MARCHE PUBLIC DE TRAVAUX

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**ACTE D'ENGAGEMENT  
(AE)**

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| ***L'acheteur exerçant la maîtrise d'ouvrage*** |
|  |
| Ministère de la Justice - SG / DIRSG Sud / Département Immobilier Toulouse |
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| ***Objet du marché*** |
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| Restauration des façades du palais de justice d'Agen  **Marché travaux** |
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| **Marché sur procédure adaptée** en application des articles L.2123-1 et R.2123-1 à R.2123-7 du CCP et, éventuellement, sous la forme d'un marché à tranche(s) optionnelle(s) tel que défini aux articles R.2113-4 à R.2113-6 du CCP. |
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**L’offre est établie sur la base des conditions économiques en vigueur le juillet 2025.**

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| ***Date du marché*** | (Réservé pour la mention d'exemplaire unique du marché) |
|  |  |
| ***Numéro d'EJ du contrat*** |  |
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| ***Montant TTC*** |  |
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|  |  |
| ***Code CPV principal*** |  |
|  |  |
| ***Imputation*** |  |
| BOP 166 TF 057041 |  |

**ACTE D'ENGAGEMENT  
(AE)**

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| ***Représentant du Maître d’ouvrage (RMO)*** |
|  |
| M. le chef du département immobilier de Toulouse |
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| ***Ordonnateur*** |
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| M. le chef du département immobilier de Toulouse |
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| ***Comptable public assignataire*** |
|  |
| Monsieur le DRFIP de Toulouse |
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***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 **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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après avoir :

* pris connaissance du Cahier des Clauses Administratives Particulières (CCAP) **N°** CCAP PJ AGEN FACADES TVX 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 1-6.1, 1-6.2 et 1-6.3 du CCAP et, conformément aux stipulations des documents cités ci-dessus, à exécuter les prestations **du lot désigné en page 1** du présent acte d'engagement 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 120 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.

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 1-6.1, 1-6.2 et 1-6.3 du CCAP et, conformément aux stipulations des documents cités ci-dessus, à exécuter les prestations **du lot désigné en page 1** du présent acte d'engagement 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 120 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.

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 1-6.1, 1-6.2 et 1-6.3 du CCAP et, conformément aux stipulations des documents cités ci-dessus, à exécuter les prestations **du lot désigné en page 1** du présent acte d'engagement 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 du maître d'ouvrage, pour l'exécution du marché.

L'offre ainsi présentée ne **nous** lie toutefois que si son acceptation **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 et rappelée en page de garde du CCAP.

# 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.

Les marchés comportent une tranche ferme et, suivant les lots, au maximum 1 tranche(s) optionnelle(s).

Les prestations définies au CCAP portent sur 8 lots de l'opération de travaux.

La répartition des travaux par tranche est indiquée à l'article 1-2 du CCAP.

**Evaluation des travaux**

Les travaux du **lot** pour lequel **je m'engage / nous nous engageons**, seront rémunérés par application d'un prix global forfaitaire égal à :

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| * Montant hors TVA**:** | | |  |  |
|  | | |  |  |
| * TVA au taux de | 20 | %,       soit |  |  |
|  | | |  |  |
|  | | |  |  |
| * Montant TVA incluse : | | |  |  |
|  | | |  |  |
| Arrêté en lettres à |  | | |  |
|  | | | |  |

**Décomposition en tranches**

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

**Valorisation des prestations supplémentaires éventuelles**

| **N°** | **Lot** | **Prestations supplémentaires éventuelles** | **Montant hors TVA**  | **Montant TVA incluse** |
| --- | --- | --- | --- | --- |
| 1 | 3 | PSE-01 Recouvrement d’acrotère en plomb |  |  |
| 2 | 3 | PSE-02 Recouvrement d’acrotère en plomb |  |  |
| 3 | 3 | PSE-03 Recouvrement d’acrotère en plomb |  |  |
| 4 | 1/3 | PSE-04 Création d’un solin |  |  |
| 5 | 1/5 | PSE-05 Encoffrement unités PAC |  |  |
| 6 | 1/4/6 | PSE-06 Remplacement porte chemin de ronde OUEST |  |  |
| 7 | 5 | PSE-07 Tôle de protection bas de porte |  |  |
| 8 | 1/4/6 | PSE-08 Remplacement de la porte à enroulement SUD |  |  |

 plus ou moins-value par rapport à la solution de base

q **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 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 auto liquidée.

