

ADDENDUM "A"

**CONTRACT AGREEMENT BETWEEN PYRO SHOWS AND
THE CITY OF GULF SHORES, 2016**

This addendum sets out the terms and conditions in extension or amendment of any terms or conditions otherwise set out in the Contract to which it is attached. In the extent of any conflict or inconsistency between the terms and conditions set out in the addendum and terms or conditions set out elsewhere in the contract, the provision of this Addendum shall control. It contains the complete understanding of the parties hereto and may not be amended, supplemented, varied or discharged except by an instrument in writing. The validity, construction and effect of this Contract shall be governed by the laws of the State of Alabama. The Contract between Pyro Shows, and the City of Gulf Shores, dated the ~~40~~⁴¹th of June, for services performed as described in said contract, shall have the following items constituting an Addendum to Contract.

- I. Security: Pyro Shows Shores shall provide security personnel at the Fireworks Loading Site when Pyro Shows personnel are not working on site.
- II. Insurance: The following shall be named as additional insured: City of Gulf Shores, and Cassidy Brothers Construction. Should other marine equipment be used, said equipment owners shall also be lie insured.
- III. Indemnifications and Liability: Pyro Shows shall hold harmless and indemnify City of Gulf Shores from any demands, claims, causes of action or liability arising from damage to or destruction of real or personal property or bodily or personal injuries, whether arising from tort, contract or otherwise, that occur directly or indirectly from the failure of Pyro Shows to comply with its obligations and responsibilities as set forth in this addendum or contract, including attorney fees and costs. Pyro Shows, shall not, under any circumstances, be entitled to recover any consequential, incidental, exemplary, special and/or punitive damages from the City of Gulf Shores, including, without limitation, loss of income, business or profits.

ACCEPTED AND AGREED

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Mayor Craft
City of Gulf Shores



Pyro Shows, Inc. PRESIDENT