

Direction régionale et interdépartementale de l’environnement, de l’aménagement et des transports d’Île-de-France

 Marché public de travaux passé au terme d’une procédure adaptée, conformément aux articles L.2123-1 et R.2123-1 à R.2123-7 du Code de la commande publique.

**ACTE D’ENGAGEMENT**

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| **Acheteur** |
| Direction régionale et interdépartementale de l’environnement, de l’aménagement et des transports d’Île-de-France (DRIEAT IF), représentée par Madame la Directrice régionale et interdépartementale de l’environnement, de l’aménagement et des transports en vertu de l’arrêté de délégation de Monsieur le Préfet de la région Île-de-France [no IDF-2023-04-19-00003 du 19 avril 2023](https://www.prefectures-regions.gouv.fr/ile-de-france/content/download/104908/665112/file/recueilDS-idf-049-2023-04-RAA-nominatifs%20du%2019.04.2023.pdf) |
| **Objet de la consultation** |
| Travaux d’amélioration de la pression du réseau incendie du tunnel de Saint-Cloud (A13) par l’installation de deux surpresseurs |

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| Numéro d’EJ du contrat |
|  |
| Code CPV principal |
| 45232152-2 |
| Imputation |
| 020304 TUEQ 03 |

(Réservé pour la mention d’exemplaire unique du marché.)

L’offre a été établie sur la base des conditions économiques du mois de la remise de l’offre finale.

Acte d’engagement

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| **Représentant du Maitre d’ouvrage** |
| Madame la Directrice régionale et interdépartementale de l’environnement, de l’aménagement et des transports en vertu de l’arrêté de délégation de Monsieur le Préfet de la région Île-de-France [no IDF-2023-04-19-00003 du 19 avril 2023](https://www.prefectures-regions.gouv.fr/ile-de-france/content/download/104908/665112/file/recueilDS-idf-049-2023-04-RAA-nominatifs%20du%2019.04.2023.pdf) |

**Ordonnateur**

Madame la Directrice régionale et interdépartementale de l’environnement, de l’aménagement et des transports en vertu de l’arrêté de délégation de Monsieur le Préfet de la région Île-de-France [no IDF-2023-04-19-00003 du 19 avril 2023](https://www.prefectures-regions.gouv.fr/ile-de-france/content/download/104908/665112/file/recueilDS-idf-049-2023-04-RAA-nominatifs%20du%2019.04.2023.pdf)

**Comptable public assignataire**

Monsieur le directeur départemental des finances publiques du Val-de-Marne

L’acte d’engagement comporte 16 pages et 1 annexe.

Sommaire

[ARTICLE PREMIER. Contractant(s) 4](#_Toc206072530)

[ARTICLE 2. Prestations et prix 8](#_Toc206072531)

[2–1. Montant du marché 8](#_Toc206072532)

[2–2. Montant sous-traité 8](#_Toc206072533)

[ARTICLE 3. Durée du marché et délais d’exécution 10](#_Toc206072534)

[3–1. Période de préparation 10](#_Toc206072535)

[3–2. Délai d’exécution des travaux 10](#_Toc206072536)

[3–3. Délais distincts 10](#_Toc206072537)

[ARTICLE 4. Paiements 11](#_Toc206072538)

[Détail des prestations : 17](#_Toc206072539)

[Répartition de la rémunération : 19](#_Toc206072540)

# 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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|  | q **Agissant pour le nom et le compte de la Société** : (intitulé complet et forme juridique de la société) | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
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|  | No 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) et des documents qui y sont mentionnés ;
* produit les documents et renseignements visés aux articles [R. 2143-3](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000037730619) et [R. 2143-4](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000037730617) du code de la commande publique (CCP) ;

q **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](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000037701019/LEGISCTA000037724092/#LEGISCTA000037730609) du CCP ainsi que les attestations visées aux articles 2.11.1, 4, 6.6, 7, 14.4, 15.4.5 du CCAP et, conformément aux stipulations des documents visés ci-dessus, à exécuter les prestations du présent marché dans les conditions ci-après définies.

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, la déclaration ou les certificats, attestations et déclarations mentionnés aux articles [R. 2143-6 à R. 2143-10](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000037701019/LEGISCTA000037724092/#LEGISCTA000037730609) du CCP ainsi que les attestations visées aux articles 2.11.1, 4, 6.6, 7, 14.4, 15.4.5 du CCAP et, conformément aux stipulations des documents visés ci-dessus, à exécuter les prestations du présent marché dans les conditions ci-après définies.

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, la déclaration ou les certificats, attestations et déclarations mentionnés aux articles [R. 2143-6 à R. 2143-10](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000037701019/LEGISCTA000037724092/#LEGISCTA000037730609) du CCP ainsi que les attestations visées aux articles 4–2.1., 4–2.4. 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 du Maitre d'Ouvrage, 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 6 mois à compter de la date limite de remise des offres fixée par le règlement de la consultation.

La bonne exécution des prestations ci-après dépend essentiellement de la/des personne(s) physique(s) suivante(s) :

|  |  |
| --- | --- |
| Pour la responsabilité des études : |  |
| Pour la responsabilité des travaux : |  |
| Pour la réception des ouvrages : |  |

# Prestations et prix

## Montant du marché

L’offre de prix est établie sur la base des conditions économiques en vigueur au mois de remise de l’offre finale, comme indiqué 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 9-4 du CCAP.

