, 706.02, STORM REPAIR	FT.	25	\$180.00	\$4,500.00			\$0.00	0	\$0.00		\$0.00	\$4,500.00
7	611	8" CONDUIT, PVC SDR-35, 707.45, SANITARY REPAIR	FT.	75	\$100.00	\$7,500.00			\$0.00	0	\$0.00		\$0.00	\$7,500.00
FOREST AVENUE														
1	253	PAVEMENT REPAIR, AS PER PLAN	S.Y.	242	\$100.00	\$24,200.00			\$0.00	0	\$0.00		\$0.00	\$24,200.00
2	254	PAVEMENT PLANING, ASPHALT CONCRETE, 1-1/2", AS PER PLAN	S.Y.	3452	\$2.00	\$6,904.00	3452		\$6,904.00	3452	\$6,904.00		\$6,904.00	\$0.00
3	407	NON-TRACKING TACK COAT, 0.09 GAL/S.Y.	GAL.	311	\$3.00	\$933.00	311		\$933.00	311	\$933.00		\$933.00	\$0.00
4	441	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, (449), PG64-22	C.Y.	144	\$200.00	\$28,800.00	144		\$28,800.00	144	\$28,800.00		\$28,800.00	\$0.00
5	611	CATCH BASIN ADJUSTED TO GRADE	EACH	5	\$1,500.00	\$7,500.00	5		\$7,500.00	5	\$7,500.00		\$7,500.00	\$0.00
6	611	MANHOLE ADJUSTED TO GRADE	EACH	3	\$1,000.00	\$3,000.00	3		\$3,000.00	3	\$3,000.00		\$3,000.00	\$0.00
7	614	MAINTAINING TRAFFIC, AS PER PLAN	LUMP	1	\$2,500.00	\$2,500.00	1		\$2,500.00	1	\$2,500.00		\$2,500.00	\$0.00
8	638	VALVE BOX ADJUSTED TO GRADE	EACH	5	\$250.00	\$1,250.00	5		\$1,250.00	5	\$1,250.00		\$1,250.00	\$0.00
ZOAR ROAD														
1	253	PAVEMENT REPAIR, AS PER PLAN	S.Y.	302	\$100.00	\$30,200.00			\$0.00	0	\$0.00		\$0.00	\$30,200.00
2	254	PAVEMENT PLANING, ASPHALT CONCRETE, 1-1/2", AS PER PLAN	S.Y.	4312	\$2.00	\$8,624.00	4261		\$8,522.00	4261	\$8,522.00		\$8,522.00	\$102.00
3	407	NON-TRACKING TACK COAT, 0.09 GAL/S.Y.	GAL.	389	\$3.00	\$1,167.00	380		\$1,140.00	380	\$1,140.00		\$1,140.00	\$27.00
4	441	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, (449), PG64-22	C.Y.	180	\$200.00	\$36,000.00	166.87		\$33,374.00	166.87	\$33,374.00		\$33,374.00	\$2,626.00
5	611	CATCH BASIN ADJUSTED TO GRADE	EACH	1	\$1,500.00	\$1,500.00	1		\$1,500.00	1	\$1,500.00		\$1,500.00	\$0.00
6	611	MANHOLE ADJUSTED TO GRADE	EACH	2	\$2,000.00	\$4,000.00	2		\$2,000.00	2	\$2,000.00		\$2,000.00	\$0.00
7	614	MAINTAINING TRAFFIC, AS PER PLAN	LUMP	1	\$2,500.00	\$2,500.00	1		\$2,500.00	1	\$2,500.00		\$2,500.00	\$0.00
8	638	VALVE BOX ADJUSTED TO GRADE	EACH	1	\$250.00	\$250.00	1		\$250.00	1	\$250.00		\$250.00	\$0.00
9	644	EDGE LINE, 4"	MILE	0.7	\$4,950.00	\$3,465.00	0.718		\$3,554.10	0.718	\$3,554.10		\$3,554.10	(\$89.10)
10	644	CENTERLINE	MILE	0.35	\$6,330.00	\$2,215.50	0.356		\$2,253.48	0.356	\$2,253.48		\$2,253.48	(\$37.98)
HOBART AVENUE														
1	253	PAVEMENT REPAIR, AS PER PLAN	S.Y.	161	\$100.00	\$16,100.00			\$0.00	0	\$0.00		\$0.00	\$16,100.00
2	254	PAVEMENT PLANING, ASPHALT CONCRETE, 1-1/2", AS PER PLAN	S.Y.	3145	\$2.00	\$6,290.00			\$0.00	0	\$0.00		\$0.00	\$6,290.00
3	407	NON-TRACKING TACK COAT, 0.09 GAL/S.Y.	GAL.	274	\$3.00	\$822.00			\$0.00	0	\$0.00		\$0.00	\$822.00
4	441	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, (449), PG64-22	C.Y.	127	\$200.00	\$25,400.00			\$0.00	0	\$0.00		\$0.00	\$25,400.00
5	611	CATCH BASIN ADJUSTED TO GRADE	EACH	0	\$0.00	\$0.00			\$0.00	0	\$0.00		\$0.00	\$0.00
6	611	MANHOLE ADJUSTED TO GRADE	EACH	3	\$1,000.00	\$3,000.00			\$0.00	0	\$0.00		\$0.00	\$3,000.00
