MARCHE PUBLIC DE SERVICES

ACTE D'ENGAGEMENT   
(AE)

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| ***Acheteur*** |
|  |
| Direction régionale et interdépartementale de l’environnement,  de l’aménagement et des transports d’Île-de-France (DRIEAT IF)  Direction des routes d’Ile-de-France. |
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| ***Objet du marché*** |
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| **Accord-cadre à bon de de commande d’assistance à Maîtrise d’ouvrage pour l’instruction des demandes d’aménagement sur le réseau routier national géré par la DiRIF par des maîtrises d’ouvrage tiers** |
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| **Accord-cadre mono-attributaire donnant lieu à la passation de bons de commande, en application des articles L.2125-1, R.2162-2, R.2162-4 et R.2162-7 à R.2162-10 du CCP passé au terme d’une procédure d’appel d’offres ouvert définie aux articles L.2125-1, R.2162-2, R.2162-4, R.2162-13 et R.2162-14 du Code de la commande publique** |
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**Mois d’établissement des prix (m0) : mois précédent celui de la date limite de remise des offres indiquée en page de garde du Règlement de Consultation.**

ACTE D'ENGAGEMENT  
(AE)

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| ***Représentant de l’acheteur (RA)*** |
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| Madame la Directrice Régionale et Interdépartementale de l'Environnement, de l’Aménagement et des Transports d'Île-de-France, en vertu de l’arrêté de délégation de Monsieur le Préfet de la Région Île-de-France, Préfet de Paris n°IDF-2023-04-19-00003 du 19/04/2023. |
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| ***Ordonnateur*** |
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| Direction Régionale et Interdépartementale de l'Environnement, de l'Aménagement et des Transports d'Île-de-France (DRIEAT IF), Direction des routes d’Île-de-France |
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| ***Comptable public assignataire*** |
|  |
| Monsieur le Directeur des Finances Publiques du Val de Marne |
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***Dans la suite du présent document l’acheteur 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 **Agissant en mon nom personnel** ou **sous le nom de** : | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
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|  | Domicilié à : | |  | | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
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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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|  | Ayant son siège à : | | |  | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
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|  | N° d'identité d'établissement (SIRET) : | | | | | | | | |  |  | |  | |  | |  |  | |  |  |  | |  |  |  |  |  | |  | |
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|  | N° d'inscription q au répertoire des métiers **ou** q au registre du commerce et des sociétés : | | | | | | | | | | | | | | | | | | | | | |  | | | | | | |  | |
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q **Nous soussignés,**

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| **Cotraitant 1** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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|  | q **Agissant en mon nom personnel** ou **sous le nom de** : | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
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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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|  | N° d'identité d'établissement (SIRET) : | | | | | | | | |  |  | |  | |  | |  |  | |  |  |  | |  |  |  |  |  | |  | |
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|  | N° d'inscription q au répertoire des métiers **ou** q au registre du commerce et des sociétés : | | | | | | | | | | | | | | | | | | | | | |  | | | | | | |  | |
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| **Cotraitant 2** | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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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, 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 1.9 du Cahier des Clauses Administratives Particulières et, conformément aux stipulations des documents cités ci-dessus, à exécuter les prestations **du marché** 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 6 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.

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 CCP ainsi que les attestations visées à l’article 1.9 du Cahier des Clauses Administratives Particulières et, conformément aux stipulations des documents cités ci-dessus, à exécuter les prestations **du 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 6 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 est établie sur la base des conditions économiques 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.

Les modalités de variation des prix sont fixées à l'article *3.3 – Variation dans les Prix* du CCAP.

Les prestations seront rémunérées par application des prix du bordereau des prix unitaires et forfaitaires du présent accord-cadre.

Il n’y a pas de montant minimum à l’accord-cadre.

Le montant maximum de l'accord-cadre, est définit comme suite :

|  |  |
| --- | --- |
| **Période** | **Montant maximum HT** |
| Ferme | 1 000 000, 00 € HT |
| Reconduction n° 1 | 1 000 000, 00 € HT |
| Reconduction n° 2 | 1 000 000, 00 € HT |
| Reconduction n° 3 | 1 000 000, 00 € HT |

q **Groupement conjoint**

Le détail des prestations exécutées par chacun des membres du **groupement conjoint** est joint en annexe au présent acte d'engagement.

