MARCHE PUBLIC DE MISSION DE TRAVAUX

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**ACTE D'ENGAGEMENT  
(AE)**

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| ***Pouvoir adjudicateur exerçant la maîtrise d'ouvrage*** |
|  |
| Ministère de la Justice - Département Immobilier de Paris  1 Quai de Corse - 75004 Paris |
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| ***Objet du marché*** |
|  |
| Travaux d’aménagements et création de box sécurisé dans une salle d’audience  Tribunal judiciaire de Melun (77) |
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| **Marché procédure adaptée** |
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**L’offre a été établie sur la base des conditions économiques en vigueur au mois** **de mai 2025 (mois zéro).**

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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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| ***Montant TTC*** |  |
|  |  |
| ***Code CPV principal*** |  |
|  |  |
| ***Imputation*** |  |
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L'acte d'engagement comporte 13 pages et 1 annexe

**ACTE D'ENGAGEMENT  
(AE)**

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| ***Représentant du pouvoir adjudicateur (RPA)*** |
|  |
| Madame Elodie MONTAIN |
| Cheffe du département immobilier de Paris |

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| ***Ordonnateur*** |
|  |
| Madame Elodie MONTAIN |
| Cheffe du département immobilier de Paris |

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| ***Comptable public assignataire*** |
|  |
| Monsieur le Directeur Départemental des Finances Publiques de l’Essonne |
|  |

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

***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 pour le nom et le compte de la Société** : (intitulé complet et forme juridique de la société) | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
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après avoir :

* pris connaissance du Cahier des Clauses Administratives Particulières (CCAP), des documents qui y sont mentionnés ;
* pris connaissance du Cahier des Clauses Techniques Particulières (CCTP), des documents et annexes qui y sont mentionnés
* pris connaissance du CCAG Travaux
* 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, la déclaration ou 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 1-6.3 du CCAP et, conformément aux stipulations des documents visés ci-dessus, à exécuter les prestations du présent marché dans les conditions ci-après définies.

 **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, la déclaration ou 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 1-6.3 du CCAP et, conformément aux stipulations des documents visés ci-dessus, à exécuter les prestations du présent marché dans les conditions ci-après définies.

 **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, la déclaration ou 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 1-6.3 du CCAP et, conformément aux stipulations des documents visés 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 la personne publique, pour l'exécution du marché.

L'offre ainsi présentée ne **me** / **nous** lie toutefois que si son acceptation **m'** / **nous** est notifiée dans un délai de 120 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. Montant du marché

L'offre de prix est établie sur la base des conditions économiques en vigueur 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.

L'opération de travaux n'est pas allotie.

1. Les travaux comprennent une tranche ferme et deux tranches optionnelles au sens de l’article R.2113-4 du CCP :
2. **2-1.1. Tranche ferme : Création d’un box sécurisé dans la salle d’audience D.**

Les travaux de la tranche ferme seront rémunérés par application d'un prix global forfaitaire égal à :

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

1. **2-1.2. Tranche optionnelle 1 : Transformation d’un local ménage en salle d’attente des accusés et création d’un mur tout hauteur dans l’escalier.**

Les travaux de la tranche optionnelle 1 seront rémunérés par application d'un prix global forfaitaire égal à :

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| * Montant hors TVA**:** | | |  |  |
|  | | |  |  |
| * TVA au taux de |  | %,       soit |  |  |
|  | | |  |  |
| * TVA au taux de |  | %,       soit |  |  |
|  | | |  |  |
| * TVA au taux de |  | %,       soit |  |  |
|  | | |  |  |
| * Montant TVA incluse : | | |  |  |
|  | | |  |  |
| Arrêté en lettres à |  | | |  |
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1. **2-1.3. Tranche optionnelle 2 : Transformation d’un patio en 2 pièces : un bureau cour criminelle et une salle d’attente des témoins.**

Les travaux de la tranche optionnelle 2 seront rémunérés par application d'un prix global forfaitaire égal à :

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| * Montant hors TVA**:** | | |  |  |
|  | | |  |  |
| * TVA au taux de |  | %,       soit |  |  |
|  | | |  |  |
| * TVA au taux de |  | %,       soit |  |  |
|  | | |  |  |
| * TVA au taux de |  | %,       soit |  |  |
|  | | |  |  |
| * Montant TVA incluse : | | |  |  |
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**Il n’est pas prévue d’indemnité de dédit en cas de non affermissement d’une ou des deux tranches optionnelles**

1. La tranche ferme sera exécutable dès la notification du marché. Les tranches optionnelles seront affermies par décision du maître d’ouvrage avant la fin de l’exécution de la tranche précédente.

 **Groupement conjoint**

Le détail des prestations exécutées par chacun des membres du **groupement conjoint** 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.

## 2-2. Montant sous-traité

En cas de recours à la sous-traitance, conformément aux articles L.2193-4, L.2193-5 et R.2193-1 du CCP, 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 annexe 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.

En cas de recours à la sous-traitance, conformément aux articles L.2193-4, L.2193-5 et R.2193-1 du CCP, 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. Le montant indiqué au formulaire DC4 est exprimé hors taxe ; le titulaire doit également préciser dans ce formulaire que la TVA est autoliquidée.

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.

 **Entreprise unique**

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

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

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 solidaire**

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

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

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

 **Groupement conjoint**

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

| **N° du cotraitant** | **Montant hors TVA** |
| --- | --- |
| 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. DUREE DU MARCHE ET DELAIS D’EXECUTION

Le délai d'exécution des travaux est de **18 mois** à compter de la date de notification du marché.

Les délais sont décomposés comme suit :

* Conception et travaux : 6 mois
* GPA : 12 mois

# ARTICLE 4. PAIEMENTS

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

 **Prestataire unique**

Le maître d'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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Toutefois, le maître d'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**

Le maître d'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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|  | **Cotraitant 3** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | **Cotraitant 4** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | **Cotraitant 5** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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Toutefois, le maître d'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.

 **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**

Les prestataires désignés ci-devant :

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

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

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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 comprenant: | |
| Le Représentant du Pouvoir Adjudicateur | |
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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** : | | | |  | |  | | |
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| 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°\_1\_\_ A L'ACTE D'ENGAGEMENT EN CAS DE**

**GROUPEMENT CONJOINT**

Détail des prestations exécutées par chacun des cotraitants dans chaque élément de mission

| **Nom du mandataire - cotraitant 1** |
| --- |
|  |
| **Prestations du mandataire - cotraitant 1** |
|  |
|  |
| **Nom du cotraitant 2** |
|  |
| **Prestations du cotraitant 2** |
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|  |
| **Nom du cotraitant 3** |
|  |
| **Prestations du cotraitant 3** |
|  |