MARCHE PUBLIC DE TRAVAUX

**ACTE D'ENGAGEMENT  
(AE)**

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| **L'acheteur exerçant la maîtrise d'ouvrage** |
|  |
| Toulouse INP  6, allée Emile Monso 31400 Toulouse |
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| **Objet du marché** |
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| **Réfection des réseaux enterrés de chauffage collectif INP**  **Campus Toulouse/ Labège** |
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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. |
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**L’offre est établie sur la base des conditions économiques en vigueur le 01/07/2025****.**

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| ***Code CPV principal*** |
| ***45331100-7*** |

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| ***Représentant du Maître d’ouvrage (RMO)*** |
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| Madame Dominique POQUILLON  Présidente de Toulouse INP |
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| ***Ordonnateur*** |
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| Présidente de Toulouse INP |
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| ***Comptable public assignataire*** |
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| Agent Comptable de Toulouse INP |
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L'acte d'engagement comporte 15 pages.

***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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après avoir :

* pris connaissance du Cahier des Clauses Administratives Particulièreset 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 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 90 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 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 90 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 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 90 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.

Il n'est pas prévu de décomposition en tranches.

Les prestations définies au CCAP portent sur 2 lots de l'opération de travaux.

**Evaluation des travaux**

Les travaux du **lot** 1 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 |  | %,       soit |  |  |
|  | | |  |  |
|  | | |  |  |
| * Montant TVA incluse : | | |  |  |
|  | | |  |  |
| Arrêté en lettres à |  | | |  |
|  | | | |  |

**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 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. DELAI D'EXECUTION DU MARCHE

## 3-1. Période de préparation

Le délai de la période de préparation part de la date fixée par l'ordre de service qui prescrira de la commencer.

Par dérogation à l'article 28.1 du CCAG, ce délai est fixé comme suit :

| **Lot** | **Délai** |
| --- | --- |
| 1 et 2 | 3 semaines |

## 3-2. Délai d'exécution des travaux

Le délai d'exécution des travaux **de l'ensemble des lots** (période de préparation comprise) est de 3 mois à compter de la date fixée par l'ordre de service qui prescrira de commencer l'exécution du/des premier(s) lot(s).

Le délai d'exécution **propre au lot** pour lequel **je m'engage / nous nous engageons** sera déterminé dans les conditions stipulées à l'article 4-1 du CCAP sur la base du calendrier prévisionnel annexé au présent acte d'engagement.

L'ordre de service prescrivant de commencer l'ensemble des travaux sera notifié à chaque entreprise titulaire d'un lot.

# ARTICLE 4. PAIEMENTS

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

**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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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 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 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.

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

**Entreprise unique**

Le titulaire 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 solidaire à comptes séparés**

| **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 |

**Groupement conjoint**

| **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 | | | | | |
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| **Acceptation de l'offre** | |
| Est acceptée la présente offre pour valoir acte d'engagement. | |
| Montant en € HT :  Montant en € TTC :  En lettres :  Le représentant du Maître d'ouvrage | |
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**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**

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

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

| **Prestations** | | | | | **~TSL 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 |  | % |  |  |  |
| N° | 2 | TVA |  | % |  |  |  |
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| N° | 3 | TVA |  | % |  |  |  |
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| N° | 4 | TVA |  | % |  |  |  |
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| N° | 5 | TVA |  | % |  |  |  |
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| N° | 3 | TVA |  | % |  |  |  |
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| N° | 4 | TVA |  | % |  |  |  |
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| N° | 5 | TVA |  | % |  |  |  |
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| N° | 5 | TVA |  | % |  |  |  |
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