## 2-2. Montant sous-traité

### **2-2.1. Montant sous-traité désigné au marché**

En cas de recours à la sous-traitance, conformément à l'article 5 de la loi du 31 décembre 1975 modifiée, le(s) formulaire(s) DC4 (*téléchargeable sur le site :* [*http://www.economie.gouv.fr/daj/marches-publics*](http://www.economie.gouv.fr/daj/marches-publics)*)* annexés au présent acte d'engagement indique(nt) la nature et le montant des prestations qui seront exécutées par des sous-traitants, leurs noms et leurs conditions de paiement. Le montant des prestations sous-traitées indiqué dans chaque formulaire 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.

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

Le montant maximal, TVA incluse, de la créance que **je pourrai/nous pourrons** présenter en nantissement ou céder sera limité au montant de chaque bon de commande diminué, éventuellement, de la part sous-traitée ou pour le montant minimum du marché.

# ARTICLE 3. DUREE DE L’ACCORD CADRE ET DELAIS D’EXECUTION

## 3-1. Durée du marché

L’accord-cadre prend effet à compter de la date de sa notification.

La durée de la période ferme de l’accord-cadre est de 12 mois à compter de sa notification.

Le marché pourra être reconduit de manière tacite selon la périodicité suivante :

| **Période** | **Durée** |
| --- | --- |
| Reconduction n° 1 | 12 mois |
| Reconduction n° 2 | 12 mois |
| Reconduction n° 3 | 12 mois |

Le titulaire ne pourra pas refuser cette reconduction.

Si l’acheteur décide de ne pas reconduire le marché, il devra prévenir le titulaire dans un délai de 2 mois avant la fin de la période.

La non-reconduction du marché par l’acheteur ne peut ouvrir droit au profit du titulaire à aucune indemnité de quelque sorte que ce soit, ni à aucun dédommagement

## 3-2. Durée et délai d’exécution des bons de commande

Le délai d'exécution afférent à chaque commande sera précisé dans le bon de commande.

Les prestations seront exécutées à compter de la date de début d’exécution des prestations telle que définie à l’article *4 – Délai d’exécution des prestations* du CCTP

La durée pendant laquelle peuvent s'exécuter les bons de commande ne peut excéder la durée du

marché majorée de 6 mois..

# ARTICLE 4. PAIEMENTS

**4.1 – Modalités de règlement des comptes**

Les modalités du règlement des comptes de l’accord-cadre 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 accord-cadre en faisant porter le montant au crédit du compte (joindre un RIB ou RIP) :

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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q **Groupement conjoint**

Le maître d'ouvrage se libérera des sommes dues au titre du présent accord-cadre 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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|  | | BIC (par SWIFT) | |  | |  | | | |  | | |  | | | |  | | | |  | |  | | | |  | | |  | | |  | | | |  | | |  | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |  | |
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Toutefois, le maître d'ouvrage se libérera des sommes dues aux sous-traitants payés directement 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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| Signature(s) électronique (s) de l'/des entreprise(s) : | | | | | |
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| **Acceptation de l'offre** | |
| Est acceptée la présente offre pour valoir acte d'engagement. | |
| Le représentant de l’acheteur | |
| 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** : | | |  | |  | | |
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| Reçu le | l'accusé de réception de la notification du marché | | | | | | |
| du **titulaire** / **mandataire du groupement** destinataire.  Pour le représentant de l’acheteur, | | | | | | | |
| à : | | le : | |  | | | |

ANNEXE N°\_A\_ A L'ACTE D'ENGAGEMENT EN CAS DE GROUPEMENT CONJOINT

**Détail des prestations exécutées par chacun des cotraitants**

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| **Nom du mandataire**  **cotraitant 1** | | **Prestations du mandataire - Poste(s) technique(s)** |
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| **Autres cotraitants** | | **Prestations des autres cotraitants - Poste(s) technique(s)** |
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| **N°2** |  |  |
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| **N°3** |  |  |
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