Il n’est pas prévu de décomposition en tranches, les prestations ne sont pas réparties en lots.

L'évaluation de l'ensemble des travaux, telle qu'elle résulte du bordereau des prix unitaires et forfaitaires (BPUF), est :

|  |  |  |  |
| --- | --- | --- | --- |
| * montant hors TVA : | | |  |
|  | | | |
| * TVA au taux de |  | %, soit |  |
|  | | | |
| * montant TVA incluse : | | |  |

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.

## Montant sous-traité

En cas de recours à la sous-traitance, conformément aux articles [R. 2193-1](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000038327396), [L. 2193-4](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000037729621) et [L. 2193-5](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000037729617) 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.

Le formulaire est également téléchargeable sur le site de la DAJ, à l’adresse suivante :

<https://www.economie.gouv.fr/daj/formulaires-declaration-du-candidat>

q **Prestataire unique**

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

|  |  |  |
| --- | --- | --- |
| * montant hors TVA : |  |  |
|  |  |  |
| * montant TVA incluse : |  |  |

Les déclarations (article [R. 2193-1](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000038327396) 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 que **nous envisageons** de sous-traiter conformément à ces formulaires annexés est de :

|  |  |  |
| --- | --- | --- |
| * montant hors TVA : |  |  |
|  |  |  |
| * montant TVA incluse : |  |  |

Les déclarations (article [R. 2193-1](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000038327396) 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 que **nous envisageons** de sous-traiter conformément à ces formulaires annexés est de :

|  |  |  |
| --- | --- | --- |
| No du cotraitant | Montant hors TVA | Montant TVA incluse |
| 1 |  |  |
| 2 |  |  |
| 3 |  |  |
| 4 |  |  |
| 5 |  |  |
| Total |  |  |

Les déclarations (article [R. 2193-1](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000038327396) du CCP) des sous-traitants recensés dans les formulaires annexés, sont jointes au présent acte d’engagement.

# Durée du marché et délais d’exécution

La durée du marché commence à sa notification et se termine au décompte général et définitif (DGD).

## Période de préparation

Par dérogation à l’article 28-1 du CCAG Travaux, la durée de la période de préparation est fixée à 1 mois à compter de la date de notification de l’ordre de service prescrivant de la commencer.

## Délai d’exécution des travaux

Par dérogation à l'article 13.1.1 du CCAG, le délai d'exécution part de la date précisée dans l'ordre de service de commencer l'exécution des prestations.

Ce délai est fixé à 5 mois.

La période de garantie de parfait achèvement (GPA) et de la vérification de service régulier (VSR) est de 12 mois et débute à la date de réception des travaux constatée par procès-verbal.

## Délais distincts

Sans objet.

# Paiements

Les modalités du règlement des comptes du marché sont spécifiées à l’article 10 du CCAP.

q **Prestataire unique**

Le Maitre d’Ouvrage se libèrera 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, l’acheteur se libèrera 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 libèrera des sommes dues au titre du présent marché en faisant porter le montant au crédit du **compte commun** (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, l’acheteur se libèrera 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 libèrera des sommes dues au titre du présent marché en faisant porter le montant au crédit du **compte commun** (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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**Prestataire unique**

Le prestataire désigné ci-devant :

**refuse** de percevoir l’avance prévue à l’article 9–2 du CCAP.

**ne refuse pas** de percevoir l’avance prévue à l’article 9–2 du CCAP.

**Groupement**

Les prestataires désignés ci-devant :

**refusent** de percevoir l’avance prévue à l’article 9–2 du CCAP.

**ne refusent pas** de percevoir l’avance prévue à l’article 9–2 du CCAP.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Fait en un seul original | | | | | |
| à : |  | le : |  | |  |
|  |  |  |  | | |
| Signature(s) électronique (s) du/des prestataire(s) : | | | | | |
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|  |  |  |  |  | |

|  |  |
| --- | --- |
| **Acceptation de l’offre** | |
| Est acceptée la présente offre pour valoir acte d’engagement. | |
| Le représentant du Maitre d’Ouvrage, | |
| à : | le : |

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Date d’effet du marché** | | | | | | | |  |
|  | | | | | | | | |
| Reçu notification du marché le : | | |  | | | |  |  |
|  | | | | |  | | | |
| 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 Maitre d’ouvrage, | | | | | | | |  |
| à : | | | | le : | |  | |  |

Annexe no 1 – En cas de groupement

## Détail des prestations :

| **Nom du mandataire –**  **cotraitant no 1** | | **Prestations du mandataire – Poste(s) technique(s)** |
| --- | --- | --- |
|  | |  |
|  | |  |
|  | |  |
| **Autres cotraitants** | | **Prestations des autres cotraitants – Poste(s) technique(s)** |
|  | |  |
| **No2** |  |  |
|  | |  |
| **No3** |  |  |
|  | |  |
| **No4** |  |  |
|  | |  |
| **No5** |  |  |

## 

## 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 | | | | |  |  |  |
| No | 2 | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
|  | | | | |  |  |  |
| No | 3 | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
|  | | | | |  |  |  |
| No | 4 | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
|  | | | | |  |  |  |
| No | 5 | TVA |  | % |  |  |  |
|  | | TVA |  | % |  |  |  |
|  | | | | |  |  |  |

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