MARCHE PUBLIC DE MAITRISE D’ŒUVRE

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**ACTE D'ENGAGEMENT  
(AE)**

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| ***Pouvoir adjudicateur exerçant la maîtrise d'ouvrage*** |
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| ÉTAT –Direction Régionale et Interdépartementale de l'Environnement de l'Aménagement et des Transports d’Île-de-France – Direction des routes d’Île-de-France – Service de la Modernisation du Réseau |
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| ***Objet du marché*** |
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| Mission de maîtrise d'œuvre relative au remplacement d'écrans acoustiques sur le viaduc Créteil vers Paris de l’échangeur A4/A86 de Saint Maurice |
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| **Marché sur appel d'offres ouvert**, passé en application des articles L.2124-1 et L.2124-2 et R.2124-1, R.2124-2 du CCP et 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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**Mois d’établissement des prix (m0) : mois précédant la date de remise des offres indiquée en page de garde du règlement de consultation.**

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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*** |  |
| ***71000000-8*** |  |
| ***Imputation*** |  |
| 0203 - TF017148 |  |

L'acte d'engagement comporte 12 pages et les annexes n°1, n°2 et n°3.

**ACTE D'ENGAGEMENT  
(AE)**

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| ***Maître d'Ouvrage (RMO)*** |
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| Arrêté n° IDF-2023-04-19-00003 du 19 avril 2023, portant délégation de signature à Mme Emmanuelle GAY, directrice régionale et interdépartementale de l’’environnement, de l’aménagement et des transports d’Île-de-France, en matière d’ordonnancement secondaire et de commande publique |
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| ***Ordonnateur*** |
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| Arrêté n° IDF-2023-04-19-00003 du 19 avril 2023, portant délégation de signature à Mme Emmanuelle GAY, directrice régionale et interdépartementale de l’’environnement, de l’aménagement et des transports d’Île-de-France, en matière d’ordonnancement secondaire et de commande publique |
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| ***Comptable public assignataire*** |
|  |
| Monsieur le Directeur Départemental des Finances Publiques du Val de Marne |
|  |

***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) 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, 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 1-10.1, 1-10.2, et 1-10.3 du CCAP et, conformément aux stipulations des documents visés ci-dessus, à exécuter les prestations du présent marché dans les conditions ci-après définies.

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 du CCP ainsi que les attestations visées aux articles 1-10.1, 1-10.2, et 1-10.3 du CCAP et, conformément aux stipulations des documents visés ci-dessus, à exécuter les prestations du présent marché dans les conditions ci-après définies.

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 du CCP ainsi que les attestations visées aux articles 1-10.1, 1-10.2, et 1-10.3 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 12 mois 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 rémunère la mission définie à l'article 1-2 du CCAP.

Elle est établie sur la base des conditions économiques en vigueur au mois m0 fixé 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 4-3 du CCAP.

Le marché comporte une tranche ferme et une tranche(s) optionnelle(s).

Les prestations ne sont pas réparties en lots.

Le marché est rémunéré par un prix global forfaitaire dont la décomposition par éléments de mission figure à l'annexe 1 de l'acte d'engagement.

Le montant provisoire de cette rémunération est déterminé comme suit :

|  |  |
| --- | --- |
| Taux de rémunération : | % |

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

La décomposition en tranches est la suivante :

| **Tranche** | **Montant hors TVA** | **Montant TVA** | **Montant TVA incluse** |
| --- | --- | --- | --- |
| Ferme |  |  |  |
| Optionnelle 1 |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Total du marché** |  |  |  |

Le coût prévisionnel des travaux ***C*** sera arrêté selon les modalités fixées à l'article 5-1 du CCAP.

