MARCHE PUBLIC DE TRAVAUX

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**ACTE D'ENGAGEMENT  
(AE)**

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| ***Acheteur exerçant la maîtrise d'ouvrage*** |
|  |
| Ministère des Armées - Direction Centrale du Service Infrastructure de la Défense |
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| ***Objet du marché*** |
|  |
| CLA 2000 – Transfert du contrôle commande du balisage vers la nouvelle tour de contrôle d’Evreux – Pose de fibres optiques. |
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| **Marché sur procédure adaptée** pa**ss**é en application des articles L.2123-1 et R.2123-1 à R.2123-7 du CCP. |
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**L’offre a été établie sur la base des conditions économiques en vigueur au mois** **de novembre (mois zéro) ou du mois de l’offre finale en cas de négociation**

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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*** |  |
|  |  |
| ***Montant TTC*** |  |
|  |  |
|  |  |
| ***Code CPV principal*** |  |
| ***45311000-0 : Travaux de câblage et d'installations électriques*** |  |
| ***Imputation*** |  |
| ***146*** |  |

L'acte d'engagement comporte 11 pages.

**ACTE D'ENGAGEMENT  
(AE)**

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| ***Représentant de l’acheteur (R.A.)*** |
|  |
| Monsieur le directeur du service national d'ingénierie aéroportuaire ayant reçu délégation de signature par arrêté du 21 février 2008 de monsieur le ministre de la défense. |
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| ***Personne habilitée à donner les renseignements*** *prévus à l'article 130 du décret n° 2016-360 du 25 mars 2016* |
|  |
| Monsieur le Directeur du Service National d'Ingénierie Aéroportuaire |
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| ***Ordonnateur*** |
|  |
| Monsieur le Directeur de l'ESID de Rennes |
|  |

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| ***Comptable public assignataire*** |
|  |
| Madame la Directrice Départementale des Finances Publiques des Landes  Direction des Finances Publiques des Landes  23, rue Armand DULAMON  BP 20175  40003 MONT DE MARSAN CEDEX |
|  |

***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)

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 ;
* pris connaissance du Cahier des Clauses Administratives Générales (CCAG) du 30 mars 2021 ;
* réalisé la visite obligatoire sur site dans les conditions énoncées à l’article 5 du RC ;
* 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, les certificats, attestations et déclarations mentionnés aux articles R.2143-6 à R.2143-10 du CCP ainsi que les attestations visées à l’article 3.4 du CCAP et, conformément aux stipulations des documents cités ci-dessus, à exécuter les prestations **du marché 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 180 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 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 présent marché 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 180 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 décret n°2018-1075 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 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 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 **180 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. Le délai de validité des offres est spécifié à l’article 2-10 du RC.

# 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 ne comporte pas de tranche.

L’opération de travaux n'est pas allotie.

Les travaux 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 |  | | |  |
|  | | | |  |

**Valorisation de la prestation supplémentaire éventuelle**

| **Prestation supplémentaire éventuelle n°1** | **Montant hors TVA**  | **Montant TVA incluse** |
| --- | --- | --- |
| 1. Mise à jour des fonds de plan des supervisions et des dalles existantes |  |  |
|  |  |  |

 plus ou moins-value par rapport à la solution de base

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Compte tenu de l'acceptation de la prestation supplémentaires éventuelles | | | | | | | |
| n° |  | | , le montant du marché est arrêté à : | | | | |
|  | | | | | | | |
| * Montant hors TVA**:** | | | |  | |  | |
|  | | | |  |  | |  |
| * TVA | | | |  | |  | |
|  | | | |  |  | |  |
| * Montant TVA incluse : | | | |  | |  | |
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| Arrêté en lettres à | |  | | | |  | |
|  | | | | | |  | |

## 2-2. Montant sous-traité

### 2-2.1. Montant sous-traitait désigné au marché

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 d’acte de sous-traitance SNIA 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 d’acte de sous-traitance SNIA 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 |  |  |
| * Montant TVA incluse |  |  |

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.

q **Groupement solidaire**

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

|  |  |  |  |
| --- | --- | --- | --- |
| **N° du cotraitant** | **Montant hors TVA** | **Montant TTC** |  |
| 1 |  |  |  |
| 2 |  |  |  |
| TOTAL |  |  |  |

Les déclarations (article R.2193-1 du CCP) des sous-traitants recensés dans les formulaires annexés, sont jointes au présent acte d'engagement.

### 2-2.2. Créance présentée en nantissement ou cession

q **Entreprise unique :**

Le montant maximal, TVA incluse, de la créance que **je pourrai** présenter en nantissement ou

|  |  |
| --- | --- |
| céder est ainsi de : |  |

q **Groupement solidaire**

Le montant maximal, TVA incluse, de la créance que **nous pourrons** présenter en nantissement ou céder est ainsi de :

|  |  |
| --- | --- |
| **Cotraitant 1** | **Cotraitant 2** |
|  |  |
| **Cotraitant 3** | **Cotraitant 4** |
|  |  |
| **Cotraitant 5** |  |
|  |  |

# ARTICLE 3. DELAI D'EXECUTION DU MARCHE

## 3-1. Durée contractuelle du marché

La durée contractuelle du marché commence à la notification et se termine à la date la plus tardive entre la notification de la réception ou à la notification du décompte général définitif au titulaire.

## 3-2. Période de préparation

Par dérogation à l'article 28.1 du CCAG, le délai de la période de préparation est de **1 mois** à compter de la date fixée par l'ordre de service qui prescrira de la commencer.

## 3-3. Délai d'exécution des travaux

Le délai d’exécution des travaux est de **2 mois** à compter de la date fixée par l’ordre de service qui prescrira de les commencer.

# ARTICLE 4. 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**

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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|  | **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.

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| Fait en un seul original | | | | | |
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| Mention(s) manuscrite(s) "lu et approuvé" signature(s) de l'/des entreprise(s) : | | | | | |
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| **Visas** | |
| à :  le : | Avis de l'autorité chargée du contrôle budgétaire régional  Avis :  à :  le : |

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