Réalisation de diagnostics amiante et plomb pour les services de la Direction Générale de l’Aviation Civile Sud Est

MARCHE PUBLIC DE PRESTATIONS INTELLECTUELLES

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**ACTE D'ENGAGEMENT  
(AE)**

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| ***Acheteur*** |
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| Ministère du Partenariat avec les territoires et de la décentralisation  Direction Générale de l’Aviation Civile |
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| ***Objet du marché*** |
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| Réalisation de diagnostics amiante et plomb pour les services de la Direction Générale de l’Aviation Civile Sud Est |
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| ***Lot*** | | | | |
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| **N°** | **2** | **:** | **OCCITANIE** |  |

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| **Marché sur appel d'offres ouvert**, passé en application des articles L.2124-1 et L.2124-2 et R.2124-1, R.2124-2 du CCP et sous la forme d'un accord-cadre à bons de commande tel que défini aux articles R.2162-1 à R.2162-6 et R.2162-13 à R.2162-14 du CCP. |
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**L’offre a été établie sur la base des conditions économiques du mois m0 qui correspond au mois en vigueur à la date limite de remise des offres indiquée dans le règlement de la consultation.**

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| ***Date du marché*** | (Réservé pour la mention d'exemplaire unique du marché) |
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| ***Numéro d'EJ du contrat*** |  |
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| ***Code CPV Principal*** |  |
| 71000000-8 |  |
| ***Minimum - Maximum*** |  |
| Minimum H.T : sans minimum |  |
| Maximum HT : 54 000 € |  |
| ***Imputation*** |  |
| SNIA P613-02  CRNA/SE P612-01  SNA/SSE P612-02  DSAC/SE P614-02 |  |

**ACTE D'ENGAGEMENT  
(AE)**

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| ***Représentant de l'Acheteur (RA)*** |
|  |
| Monsieur le Directeur du Service National d'Ingénierie Aéroportuaire |
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| ***Ordonnateur*** |
| Monsieur le chef de service du Centre en Route de la Navigation Aérienne Sud-Est  Madame la directrice de la Direction de la Sécurité de l’Aviation Civile Sud-Est  Monsieur le directeur du Service de la Navigation Aérienne Sud Sud-Est  Monsieur le directeur du Service National d’Ingénierie Aéroportuaire |
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| ***Comptable public assignataire*** |
|  |
| Monsieur l'Agent Comptable du Budget Annexe "Contrôle et Exploitation Aériens"50 Rue Henri Farman75720 PARIS Cedex 15  **ou**  Monsieur l’Agent Comptable Secondaire  1 Rue Vincent Auriol – 13617 Aix-en-Provence |
|  |

***Dans tout ce document, le code de la commande publique est désigné par l’abréviation CCP.***

# ARTICLE PREMIER. CONTRACTANT(S)

q **Je soussigné,**

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|  | q **Agissant pour le nom et le compte de la Société** : (intitulé complet et forme juridique de la société) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
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q **Nous soussignés,**

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| **Cotraitant 3** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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|  | q **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 q au répertoire des métiers **ou** q au registre du commerce et des sociétés : | | | | | | | | | | | | | | | | | | | | | |  | | | | | | |  | |
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après avoir :

* pris connaissance du Cahier des Clauses Administratives Particulières (CCAP) **N° SNIA\_PAI/UGPI\_du 01 décembre 2024** et des documents qui y sont mentionnés ;
* produit les documents et renseignements visés aux articles R.2143-3 et R.2143-4 du CCP. ;

q **m'engage** sans réserve, à produire, dans les conditions fixées au règlement de la consultation, les certificats, attestations et déclarations mentionnés aux articles R.2143-6 à R.2143-10 du CCP ainsi que les attestations visées aux articles 1-8.1, 1-8.2 et éventuellement au 1-8.3 du CCAP et, conformément aux stipulations des documents cités ci-dessus, à exécuter les prestations du présent marché dans les conditions ci-après 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 fixée par le règlement de la consultation.

q **nous engageons** sans réserve, en tant que cotraitants **groupés solidaires**, représentés par :

mandataire du groupement, à produire, dans les conditions fixées au règlement de la consultation, les certificats, attestations et déclarations mentionnés aux articles R.2143-6 à R.2143-10 du CCP ainsi que les attestations visées aux articles 1-8.1, 1-8.2 et éventuellement au 1-8.3 du CCAP et, conformément aux stipulations des documents cités ci-dessus, à exécuter les prestations du présent marché dans les conditions ci-après définies.