La part de l'enveloppe financière hors TVA C0, affectée aux travaux par le maître de l'ouvrage, est de 2,4 M€ valeur mai 2025.

|  |  |
| --- | --- |
| **Tranche :** |  |

***(****Renseigner une page par tranche donnant lieu à sous-traitance)*

## 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.

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 R2193-1 du CCP) des sous-traitants recensés dans les formulaires annexés, sont jointes au présent acte d'engagement.

q **Groupement**

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

| **N° du cotraitant** | **Montant hors TVA** | **Montant TVA incluse** |
| --- | --- | --- |
| 1 |  |  |
| 2 |  |  |
| 3 |  |  |
| 4 |  |  |
| 5 |  |  |
| **Total** |  |  |

Les déclarations (article R2193-1 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

La durée d’exécution du marché, à compter de l’ordre de service prescrivant de commencer le premier élément de mission, est de 42 mois, dont une durée de 20 mois pour la tranche ferme et de 22 mois pour la tranche optionnelle (incluant la garantie de parfait achèvement).

Les stipulations correspondantes aux délais d’exécution figurent aux articles 7 et 9-1 du CCAP.

# ARTICLE 4. PAIEMENTS

Les modalités du règlement des comptes du marché sont spécifiées à l'article 4-2 du CCAP.

q **Prestataire unique ou groupement solidaire**

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 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 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 faisant porter les montants au crédit des comptes désignés dans les annexes, les avenants ou les actes spéciaux.

q **Prestataire unique ou groupement solidaire**

Le prestataire désigné ci-devant :

q **refuse** de percevoir l'avance prévue à l'article 8-2 du CCAP.

q **ne refuse pas** de percevoir l'avance prévue à l'article 8-2 du CCAP.

q **Groupement conjoint**

Les prestataires désignés ci-devant :

q **refusent** de percevoir l'avance prévue à l'article 8-2 du CCAP.

q **ne refusent pas** de percevoir l'avance prévue à l'article 8-2 du CCAP.

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| Fait en un seul original | | | | | |
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| **Visas** | |
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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** | | | | | | | | |
|  | | | | | | |  |  |
| 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 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** |
|  |
|  |
| **Nom du cotraitant 3** |
|  |
| **Prestations du cotraitant 3** |
|  |

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

| **Nom du cotraitant 4** |
| --- |
|  |
| **Prestations du cotraitant 4** |
|  |
|  |
| **Nom du cotraitant 5** |
|  |
| **Prestations du cotraitant 5** |
|  |

**ANNEXE N°2 A L'ACTE D'ENGAGEMENT**

**DECOMPOSITION ET REPARTITION DE LA REMUNERATION**

**Tranche ferme**

**1. Eléments de mission**

| **Elément de mission** | | |  **Répartition par cotraitants** | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Montant hors TVA** |  | **1** | **2** | **3** | **4** | **5** |
| **AVP** |  | **%** |  |  |  |  |  |
| **PRO** |  | **%** |  |  |  |  |  |
| **ACT** |  | **%** |  |  |  |  |  |
| **OPC** |  | **%** |  |  |  |  |  |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Total |  | 100 % |  |  |  |  |  |

**2. Missions complémentaires**

| **Elément de mission** | | |  **Répartition par cotraitants** | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Montant hors TVA** |  | **1** | **2** | **3** | **4** | **5** |
| **MC1** |  | **%** |  |  |  |  |  |
| **MC2** |  | **%** |  |  |  |  |  |
| **MC3** |  | **%** |  |  |  |  |  |
| **MC4** |  | **%** |  |  |  |  |  |
| **MC5** |  | **%** |  |  |  |  |  |
| **MC6** |  | **%** |  |  |  |  |  |
| **MC7** |  | **%** |  |  |  |  |  |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Total |  | 100 % |  |  |  |  |  |

**3. Récapitulatif de la tranche**

|  |  |  **Répartition par cotraitants** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Montant hors TVA** | **1** | **2** | **3** | **4** | **5** |
| **Eléments de mission** |  |  |  |  |  |  |
| **Missions complémentaires** |  |  |  |  |  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Total de la tranche |  |  |  |  |  |  |

