MARCHE PUBLIC DE TRAVAUX

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**ACTE D'ENGAGEMENT  
(AE)**

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| ***Pouvoir adjudicateur exerçant la maîtrise d'ouvrage*** |
|  |
| Rectorat de la région académique Bourgogne-Franche-Comté |
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| ***Objet du marché*** |
|  |
| **Travaux de rénovation et d’entretien des façades du Campus Canopé à Dijon** |
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| ***Lot*** | | | | |
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| N° : | U | : | Travaux de ravalement |  |
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| **Marché public de travaux Procédure :** Marché à procédure adaptée (Article R. 2123-1 du Code de la commande publique) Forme : Lot unique à bons de commande sans minimum, avec un montant maximum de 300 000 € TTC sur 4 ans |
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| ***Date du marché*** | (Réservé pour la mention d'exemplaire unique du marché) |
| 19/02/2025 |  |
| ***Mise à jour DCE*** |  |
| 27/02/2025 |  |
| ***Montant TTC*** |  |
| 300 000 euros |  |
| ***Code CPV principal*** |  |
| 45443000-4 |  |
| ***Imputation*** |  |
| Budget État |  |

L'acte d'engagement comporte 8 pages et l’annexe n° 1

**ACTE D'ENGAGEMENT  
(AE)**

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| ***Représentant du Pouvoir Adjudicateur (RPA)*** |
|  |
| Madame la Rectrice de la région académique Bourgogne-Franche-Comté ou son représentant |
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| ***Personne habilitée à donner les renseignements*** *prévus à l'article 130 du décret n° 2016-360 du 25 mars 2016* |
|  |
| Direction Régionale Immobilière (DRI)  [dri-dijon@region-academique-bourgogne-franche-comte.fr](mailto:dri-dijon@region-academique-bourgogne-franche-comte.fr) |
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| ***Ordonnateur*** |
|  |
| Madame la Rectrice de la région académique Bourgogne-Franche-Comté ou son représentant |
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| ***Comptable public assignataire*** |
|  |
| Madame la directrice régionale des finances publiques  1bis place de la banque  21042 Dijon Cedex  03 80 59 26 00 |
|  |

***Dans la suite du présent document le pouvoir adjudicateur est désigné "Maître de l'ouvrage".***

***Il est rappelé que le terme de "marché public" désigne un marché ou un accord-cadre conformément à l'article 4 de l'ordonnance n° 2015-899 du 23 juillet 2015***

# ARTICLE 1 CONTRACTANT(S)

 **Je soussigné,**

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|  |  **Agissant en mon nom personnel** ou **sous le nom de** : | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
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|  |  **Agissant pour le nom et le compte de la Société** : (intitulé complet et forme juridique de la société) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
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|  | N° d'inscription  au répertoire des métiers **ou**  au registre du commerce et des sociétés : | | | | | | | | | | | | | | | | | | | | | |  | | | | | | |  | |
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 **Nous soussignés,**

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| **Cotraitant 1** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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|  | N° d'identité d'établissement (SIRET) : | | | | | | | | |  |  | |  | |  | |  |  | |  |  |  | |  |  |  |  |  | |  | |
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|  | N° d'inscription  au répertoire des métiers **ou**  au registre du commerce et des sociétés : | | | | | | | | | | | | | | | | | | | | | |  | | | | | | |  | |
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Après avoir pris connaissance :

* Du Cahier des Clauses Administratives Particulières (CCAP).
* Du Cahier des Clauses Techniques Particulières (CCTP).
* Du Règlement de Consultation (RC).
* Du Bordereau des Prix Unitaires (BPU).
* De la Décomposition du Prix Global et Forfaitaire (DPGF).

 **m'engage** sans réserve, à exécuter les prestations du marché selon les conditions définies.

L'offre ainsi présentée ne me lie toutefois que si son acceptation m'est notifiée dans un délai de 180 jours à compter de la date limite de remise des offres.

# ARTICLE 2. PRESTATIONS ET PRIX

## 2-1. Montant du marché

Le marché est conclu à prix unitaires, conformément aux montants renseignés dans le BPU et la DPGF.

* Montant HT : ............................................................. €
* TVA (20%) : ............................................................. €
* Montant TTC : ............................................................. €

Arrêté en lettres à : .............................................................................

## 2-2. Montant sous-traité

Le candidat déclare (cocher la case correspondante) :

☐ Ne pas recourir à la sous-traitance.

☐ Recourir à la sous-traitance pour les prestations suivantes :

|  |  |  |
| --- | --- | --- |
| Prestations sous-traitées | Montant HT (€) | Nom et SIRET du sous-traitant |
| .......................................... | ............ | ........................................... |
| .......................................... | ............ | ........................................... |

Un formulaire DC4 complété sera joint pour chaque sous-traitant.

# ARTICLE 3. DELAI D'EXECUTION DU MARCHE

* Délai d’exécution des interventions : 10 jours après émission d’un bon de commande.
* Délai maximal d’intervention globale : 60 jours calendaires.
* Pénalités de retard : 200 € par jour de retard.

# ARTICLE 4. PAIEMENTS

Les modalités du règlement des comptes du marché sont spécifiées à l'article 7 du CCAP.