L'offre ainsi présentée ne **nous** lie toutefois que si son acceptation **nous** est notifiée dans un délai de 180 jours à compter de la date limite de remise des offres fixée par le règlement de la consultation.

q **nous engageons** sans réserve, en tant que cotraitants **groupés conjoints**, représentés par :

mandataire du groupement, à produire, dans les conditions fixées au règlement de la consultation, les certificats, attestations et déclarations mentionnés aux articles R.2143-6 à R.2143-10 du CCP ainsi que les attestations visées aux articles 1-8.1, 1-8.2 et éventuellement au 1-8.3 du CCAP et, conformément aux stipulations des documents cités ci-dessus, à exécuter les prestations du présent marché dans les conditions ci-après définies et selon la répartition des prestations précisée en annexe au présent acte d'engagement.

Le mandataire du groupement conjoint **est solidaire** de chacun des membres du groupement pour ses obligations contractuelles à l'égard de l'acheteur, pour l'exécution du marché.

L'offre ainsi présentée ne **nous** lie toutefois que si son acceptation **nous** est notifiée dans un délai de 180 jours à compter de la date limite de remise des offres fixée par le règlement de la consultation.

# ARTICLE 2. PRESTATIONS ET PRIX

## 2-1. Détermination des prix

L'offre de prix est établie sur la base des conditions économiques à la date de remise de l’offre fixée en page 1 du présent acte d’engagement. Ce mois est réputé correspondre à celui de la date à laquelle le candidat a fixé son prix remis dans son offre finale.

Les modalités de variation des prix sont fixées à l'article 3-3 du CCAP.

Il n’est pas prévu de décomposition en tranches.

Le montant minimum et maximum **sur la durée totale (un an, renouvelable 3 fois un an cf. §3-1 de l’AE lot 2)** de l'accord-cadre à bons de commande **du présent lot** est fixé ainsi :

| **Lot N° 2** | **Minimum HT** | **Minimum TTC** | **Maximum HT** |
| --- | --- | --- | --- |
| Aucun | Aucun | 54 000 € |

Les bons de commande conclus sur la base du présent accord-cadre seront traités à prix unitaires appliqués aux prestations (quantités) réellement exécutés et dont le libellé est détaillé dans le bordereau des prix unitaires annexé au présent acte d’engagement.

Les montants correspondants sont calculés en appliquant les taux de TVA en vigueur à la date du fait générateur de la TVA.

q **Groupement conjoint**

Le détail des prestations exécutées par chacun des membres du **groupement conjoint** est joint en annexe au présent acte d'engagement.

## 2-2. Montant sous-traité

Les demandes d'acceptation de sous-traitants et d'agrément des conditions de paiement du contrat de sous-traitance seront effectuées à l'occasion de chaque commande.

# ARTICLE 3. DUREE DE L’ACCORD-CADRE ET DELAIS DE REALISATION

## 3-1. Durée de validité de l’accord-cadre

La durée de validité de l’accord-cadre est de 12 mois à compter de sa notification.

Un bon de commande peut être émis jusqu’au dernier jour de validité de l’accord cadre.

L’accord-cadre est reconductible 3 fois maximum :

|  |  |
| --- | --- |
| **Période** | **Durée** |
| Période ferme | 12 mois |
| Reconduction n°1 | 12 mois |
| Reconduction n°2 | 12 mois |
| Reconduction n°3 | 12 mois |

La reconduction est tacite. Si le RA ne souhaite pas reconduire l’accord-cadre, il indiquera au titulaire au moins 4 mois avant la fin de la période.

Le titulaire ne peut refuser la reconduction.

