MARCHE PUBLIC DE PRESTATIONS INTELLECTUELLES

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**ACTE D'ENGAGEMENT  
(AE)**

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| ***Pouvoir adjudicateur*** |
|  |
| Ministère de l'Education Nationale et de la Jeunesse  Rectorat de région académique Occitanie |
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| ***Objet du marché*** |
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| Mission de contrôle technique relative à la restructuration du site de l’Abbé de l’épée  à Montpellier |
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| **Marché en procédure adaptée**, passé en application des articles L.2123-1 et R.2123-1 à R.2123-7 du CCP. |
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**L’offre a été établie sur la base des conditions économiques en vigueur au mois d’avril 2025 (mois zéro).**

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| ***Date du marché*** | (Réservé pour la mention d'exemplaire unique du marché) |
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| ***Montant TTC*** |  |
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| ***Code CPV principal*** |  |
| ***71631300-3*** |  |
| ***Imputation*** |  |
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**ACTE D'ENGAGEMENT  
(AE)**

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| ***Représentant du Pouvoir Adjudicateur (RPA)*** |
|  |
| Madame la Rectrice de la région académique Occitanie, Rectrice de l'académie de Montpellier, Chancelière des Universités, par délégation de Monsieur le Préfet de la région Occitanie par arrêté préfectoral en date du 12 février 2020 |
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| ***Ordonnateur*** |
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| Madame la Rectrice de la région académique Occitanie, Rectrice de l'académie de Montpellier, Chancelière des Universités, par délégation de Monsieur le Préfet de la région Occitanie par arrêté préfectoral en date du 12 février 2020 |
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| ***Comptable public assignataire*** |
|  |
| Monsieur le Directeur Départemental des Finances Publiques du département de l'Hérault |
|  |

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

# ARTICLE PREMIER. CONTRACTANT(S)

 **Je soussigné,**

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 **Nous soussignés,**

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| **Cotraitant 3** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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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'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) et des documents qui y sont mentionnés ;
* produit les documents et renseignements visés aux articles R.2143-3 et R.2143-4 du CCP ;

 **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 1-6.1, 1-6.2 et éventuellement au 1-6.3 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 et rappelée en page de garde du CCAP.

 **nous engageons** sans réserve, en tant que cotraitants **groupés**, 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 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.

En cas de groupement conjoint, le mandataire du groupement **est solidaire** de chacun des membres du groupement pour ses obligations contractuelles à l'égard du pouvoir adjudicateur, 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 et rappelée en page de garde du CCAP.

| **Désignation des personnes physiques** | |
| --- | --- |
| **Responsable de projet** |  |
| **Mission L** |  |
| **Mission S** |  |
| **Mission F** |  |
| **Mission Ph** |  |
| **Mission Th** |  |
| **Mission LE** |  |
| **Mission VIEL** |  |
| **Mission LP** |  |
| **Mission SEI** |  |
| **Mission HAND** |  |
| **Mission Att HAND** |  |
| **Mission PS (zone sismique 2)** |  |
| **Mission GTB** |  |
| **Mission PV** |  |
|  |  |
| **Mission ESSP** |  |

# ARTICLE 2. PRESTATIONS ET PRIX

## 2-1. Montant du marché

L'offre de prix est établie sur la base des conditions économiques en vigueur au mois m0 fixé en page 1 du présent acte d’engagement.

Les modalités de variation des prix sont fixées à l'article 3-2 du CCAP.

Le marché comporte une tranche ferme et une tranche(s) optionnelle(s).

Le marché est rémunéré par un prix global forfaitaire dont la décomposition par éléments de mission figure dans la DPGF.

Les prestations seront rémunérées par application d'un prix global forfaitaire égal à :

|  |  |  |  |
| --- | --- | --- | --- |
| * Montant hors TVA**:** | |  |  |
|  | |  |  |
| * TVA au taux de         %, soit: | |  |  |
|  | |  |
| * Montant TVA incluse (1) : | |  |  |
|  | |  |  |
| Arrêté en lettres à |  | |  |
|  | | |  |

L’offre de prix est réputée inclure le montant de la concession des droits de propriété intellectuelle ou de toute autre nature prévue à l’article 6 du CCAP.

**Décomposition du prix par phases techniques**

Tranche Ferme :

| **Désignation** | **Montant hors TVA** | **Montant TVA** | **Montant TVA incluse** |
| --- | --- | --- | --- |
| **Phase de conception** |  |  |  |
| Avis technique sur l'avant-projet sommaire |  |  |  |
| Avis technique sur l'avant-projet définitif |  |  |  |
| **Total de la TF** |  |  |  |

Tranche Optionnelle 1 :

| **Désignation** | **Montant hors TVA** | **Montant TVA** | **Montant TVA incluse** |
| --- | --- | --- | --- |
| **Phase de conception** | | | |
| Avis technique du projet et Rapport initial de contrôle technique(RICT) |  |  |  |
| Avis technique sur le document de consultation des entreprises |  |  |  |
| Etude de sureté et de sécurité publique |  |  |  |
| **Phase d'exécution** |  |  |  |
| Avis techniques sur dossier d'études d'exécution |  |  |  |
| Avis techniques sur la réalisation des travaux |  |  |  |
| **Phase d'achèvement** |  |  |  |
| Rapport final de contrôle technique (RFCT)  Attestation HAND |  |  |  |
| Rapport de vérification électrique |  |  |  |
| Avis techniques sur la réalisation de travaux en cours de garantie de parfait achèvement |  |  |  |
| **Total de la TO1** |  |  |  |

Marché :

| **Désignation** | **Montant hors TVA** | **Montant TVA** | **Montant TVA incluse** |
| --- | --- | --- | --- |
| Tranche Ferme |  |  |  |
| Tranche Optionnelle 1 |  |  |  |
| **Total du marché** |  |  |  |

 **Groupement**

Le détail des prestations exécutées par chacun des membres du **groupement**  ainsi que la répartition de la rémunération correspondante sont joints en annexe au présent acte d'engagement.

