

this Amended Grant Agreement.

2.2 Legal Authority

The Grantee certifies that it possesses legal authority to enter into this Amended Grant Agreement and accept payments for which the Grantee is eligible pursuant to the funding announcement. By submitting requests for funds or receiving funds pursuant to said requests made within the scope of this Grantee agreement, Grantee certifies that it is authorized to submit such requests as defined in this Amended Agreement, and that requests for funds pertain only to expenses incurred to build broadband internet infrastructure as approved by OPB and described in this Amended Agreement.

Grantee hereby represents and warrants that it has the power and is duly authorized to enter into this Amended Grant Agreement with regard to all matters described herein upon the terms set forth and that the persons executing this Amended Agreement on behalf of Grantee are the authorized agents of Grantee for the purpose of executing this Amended Agreement. The Parties acknowledge and agree that this Amended Agreement constitutes a valid and legally binding obligation of each Party, enforceable in accordance with its terms.

2.3 Grant Acceptance

The state funding announcement remains an offer until the fully and appropriately executed copy of this Amended Grant Agreement is received by OPB. Upon approval of the Amended Grant Agreement, OPB or its designee will issue a statement of confirmation or acceptance (“funding announcement”) to the Grantee through Grantee’s representative listed in “Exhibit A” attached to this Amended Agreement, upon receipt of which the Grantee may begin submissions to Georgia Grants for funds as specified in this Amended Agreement.

2.4 Performance Period

Funding has been authorized for eligible expenditures incurred by the Grantee during the performance period for this Grant which is between March 3, 2021 and October 31, 2026 or the date of exhaustion of funding for the purpose of this Grant as solely determined by OPB, whichever is earlier (“performance period”). All expenditures must be incurred on or before October 31, 2026. The State will not be obligated to fund expenses incurred prior to or after the performance period.

2.5 General Responsibility and Compliance

In order to qualify as an eligible expenditure of Grant funds, an expenditure shall be reasonable and shall be incurred solely to facilitate the completion of the broadband internet infrastructure project identified in the Grantee’s application as awarded and approved by OPB. Additionally, Grantee shall submit a proposed final project budget to OPB prior to beginning work on the project. Work on the project shall not begin until the proposed final project budget is approved in writing by OPB.

Any proposed revision to either the scope of the approved broadband internet infrastructure project or to the approved final budget thereof shall be submitted to OPB along with a detailed justification