## 3-2. Durée et délai de réalisation des bons de commande

Le délai d'exécution afférent à chaque commande, ainsi que son point de départ, seront précisés dans le bon de commande sans pouvoir toutefois dépasser le « délai plafond » de 60 jours.

La durée pendant laquelle peuvent s'exécuter les bons de commande ne peut excéder la durée de validité de l’accord-cadre majorée de 30 jours calendaires.

Lorsqu’il s’agit d’interventions urgentes (en 5 jours ouvrés) prévues à l’article 4-5 du CCAP, le titulaire pourra être joint au(x) numéro(s) suivant(s) :

|  |  |  |
| --- | --- | --- |
| **Nom du prestataire** | **Personne à contacter** | **Tél./Fax/Mail** |
|  |  |  |
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# ARTICLE 4. PAIEMENTS

Les modalités du règlement des comptes du marché sont spécifiées à l'article 3-2 du CCAP.

q **Prestataire unique**

L’acheteur 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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Toutefois, l’acheteur 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.

q **Groupement solidaire**

L’acheteur 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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|  | q Les soussignés prestataires groupés 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 prestataires groupés solidaires. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |

Toutefois, l’acheteur 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.

q **Groupement conjoint**

L’acheteur 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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|  | compte ouvert à l'organisme bancaire : | | | | | | | | | | | | | | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | **Cotraitant 2** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | **Cotraitant 3** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | **Cotraitant 4** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | **Cotraitant 5** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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Toutefois, l’acheteur 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.

q **Prestataire unique**

Le prestataire désigné ci-devant :

q **refuse** de percevoir l'avance prévue à l'article 5-2 du CCAP.

q **ne refuse pas** de percevoir l'avance prévue à l'article 5-2 du CCAP.

q **Groupement solidaire**

Les prestataires désignés ci-devant :

q **refusent** de percevoir l'avance prévue à l'article 5-2 du CCAP.

q **ne refusent pas** de percevoir l'avance prévue à l'article 5-2 du CCAP.

q **Groupement conjoint**

| **N° du cotraitant** | **Avance prévue à l'article 5-2 du CCAP** | |
| --- | --- | --- |
| 1 | q refusent de la percevoir | q ne refusent pas de la percevoir |
| 2 | q refusent de la percevoir | q ne refusent pas de la percevoir |
| 3 | q refusent de la percevoir | q ne refusent pas de la percevoir |
| 4 | q refusent de la percevoir | q ne refusent pas de la percevoir |
| 5 | q refusent de la percevoir | q ne refusent pas de la percevoir |

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

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| **Acceptation de l'offre** | |
| Est acceptée la présente offre pour valoir acte d'engagement. | |
| Le Représentant de l’acheteur | |
| à : | le : |

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| **Date d'effet du marché** | | | | | | |
|  | | | | | | |
| Reçu notification du marché le : | |  | | | |  |
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| Le **prestataire / mandataire du groupement** : | | | |  | |  |
|  | | | | | | |
| Reçu le | l'accusé de réception de la notification du marché | | | | | |
| du **prestataire** / **mandataire du groupement** destinataire.  Pour le Représentant de l’acheteur, | | | | | | |
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q **ANNEXE N°\_\_\_ A L'ACTE D'ENGAGEMENT EN CAS DE**

**GROUPEMENT CONJOINT**

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

| **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** |  |  |
|  | |  |
| **N°4** |  |  |
|  | |  |
| **N°5** |  |  |

| **Prestations** | | | | | **Montant hors TVA** | **Montant TVA** | **Montant TVA incluse** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Mandataire - cotraitant 1** | | | | |  |  |  |
|  | | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
| Prestation de mandat | | | | |  |  |  |
| **Total mandataire** (I) | | | | |  |  |  |
| **Autres cotraitant** | | | | |  |  |  |
| N° | 2 | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
| N° | 3 | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
| N° | 4 | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
| N° | 5 | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
| N° | 2 | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
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| N° | 5 | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
| N° | 3 | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
| N° | 4 | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
| N° | 5 | TVA |  | % |  |  |  |
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