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 d’Occitanie |
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| ***Objet du marché*** |
|  |
| Mission de contrôle technique relative à la restructuration du bâtiment Canopé 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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L'acte d'engagement comporte \_\_\_\_ pages et les annexes n°\_\_\_\_

**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 |
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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 |
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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'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 à l’article 1.6 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** |  |

# 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 est rémunéré par un prix global forfaitaire dont la décomposition par phases techniques figure dans le 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**

| **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 |  |  |  |
| Avis technique du projet et Rapport initial de contrôle technique(RICT) |  |  |  |
| Avis technique sur document de consultation des entreprises |  |  |  |

| **Désignation** | **Montant hors TVA** | **Montant TVA** | **Montant TVA incluse** |
| --- | --- | --- | --- |
| **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 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** |
| **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 3-1 du CCAP.

 **Prestataire unique**

le représentant du 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 2** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | **Cotraitant 3** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | **Cotraitant 4** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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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 CCAP** | |
| --- | --- | --- |
| 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 : |  | |  |
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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 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, | | | | | |
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 **ANNEXE N°01 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**

| **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) |  |  |  |