MARCHE PUBLIC DE TRAVAUX

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**ACTE D'ENGAGEMENT  
(AE)**

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| ***L'acheteur exerçant la maîtrise d'ouvrage*** |
|  |
| M. Le Préfet de La Réunion |
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| ***Objet du marché*** |
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| **Travaux de remplacement et de modification des montes PMR des sites Hôtel de préfecture et sous-préfecture de Saint-Pierre** |
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| ***Lot*** | | | | |
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| N° : | **1** | **:** | **Fourniture et pose de monte PMR** |  |
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| **Marché sur procédure adaptée** en application des articles L.2123-1 et R.2123-1 à R.2123-7 du code de la commande publique 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 code de la commande . |
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**L’offre est établie sur la base des conditions économiques en vigueur le…………………………………...**

***(à renseigner par le candidat : date de remise de l’offre ou de l’offre finale en cas de remises d’offres successives).***

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| ***Date du marché*** | (Réservé pour la mention d'exemplaire unique du marché) |
|  |  |
| ***Numéro d'EJ du contrat*** |  |
|  |  |
| ***Montant TTC*** |  |
|  |  |
|  |  |
| ***Code CPV principal*** |  |
| ***42416100*** |  |
| ***Imputation*** |  |
| BOP 354  BOP 348 |  |

L'acte d'engagement comporte \_\_\_\_ pages et les annexes n°\_\_\_\_

**ACTE D'ENGAGEMENT  
(AE)**

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| ***Représentant du Maître d’ouvrage (RMO)*** |
|  |
| M. le Préfet de La Réunion |
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| ***Ordonnateur*** |
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| M. le Préfet de La Réunion |
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| ***Comptable public assignataire*** |
|  |
| M. Le directeur général des finances publiques de La Réunion |
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# CONTRACTANT(S)

q **Je soussigné,**

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q **Nous soussignés,**

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| **Cotraitant 2** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| **Cotraitant 3** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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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 code de la commande publique ;

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 code de la commande publique 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 code de la commande publique 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 code de la commande publique 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.

# PRESTATIONS ET PRIX

## 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 1 tranche optionnelle.

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

La répartition des travaux par tranche est indiquée à l'article 1.2 du CCAP.

**Évaluation 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 |  | %,       soit |  |  |
|  | | |  |  |
| * TVA au taux de |  | %,       soit |  |  |
|  | | |  |  |
| * TVA au taux de |  | %,       soit |  |  |
|  | | |  |  |
| * Montant TVA incluse : | | |  |  |
|  | | |  |  |
| Arrêté en lettres à |  | | |  |
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**Décomposition en tranches**

| **Tranche** | **Montant hors TVA** | **Montant TVA** | **Montant TVA incluse** |
| --- | --- | --- | --- |
| Ferme (Site Hôtel préfecture de St-Denis |  |  |  |
| Optionnelle 1 (Site sous-préfecture St-Pierre) |  |  |  |
| **Total du marché** |  |  |  |

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.

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

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

## 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 code de la commande publique, 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.

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 code de la commande publique) 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 code de la commande publique) 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 |  |
| Total |  |

Les déclarations et attestations (article R.2193-1 du code de la commande publique) des sous-traitants recensés dans les formulaires annexés, sont jointes au présent acte d'engagement.

# DÉLAI D’EXÉCUTION DU Marché

## Période de préparation

Le délai de la période de préparation **d'un lot** part :

* pour la tranche ferme, et par dérogation à l'article 18.1.1 du CCAG, de la date de la notification du marché ;
* pour une tranche optionnelle, de la date fixée par l'ordre de service qui prescrira de commencer la période de préparation de la tranche considérée.

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

| **Tranche** | **Délai** |
| --- | --- |
| Ferme | 30 jours |
| Optionnelle 1 | 30 jours |

## Délai d'exécution des travaux

Le délai d'exécution des travaux **de l'ensemble des lots** de chaque tranche part de la date fixée par l'ordre de service qui prescrira de commencer l'exécution du/des premier(s) lot(s) de la tranche considérée.

Il est fixé comme suit :

| **Tranche** | **Délai** |
| --- | --- |
| Ferme | 4 semaines |
| Optionnelle 1 | 4 semaines |

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.

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

# 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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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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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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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 |

q **Groupement conjoint**

| **N° du cotraitant** | **Avance prévue à l'article 5-2 du CCAP** | |
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| 1 | q refusent de la percevoir | q ne refusent pas de la percevoir |
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# signature des cocontractants

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| **Acceptation de l'offre** | |
| Est acceptée la présente offre pour valoir acte d'engagement. | |
| Le représentant du Maître d'ouvrage | |
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| **Date d'effet du marché** | | | | | | | | |
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| Reçu notification du marché le : | |  | | | | | |  |
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| 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 : | |  | | | |