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.

q **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.

q **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.

q **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. DELAI D'EXECUTION DU MARCHE

## 3-1. Période de préparation

Le délai de la période de préparation d'une tranche **d'un lot** part de la date fixée par l'ordre de service prescrivant de commencer la période de préparation de la tranche considérée.

Le délai de la période de préparation pour chaque tranche d'un lot est de **2 mois**.

## 3-2. Délai d'exécution des travaux

Le délai d'exécution des travaux de chacune des tranches **de chacun des lots** part de la date fixée par l'ordre de service prescrivant de commencer les travaux de la tranche considérée.

Il est fixé comme suit :

| **Tranche** | **Lot** | **Délai** |
| --- | --- | --- |
| Ferme | Tous les lots | 22 mois |
| Optionnelle 1 | Tous les lots | 8 mois |

## 3-3. Délai(s) distinct(s)

Sans objet.

# ARTICLE 4. PAIEMENTS

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

q **Entreprise 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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|  | compte ouvert à l'organisme bancaire : | | | | | | | | | | | | | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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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.

q **Groupement solidaire à comptes séparés**

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.

q **Groupement conjoint**

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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|  | code banque : |  | |  | | |  | | |  | | | |  | | | | code guichet : | | | | | | | | | | | | | |  | | |  | | | |  | | | |  | | |  | | | |  | | | | | | | | |  |
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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.

q **Entreprise unique**

Le titulaire 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 à comptes séparés**

| **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 |

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 |

# ARTICLE 5. INSERTION PROFESSIONNELLE DES PUBLICS EN DIFFICULTE

Après avoir pris connaissance du cahier des clauses administratives particulières et notamment des articles N° 1-6.5 et N°11 relatifs à l’action obligatoire d’insertion,

q **m'engage** sans réserve, à :

* réserver, dans l’exécution **du lot désigné en page 1** du présent acte d'engagement, un nombre d’heures de travail au moins égal à celui indiqué à l’article 11-1 du cahier des clauses administratives particulières à des personnes rencontrant des difficultés sociales ou professionnelles particulières.
* prendre l’attache du facilitateur de la clause sociale désigné à l’article 11-2 du CCAP, afin de préciser ou de définir les modalités de mise en œuvre des clauses sociales. Un plan d’action pourra être élaboré à cet effet avec l’accompagnement du facilitateur.
* fournir dans un délai qui me sera imparti, toutes informations utiles à l’appréciation de la réalisation de l’action d’insertion.

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

mandataire du groupement, à :

* réserver, dans l’exécution **du lot désigné en page 1** du présent acte d'engagement, un nombre d’heures de travail au moins égal à celui indiqué à l’article 11-1 du cahier des clauses administratives particulières à des personnes rencontrant des difficultés sociales ou professionnelles particulières.
* prendre l’attache du facilitateur de la clause sociale désigné à l’article 11-2 du CCAP, afin de préciser ou de définir les modalités de mise en œuvre des clauses sociales. Un plan d’action pourra être élaboré à cet effet avec l’accompagnement du facilitateur.
* fournir dans un délai qui me sera imparti, toutes informations utiles à l’appréciation de la réalisation de l’action d’insertion.

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

mandataire du groupement, à :

* réserver, dans l’exécution **du lot désigné en page 1** du présent acte d'engagement, un nombre d’heures de travail au moins égal à celui indiqué à l’article 11-1 du cahier des clauses administratives particulières à des personnes rencontrant des difficultés sociales ou professionnelles particulières.
* prendre l’attache du facilitateur de la clause sociale désigné à l’article 11-2 du CCAP, afin de préciser ou de définir les modalités de mise en œuvre des clauses sociales. Un plan d’action pourra être élaboré à cet effet avec l’accompagnement du facilitateur.
* fournir dans un délai qui me sera imparti, toutes informations utiles à l’appréciation de la réalisation de l’action d’insertion.

|  |  |  |  |  |  |
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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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| **Acceptation de l'offre** | |
| Est acceptée la présente offre pour valoir acte d'engagement. | |
| Le représentant du Maître d'ouvrage | |
| 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 Maître d'ouvrage, | | | | | | | | |
| à : | | | le : | |  | | | |

**ANNEXE 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** |  |  |
|  | |  |
| **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 |  | % |  |  |  |
|  | | | | |  |  |  |
| **Total autres cotraitants** (II) | | | | |  |  |  |
| **Total de la tranche** (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 de la tranche** (I) + (II) | | | | |  |  |  |