4

MARCHE PUBLIC DE TRAVAUX

**ACTE D'ENGAGEMENT  
(AE)**

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| ***Pouvoir adjudicateur exerçant la maîtrise d'ouvrage*** |
|  |
| ÉTAT - MINISTÈRE DE LA JUSTICE  Secrétariat Général - Délégation Interrégionale Sud-Est  Département de l'Immobilier d'Aix-en-Provence  Immeuble Le Praesidium-350 av du Club Hippique  CS 70456 –13 096 Aix en Provence Cedex 2 |
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| ***Objet du marché*** |
|  |
| Marché de travaux pour la restauration des vitraux et travaux conservatoires sur les fenêtres du palais de justice Fortia à MARSEILLE (13) |
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| ***Marché alloti***  ***(en cas de réponse par un même candidat à plusieurs lots, un acte d’engagement par lot est à produire)*** | | | | |
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| N° du lot |  |  | *(libellé à remplir par le candidat)* |  |
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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. |
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**L’offre a été établie sur la base des conditions économiques en vigueur au mois** **d’Octobre 2025 (mois zéro).**

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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*** |  |
| ***TF :***  ***TO :*** |  |
| ***Code CPV principal*** |  |
| ***45453100-8*** |  |
| ***Imputation*** |  |
| BOP 166 – TF 047364° |  |
| ***Référence PLACE*** |  |
| DI\_AIX\_FORTIA\_MARS\_TRVX |  |

**ACTE D'ENGAGEMENT  
(AE)**

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| ***Représentant du Pouvoir Adjudicateur (RPA)*** |
|  |
| Madame la Cheffe du Département de l'Immobilier d'Aix-en-Provence |
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| ***Personne habilitée à donner les renseignements*** *aux articles R.2191-60 et R.2191-61 du CCP.* |
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| Madame la Cheffe du Département de l'Immobilier d'Aix-en-Provence |
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| ***Ordonnateur*** |
|  |
| Madame la Cheffe du Département de l'Immobilier d'Aix-en-Provence |
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| ***Comptable public assignataire*** |
|  |
| Monsieur le Directeur Régional des Finances Publiques des Bouches-du-Rhône |
|  |

***Dans la suite du présent document le pouvoir adjudicateur est désigné "Maître d'ouvrage".***

***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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|  | N° d'inscription  au répertoire des métiers **ou**  au registre du commerce et des sociétés : | | | | | | | | | | | | | | | | | | | | | |  | | | | | | |  | |
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|  |  **Agissant en mon nom personnel** ou **sous le nom de** : | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
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|  |  **Agissant pour le nom et le compte de la Société** : (intitulé complet et forme juridique de la société) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
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|  | N° d'inscription  au répertoire des métiers **ou**  au registre du commerce et des sociétés : | | | | | | | | | | | | | | | | | | | | | |  | | | | | | |  | |
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après avoir :

* pris connaissance du Cahier des Clauses Administratives Particulières (CCAP) **relatif aux travaux de restauration du PJ Fortia du 28 aout 2025** et 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 ou de la date de remise de l’offre négociée le cas échéant.

 **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 ou de la date de remise de l’offre négociée le cas échéant.

 **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 ou de la date de remise de l’offre négociée le cas échéant.

# ARTICLE 2. PRESTATIONS ET PRIX

## 2-1. Montant du marché

L'offre de prix est établie sur la base des conditions économiques en vigueur au mois m0 fixé en page 1 du présent acte d’engagement.

**Les modalités de variation des prix** sont fixées à l'article 3-3 du CCAP.

Le marché comporte une tranche ferme et 1 tranche optionnelle.

Les prestations définies aux CCTP portent sur **2 lots séparés**.

1. **TRANCHE FERME (à remplir par le candidat)**

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 |  | | |  |
|  | | | |  |

Elle est détaillée dans le cadre de Décomposition du Prix Global et Forfaitaire (DPGF) du lot correspondant.

**Montant des prestations supplémentaires éventuelles de la TF (à remplir par le candidat)**

**Pour le lot N°01**

**PSE n°01  : Verre feuilleté sous vide type FINEO**

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

Elle est détaillée dans le cadre de Décomposition du Prix Global et Forfaitaire (DPGF) du lot correspondant.

1. **TRANCHE OPTIONNELLE (à remplir par le candidat)**

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 |  | | |  |
|  | | | |  |

Elle est détaillée dans le cadre de Décomposition du Prix Global et Forfaitaire (DPGF) du lot correspondant.

1. **Montant total du marché (A REMPLIR PAR LE MAÎTRE D’OUVRAGE)**

Le montant total du marché comprend le(s) montant(s) suivant(s) :

**Tranche Ferme**

**PSE N°01**

**Tranche conditionnelle**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| * Montant hors TVA**:** | | |  |  |
|  | | |  |  |
| * TVA au taux de | 20 | %,       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.2193-1 à 3 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.