Le mandataire y indique en outre le montant de sa prestation de mandat.

Le candidat doit également justifier dans son offre la nature du groupement (conjoint ou solidaire).

## 2-2. Montant sous-traité

En cas de recours à la sous-traitance, conformément à l'article 5 de la loi du 31 décembre 1975 modifiée, un formulaire DC4 sera annexé au présent acte d'engagement pour chaque sous-traitant et indiquera la nature et le montant des prestations qui seront exécutées par chaque sous-traitant, son nom et ses conditions de paiement. Le montant des prestations sous-traitées indiqué dans chaque formulaire annexé constitue le montant maximal de la créance que le sous-traitant concerné pourra présenter en nantissement ou céder.

Chaque formulaire annexé constitue une demande d'acceptation du sous-traitant concerné et d'agrément des conditions de paiement du contrat de sous-traitance. La notification du marché est réputée emporter acceptation du sous-traitant et agrément des conditions de paiement du contrat de sous-traitance.

 **Prestataire unique**

Le montant total des prestations sous-traitées conformément à ces formulaires annexés est de :

|  |  |  |
| --- | --- | --- |
| * Montant hors TVA |  |  |
|  |  |  |
| * Montant TVA incluse |  |  |

Les déclarations et attestations (article R.2193-1 du CCP) des sous-traitants recensés dans les formulaires annexés, sont jointes au présent acte d'engagement.

 **Groupement**

Le montant total des prestations sous-traitées conformément à ces formulaires annexés est de :

| **N° du cotraitant** | **Nom du cotraitant** | **Montant hors TVA** | **Montant TVA incluse** |
| --- | --- | --- | --- |
| 1 |  |  |  |
| 2 |  |  |  |
| 3 |  |  |  |
| 4 |  |  |  |
| 5 |  |  |  |
| **Total** |  |  |  |

Les déclarations et attestations (article R.2193-1 du CCP) des sous-traitants recensés dans les formulaires annexés, sont jointes au présent acte d'engagement.

# ARTICLE 3. DELAI D'EXECUTION DES PRESTATIONS

Les délais d'exécution des parties techniques sont fixés à :

| **Désignation** | **Point de départ du délai**  **d'exécution** | **Délai** | |
| --- | --- | --- | --- |
| **Phase de conception** |  |  |  |
| Avis technique sur l'avant-projet sommaire | Réception de l'avant-projet sommaire | 10 | **jours** |
| Avis technique sur l'avant-projet définitif | Réception de l'avant-projet définitif | 10 | **jours** |
| Avis technique du projet | Réception du projet | 10 | **jours** |
| Rapport initial de contrôle technique(RICT) | Envoi de l'avis technique de projet | 10 | **jours** |
| Avis technique sur document de la consultation | Réception du document de consultation des entreprises | 10 | **jours** |
| Etude de sureté et sécurité publique | Au démarrage de la phase de conception | 30 | **jours** |
| **Phase d'exécution** |  |  |  |
| Avis techniques sur dossier d'études d'exécution | Réception du dossier ou des documents d'études d'exécution | 10 | **jours** |
| Avis techniques sur la réalisation des travaux | Tout au long des travaux ou suite à saisie du maître d’ouvrage ou maître d'œuvre | 7 | **jours** |
| **Phase d'achèvement** |  |  |  |
| Rapport final de contrôle technique (RFCT)  Attestation Hand | Réception des travaux | 14 | **jours** |
| Attestation de vérification électrique | Réception des travaux | 14 | **jours** |
| Avis techniques sur la réalisation de travaux en cours de garantie de parfait achèvement | Saisie du maître d’ouvrage | 7 | **jours** |

# ARTICLE 4. PAIEMENTS

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

 **Prestataire unique**

le pouvoir adjudicateur 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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Toutefois, le représentant du pouvoir adjudicateur 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**

Le représentant du pouvoir adjudicateur 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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|  | **Cotraitant 3** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | **Cotraitant 4** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | code banque : |  | |  | | |  | | |  | | | |  | | | | code guichet : | | | | | | | | | | | | | |  | | |  | | | |  | | | |  | | |  | | | |  | | | | | | | | |  |
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|  | **Cotraitant 5** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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Toutefois, le représentant du pouvoir adjudicateur 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.

 **Prestataire unique**

Le prestataire désigné ci-devant :

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

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

 **Groupement**

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

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| Fait en un seul original | | | | | |
| à : |  | le : |  | |  |
|  |  |  |  | | |
| 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 du Pouvoir Adjudicateur | |
| à : | le : |

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| **Date d'effet du marché** |

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| 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 du Pouvoir Adjudicateur, | | | | | |
| à : | | le : | |  | |

 **ANNEXE N°\_\_\_ A L'ACTE D'ENGAGEMENT EN CAS DE**

**GROUPEMENT CONJOINT**

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

**Répartition de la rémunération correspondante**

Nature du groupement :

 Groupement conjoint :

A noter que dans ce type de groupement, le mandataire du groupement sera solidaire de chacun des membres du groupement pour ses obligations contractuelles à l'égard du représentant du pouvoir adjudicateur, pour l'exécution du marché.

**** Groupement solidaire

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

**2. Répartition de la rémunération**

Tranche Ferme :

| **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 |  | % |  |  |  |
|  | | | | |  |  |  |

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

Tranche Optionnelle 1 :

| **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 |  | % |  |  |  |
|  | | | | |  |  |  |

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