7	614	MAINTAINING TRAFFIC, AS PER PLAN	LUMP	1	\$2,500.00	\$2,500.00			\$0.00	0	\$0.00		\$0.00	\$2,500.00
8	638	VALVE BOX ADJUSTED TO GRADE	EACH	0	\$0.00	\$0.00			\$0.00	0	\$0.00		\$0.00	\$0.00
VISTA RIDGE DRIVE														
1	253	PAVEMENT REPAIR, AS PER PLAN	S.Y.	318	\$100.00	\$31,800.00			\$0.00	0	\$0.00		\$0.00	\$31,800.00
2	254	PAVEMENT PLANING, ASPHALT CONCRETE, 1-1/2", AS PER PLAN	S.Y.	6363	\$2.00	\$12,726.00	6363		\$12,726.00	6363	\$12,726.00		\$12,726.00	\$0.00
3	407	NON-TRACKING TACK COAT, 0.09 GAL/S.Y.	GAL.	573	\$3.00	\$1,719.00	573		\$1,719.00	573	\$1,719.00		\$1,719.00	\$0.00
4	441	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, (449), PG64-22	C.Y.	266	\$200.00	\$53,200.00	266		\$53,200.00	266	\$53,200.00		\$53,200.00	\$0.00
5	611	CATCH BASIN ADJUSTED TO GRADE	EACH	12	\$1,500.00	\$18,000.00	12		\$18,000.00	12	\$18,000.00		\$18,000.00	\$0.00
6	614	MAINTAINING TRAFFIC, AS PER PLAN	LUMP	1	\$2,500.00	\$2,500.00	1		\$2,500.00	1	\$2,500.00		\$2,500.00	\$0.00
Change Orders														
						\$382,940.50							\$194,125.58	\$188,814.92
PROJECT TOTAL														
COI		PIKE STREET	S.Y.	116	\$49.00	\$5,684.00			\$0.00	0	\$0.00		\$0.00	\$5,684.00
1	253	PAVEMENT REPAIR, AS PER PLAN	S.Y.	2308	\$2.50	\$5,770.00	2308		\$5,770.00	2308	\$5,770.00		\$5,770.00	\$0.00
2	254	PAVEMENT PLANING, ASPHALT CONCRETE, 1-1/2", AS PER PLAN	S.Y.	208	\$6.50	\$1,352.00	208		\$1,352.00	208	\$1,352.00		\$1,352.00	\$0.00
3	407	NON-TRACKING TACK COAT, 0.09 GAL/S.Y.	GAL.	97	\$221.50	\$21,485.50	96.715		\$21,865.37	96.715	\$21,865.37		\$21,865.37	(\$379.87)
4	441	ASPHALT CONCRETE SURFACE COURSE, TYPE 1, (449), PG64-22	C.Y.	97	\$221.50	\$21,485.50	96.715		\$21,865.37	96.715	\$21,865.37		\$21,865.37	(\$379.87)

Ref. No.	Item No.	Description	Unit of Measure	Item Quantity	Unit Price	Total Contract Price (ExF)	Unit Quantity Completed Previously	Unit Quantity Completed this Pay Application	Amount this Pay Application (F+I)	Total Unit Quantity Completed to Date (H+I)	Amount to Date (F+K)	Materials Stored	Amount Completed and Stored (L+M)	Balance to Finish (G-N)
5	611	CATCH BASIN ADJUSTED TO GRADE	EACH	2	\$500.00	\$1,000.00		2	\$1,000.00	2	\$1,000.00		\$1,000.00	\$0.00
6	611	MANHOLE ADJUSTED TO GRADE	EACH	3	\$250.00	\$750.00		3	\$750.00	3	\$750.00		\$750.00	\$0.00
7	614	MAINTAINING TRAFFIC, AS PER PLAN	LUMP	1	\$4,000.00	\$4,000.00		1	\$4,000.00	1	\$4,000.00		\$4,000.00	\$0.00
8	638	VALVE BOX ADJUSTED TO GRADE	EACH	2	\$250.00	\$500.00		2	\$500.00	2	\$500.00		\$500.00	\$0.00
CO1		ADD ADDITIONAL CENTERLINE 2,000' ON LEBANON RD, 100' ON VISTA	LUMP	1	\$5,368.00	\$5,368.00		1	\$5,368.00	1	\$5,368.00		\$5,368.00	\$0.00
CO1		ADJUSTMENT TO QUANTITIES	LUMP	1	(\$194,119.05)	(\$194,119.05)			\$0.00	0	\$0.00		\$0.00	(\$194,119.05)
Change Order Totals						(\$148,209.55)			\$40,605.37		\$40,605.37	\$0.00	\$40,605.37	(\$188,814.92)
Original Contract and Change Orders						\$234,730.95			\$234,730.95		\$234,730.95	\$0.00	\$234,730.95	\$0.00
Project Total						\$234,730.95			\$234,730.95		\$234,730.95	\$0.00	\$234,730.95	\$0.00