 **Entreprise unique**

Le maître de l'ouvrage se libérera des sommes dues au titre du présent marché en faisant porter le montant au crédit du compte (joindre un RIB ou RIP) :

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  | compte ouvert à l'organisme bancaire : | | | | | | | | | | | | | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | code banque : |  | |  | | |  | | |  | | | | | |  | | | | | code guichet : | | | | | | | | | | | |  | | |  | | |  | |  | |  | |  | | | | | | | | |  |
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Toutefois, le maître de l'ouvrage se libérera des sommes dues aux sous-traitants payés directement en en faisant porter les montants au crédit des comptes désignés dans les annexes, les avenants ou les actes spéciaux.

 **Groupement solidaire**

Le maître de l'ouvrage se libérera des sommes dues au titre du présent marché en faisant porter le montant au crédit du compte (joindre un RIB ou RIP) :

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|  |  Les soussignées entreprises groupées solidaires, autres que le mandataire, donnent par les présentes à ce mandataire qui l'accepte, procuration à l'effet de percevoir pour leur compte les sommes qui leurs sont dues en exécution du marché par règlement au compte ci-dessus du mandataire. Ces paiements seront libératoires vis-à-vis des entreprises groupées solidaires. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |

Toutefois, le maître de l'ouvrage se libérera des sommes dues aux sous-traitants payés directement en en faisant porter les montants au crédit des comptes désignés dans les annexes, les avenants ou les actes spéciaux.

 **Groupement conjoint**

Le maître de l'ouvrage se libérera des sommes dues au titre du présent marché en faisant porter le montant au crédit des comptes (joindre un RIB ou RIP) :

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|  | **Cotraitant 1** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | **Cotraitant 2** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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Toutefois, le maître de l'ouvrage se libérera des sommes dues aux sous-traitants payés directement en en faisant porter les montants au crédit des comptes désignés dans les annexes, les avenants ou les actes spéciaux.

Conformément aux **articles R.2191-3 à R.2191-12 du Code de la commande publique**, **une avance obligatoire de 30 % du montant initial TTC** est versée à l’entreprise titulaire dès la notification du bon de commande.

* **L’avance est versée dans un délai de 30 jours** suivant la notification du bon de commande.
* **Aucun remboursement de l’avance ne sera exigé avant la réception des travaux**, dès lors que la durée d’exécution est inférieure ou égale à **2 mois**.
* Le solde restant du marché sera réglé en une seule fois à la réception des travaux, après validation du **procès-verbal de réception** et émission de la facture finale.

# ARTICLE 5. INSERTION PROFESSIONNELLE DES PUBLICS EN DIFFICULTE

Le titulaire du marché s’engage à respecter les obligations d’insertion professionnelle, en réservant un nombre d’heures de travail aux publics en difficulté si prévu dans le CCAP.

# ARTICLE 6. DÉCLARATION SUR L’HONNEUR

Je déclare sur l’honneur :

1. Ne pas faire l’objet d’une interdiction de soumissionner prévue aux articles L.2141-1 à L.2141-11 du Code de la commande publique.
2. Être en règle vis-à-vis de mes obligations fiscales et sociales.
3. Ne pas avoir fait l’objet d’une condamnation pour fraude, corruption ou blanchiment de capitaux.

|  |  |  |  |  |  |
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| Fait en un seul original | | | | | |
| à : |  | le : |  | |  |
|  |  |  |  | | |
| Mention(s) manuscrite(s) "lu et approuvé" signature(s) de l'/des entreprise(s) : | | | | | |
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| **Visas** | |
| à :  le : | Avis de l'autorité chargée du contrôle budgétaire régional  Avis :  à :  le : |

|  |  |
| --- | --- |
| **Acceptation de l'offre** | |
| Est acceptée la présente offre pour valoir acte d'engagement. | |
| Le représentant du pouvoir adjudicateur | |
| à : | le : |

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Date d'effet du marché** | | | | | | | | |
|  | | | | | | |  |  |
| Reçu notification du marché le : | |  | | | |  | | |
|  | | | |  | | |  |  |
| Le **titulaire / mandataire du groupement** : | | | |  | |  | | |
|  | | | | | | | | |
| Reçu le | l'accusé de réception de la notification du marché | | | | | | | |
| du **titulaire** / **mandataire du groupement** destinataire.  Pour le représentant du pouvoir adjudicateur, | | | | | | | | |
| à : | | | le : | |  | | | |

**ANNEXE N°1 A L'ACTE D'ENGAGEMENT EN CAS DE**

**GROUPEMENT CONJOINT**

**Détail des prestations exécutées par chacun des cotraitants**

**Répartition de la rémunération correspondante**

**1. Détail des prestations :**

| **Nom du mandataire**  **cotraitant 1** | | **Prestations du mandataire - Poste(s) technique(s)** |
| --- | --- | --- |
|  | |  |
|  | |  |
|  | |  |
| **Autres cotraitants** | | **Prestations des autres cotraitants - Poste(s) technique(s)** |
|  | |  |
| **N°2** |  |  |
|  | |  |
| **N°3** |  |  |
|  | |  |

**2. Répartition de la rémunération**

| **Prestations** | | | | | **Montant hors TVA** | **Montant TVA** | **Montant TVA incluse** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Mandataire - cotraitant 1** | | | | |  |  |  |
|  | | TVA |  | % |  |  |  |
|  | | | | |  |  |  |
| Prestation de mandat | | | | |  |  |  |
|  | | | | |  |  |  |
| **Total mandataire** (I) | | | | |  |  |  |
| **Autres cotraitant** | | | | |  |  |  |
| N° | 2 | TVA |  | % |  |  |  |
|  | | | | |  |  |  |
|  | | | | |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Total autres cotraitants** (II) |  |  |  |
| **Total du marché** (I) + (II) |  |  |  |