 Forfait hors TVA de répartition de l’élément de mission entre les cotraitants si la cotraitance est retenue

 Pourcentage de l’élément de mission par rapport à la rémunération 

**Tranche optionnelle** **1**

**1. Eléments de mission**

| **Elément de mission** | | |  **Répartition par cotraitants** | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Montant hors TVA** |  | **1** | **2** | **3** | **4** | **5** |
| **DET** |  | **%** |  |  |  |  |  |
| **VISA** |  | **%** |  |  |  |  |  |
| **OPC** |  | **%** |  |  |  |  |  |
| **AOR** |  | **%** |  |  |  |  |  |

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| --- | --- | --- | --- | --- | --- | --- | --- |
| Total |  | 100 % |  |  |  |  |  |

**2. Missions complémentaires**

| **Elément de mission** | | |  **Répartition par cotraitants** | | | | |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **Montant hors TVA** |  | **1** | **2** | **3** | **4** | **5** |
| **MC3** |  | **%** |  |  |  |  |  |
| **MC4** |  | **%** |  |  |  |  |  |
| **MC5** |  | **%** |  |  |  |  |  |
| **MC6** |  | **%** |  |  |  |  |  |
| **MC7** |  | **%** |  |  |  |  |  |
| **MC8** |  | **%** |  |  |  |  |  |
| **MC9** |  | **%** |  |  |  |  |  |
| **MC10** |  | **%** |  |  |  |  |  |
| **MC11** |  | **%** |  |  |  |  |  |
| **MC12** |  | **%** |  |  |  |  |  |
| **MC13** |  | **%** |  |  |  |  |  |

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| Total |  | 100 % |  |  |  |  |  |

**3. Récapitulatif de la tranche**

|  |  |  **Répartition par cotraitants** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Montant hors TVA** | **1** | **2** | **3** | **4** | **5** |
| **Eléments de mission** |  |  |  |  |  |  |
| **Missions complémentaires** |  |  |  |  |  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Total de la tranche |  |  |  |  |  |  |

 Forfait hors TVA de répartition de l’élément de mission entre les cotraitants si la cotraitance est retenue

 Pourcentage de l’élément de mission par rapport à la rémunération 

**Récapitulatif des tranches**

|  |  | **Répartition par cotraitants** **** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Montant hors TVA** | **1** | **2** | **3** | **4** | **5** |
| **Eléments de mission** |  |  |  |  |  |  |
| **Missions complémentaires** |  |  |  |  |  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Total |  |  |  |  |  |  |
| **Montant du marché hors TVA** |  |  |  |  |  |  |

**** Forfait hors TVA de répartition de l’élément de mission entre les cotraitants si la cotraitance est retenue

**ANNEXE N°3 A L'ACTE D'ENGAGEMENT**

**ORGANISATION DE L’EQUIPE PROJET**

Dans le cadre de l’exécution du marché intitulé :

Le titulaire s’engage à mettre en place une équipe projet dédiée à la réalisation des prestations prévues dans le présent marché.

Le titulaire désigne les personnes suivantes pour assurer la conduite et le suivi des missions confiées :

**Directeur de projet :**  
Nom :   
Fonction :   
Rôle :

**Chef de projet :**  
Nom :   
Fonction :   
Rôle :

**Expert(s) associé(s) :**

* 1. **Nom :**   
     **Domaine d’expertise :**   
     **Rôle :**

Le titulaire s’engage à :

* Mettre à disposition les compétences et les ressources nécessaires pour la bonne exécution du marché ;
* Maintenir la stabilité de l’équipe projet sur la durée du marché, sauf cas de force majeure dûment justifié et accepté par le maître d’ouvrage ;
* Assurer le remplacement de tout membre de l’équipe projet, en cas d’indisponibilité, par une personne de compétence et d’expérience équivalentes, après accord préalable du maître d’ouvrage.

Fait à , le ,

Pour le titulaire :  
**Nom / Prénom / Fonction**

**Signature et cachet**