 **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

**Pour la tranche ferme**, et par dérogation à l'article 18.1.1 du CCAG Travaux, le délai de la période de préparation **d'un lot** part de la date de la notification du marché.

**Pour la tranche optionnelle**, et par dérogation à l'article 18.1.1 du CCAG Travaux, le délai de la période de préparation **d'un lot** part de la date fixée par l’ordre de service d’affermissement de la tranche optionnelle.

Par dérogation à l’article 28.1 du CCAG Travaux, le délai de la période de préparation pour chaque tranche est de **2 mois, ce délai n’est pas inclus** dans le délai global d’exécution des travaux**.**

## 3-2. Délai d'exécution des travaux

Le délai d'exécution des travaux **de chacune des tranches** partde 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** **d’exécution de l’ensemble des lots** |  |
| **Ferme** | **6 mois** | |  |
| Optionnelle | 3 mois | |  |

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.

## 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.

## 4-1. Références bancaires

 **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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|  | au nom de : | | | | | | | | | | | | | | | | | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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|  | sous le numéro : |  | |  | | |  | | |  |  | | |  | | | |  | | | |  | | | |  | | |  | |  | | |  | | | clé RIB : | | | | | | |  | | |  | | |  | | | | |
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|  | BIC (par SWIFT) |  |  | |  |  | |  |  | | |  |  | |  | |  | |  | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
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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**

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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|  | sous le numéro : |  | |  | | |  | | |  |  | | |  | | | |  | | | |  | | | |  | | |  | |  | | |  | | | clé RIB : | | | | | | |  | | |  | | |  | | | | |
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|  | code banque : |  | |  | | |  | | |  | | | | | |  | | | | | code guichet : | | | | | | | | | | | |  | | |  | | |  | |  | |  | |  | | | | | | | | |  |
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|  | BIC (par SWIFT) |  |  | |  |  | |  |  | | |  |  | |  | |  | |  | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |
|  |  Les soussignées entreprises groupées solidaires, autres que le mandataire, donnent par les présentes à ce mandataire qui l'accepte, procuration à l'effet de percevoir pour leur compte les sommes qui leurs sont dues en exécution du marché par règlement au compte ci-dessus du mandataire. Ces paiements seront libératoires vis-à-vis des entreprises groupées solidaires. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  |

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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|  | **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.

## 4-2. Avance

 **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.

[  ] 30% pour les entreprise de moins de 250 salariés

[  ]   5% pour les entreprise de 250 salariés et plus

 **Groupement solidaire**

Les membres du groupement désignés ci-devant :

 **refusent** de percevoir l'avance prévue à l'article 5-2 du CCAP.

 **ne refusent pas** de percevoir l'avance prévue à l'article 5-2 du CCAP.

[  ] 30% pour les entreprise de moins de 250 salariés

[  ]   5% pour les entreprise de 250 salariés et plus

 **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  [  ] 30% pour les entreprise de moins de 250 salariés  [  ]   5% pour les entreprise de 250 salariés et plus |
| 2 |  refusent de la percevoir |  ne refusent pas de la percevoir  [  ] 30% pour les entreprise de moins de 250 salariés  [  ]   5% pour les entreprise de 250 salariés et plus |
| 3 |  refusent de la percevoir |  ne refusent pas de la percevoir  [  ] 30% pour les entreprise de moins de 250 salariés  [  ]   5% pour les entreprise de 250 salariés et plus |
| 4 |  refusent de la percevoir |  ne refusent pas de la percevoir  [  ] 30% pour les entreprise de moins de 250 salariés  [  ]   5% pour les entreprise de 250 salariés et plus |
| 5 |  refusent de la percevoir |  ne refusent pas de la percevoir  [  ] 30% pour les entreprise de moins de 250 salariés  [  ]   5% pour les entreprise de 250 salariés et plus |

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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 : |

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **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 pouvoir adjudicateur, | | | | | | | | |
| à : | | | le : | |  | | | |

 **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 |  | % |  |  |  |
|  | | | | |  |  |  |
| Prestation de mandat | | | | |  |  |  |
|  | | | | |  |  |  |
| **Total mandataire** (I) | | | | |  |  |  |
| **Autres cotraitant** | | | | |  |  |  |
| N° | 2 | TVA |  | % |  |  |  |
|  | | | | |  |  |  |
| N° | 3 | TVA |  | % |  |  |  |
|  | | | | |  |  |  |
| N° | 4 | TVA |  | % |  |  |  |
|  | | | | |  |  |  |
| N° | 5 | TVA |  | % |  |  |  |
|  | | | | |  |  |  |

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