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by Falih Suaedi

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Quick Tender Policy Implementation on Procurement of Goods and Services in the Government of East Java Province

N A D Hidawan¹, F Suaedi², R Rahardian³

^{1,2,3} Universitas Airlangga, Surabaya

¹nugroho.hidawan@gmail.com, ²suaedifalih@gmail.com, ³ramaditya.rahardian-2018@fisip.unair.ac.id

ABSTRACT

Quick Tender is an innovation carried out by the state by cutting the evaluation of elections and leaving evaluation of prices. It is expected that the procurement of goods needed by the government is available and can be done quickly. The Quick Tender has been carried out by the Goods and Services Procurement Department but is not fully successful. It was noted that in 2019 there was a provider determined as the election working group or better known as the tender committee but resigned because they felt unable to fulfill the package. This study aims to look at the implementation of a rapid tender conducted by the Working Group and identify the problem of the provider who has been designated as a tender resigned. Research using qualitative methods. Data collection techniques using interviews and documentation. This search lasted for three months. The theory used in analyzing this policy uses four variables of the George C. Edward III implementation model with the result that in the process of selecting a fast tender for other goods / construction / service providers by utilizing the Performance Information System for Goods / Services Providers (SIKaP) which do not require qualification assessment, administrative, and technical stages according to the provisions of LKPP Regulation No. 19 of 2018 but the credibility of the data from SIKaP has not been confirmed and cannot describe the mastery of the ability of providers to carry out the work won. This research concludes that there is a need to improve the SIKaP and the application of a fast tender (SPSE) to support the implementation of a fast tender that only evaluates prices.

Keyword: *policy implementation, quick tender, LPSE, SPSE*

1. INTRODUCTION

In the fast-paced and fast-paced times like today, everything is demanded to be responsive to adapt to the progress of the times with existing technology, because if not they will be difficult to advance and compete and develop. Borrowing the opinion of renowned economist Stiglitz, said that no country in the world is immune from globalization, except for poor and developing countries. In the midst of the impact of globalization, every country is brought towards the creation of global integration [1]. Changes today can not be avoided in human life. Starting with the business world who first realized the importance of a step of change for improving a quality of the production produced, to the administrative stage. Various ways

and various approaches have been taken to describe the problems that arise due to changes (Poluakan, 2016). Meanwhile, with modernization and globalization, public and private organizations are required to survive and even continue to exist. Directly or indirectly indeed public and private organizations must innovate and change in accordance with the circumstances of a very forward era. If an innovation or change in a private company is more oriented to obtaining greater efficiency and profits, the difference in public organizations or government is more aimed at efficiency and improving services to the community. [3]. In essence, every change made leads to an increase in the effectiveness of the organization with the aim of improving the organization's ability to adapt to changes in the environment and changes in the behavior of its organizational members [4].

Fundamentally, Indonesia heads to government paradigm change consisting of institutional, staffing, financial and procedural management (statutory provisions) with a marked space for the wider community. Community participation encourages the implementation of good governance to develop into clean government which is clean government management to change slow bureaucracy, convoluted procedures and entrenched KKN practices. A clean government will improve the conditions of government. Thus, they have integrity and awareness not to deviate from authority. The consequences of implementing clean and good governance with changes or new ways of providing public services with information systems to ensure transparency and accountability. The system is known as electronic government or e-government. Implementation of e-government established four models of service relationships provided by the government, as follow: a) G2C (Government to Citizen/Government to Customer) between the government and the people or customers, b) G2B (Government to Business) between the government and business / business actors, c) G2G (Government to Government) between the government and the government, and d) G2E (Government to Employees) between the government and employees both civil servants and government employees with contractual agreements in government (biropem.baliprov.go.id).

The implementation of e-government model to give transparent and accountability of public service of procurement of government goods/services is reflected in e-procurement. In the course of goods/services procurement services, innovation continues to be carried out until a rapid tender policy exists. The implementation of the Quick/rapid Tender policy is regulated in Presidential Regulation No. 16 of 2018 concerning Procurement of Government Goods/Services and LKPP Regulation No. 9 of 2018 concerning Guidelines for Procurement of Goods / Services Through Providers. Based on these rules, the definition of Rapid/Quick Tender is a method of selecting Goods/Construction/Other Service Providers by using the Information System of Goods/Services Provider Performance (SIKAP) which do not require qualification assessment, evaluation of administrative offers, evaluation of technical offers, rebuttal and objections. From this understanding, the selection of rapid tenders is enough to use price evaluation, therefore, quick tenders can only be conducted to procure goods which are generally available. Thus, procurement can be carried out quickly for 3-5 working days.

Quick Tender in East Java Province is conducted by The Goods / Services Procurement Section of the East Java Province Regional Secretariat Development Administration as the Goods / Services Procurement Work Unit (UKPBJ) which has the task of carrying out tenders by the Election Working Group, Electronic Procurement System management by LPSE, problem advocacy and HR development. When the authors conducted research in the Procurement of Goods Services Section, it was found several findings related to the Implementation of a Quick Tender in East Java, the first is that there were providers who were declared victorious by the working group but resigned. The information we obtained from the

interviewees was that there were at least 3 quick tenders whose providers resigned after being announced as winners. The data can be seen in the table below. (Table 1)

Table 1. Failed-to-contract Quick Tender (providers resign) in East Java Province in 2019)

No	Applicant Agency / Department	Work Package	Implementation Date	Value (IDR)
1	Regional Revenue Department	HVS Folio 70 Gram (F4)	August 9 th , 2019	275.137.500,00
2	Forestry Service	Software Gps Pathfinder Office, Arcgis and Arcgis Extensions Spatial Analyst	June 12 th , 2019	334.950.000,00
3	RSU Karya Husada Batu	Belanja Modal Pengadaan Alat Berat	June 26 th , 2019	744.999.999,70

Source: East Java Province Regional Secretariat Development Administration

The sample case is Capital Expenditures for Procurement of Heavy Equipment from RSU Karya Husada Batu, the winner of the tender quickly resigned because they were unable to fulfill the package. What made people surprised was that during the election for the appointment of reserve 1 winner, it was conducted after evaluating seventeen providers (sequence number 2 to 18), until the provider was chosen as sequence number 18 as the winner of reserve 1 (ishana kokka), as always, the winner resigned, thus, the current status is failed to contract.

The second finding is incompatibility between the provisions of LKPP Regulation Number 9 in 2018 about Guidelines for the Implementation of Procurement of Goods/Services Through Providers. Under the terms of the qualifications requirements for the financial capability of other goods/services/consultancy services providers for non-small Providers must have financial capability in the form of Real Ability Skills (SKN). However, it is not required in a quick tender, even though the SKN must be available for non-small providers without any exceptions. Discrepancies between the provisions are also found in terms of experience, in terms of the technical qualifications of providers the experience of providers is assessed from the experience of supplying goods in the same division in the past a year. Goods in the same division use the Indonesian Standard Commodity Classification (KBKI) reference. Whereas, in the quick tender experience was using the Indonesian Business Field Book Classification (KBLI). The findings illustrate that the implementation of the quick tender policy has not been optimal. This research aims to see the implementation of the quick tender policy conducted by the Working Group and identify the problems.

2. RESEARCH METHOD

Research method in this research used descriptive method. It describes or explains the state of an object (reality or phenomenon) as in accordance with the situation and condition at the time of the study [5]. This research used a qualitative research approach. Qualitative research is intended to obtain authentic research data which is more in-depth. Thus, the research conducted is more in accordance with the real situation in the field, more valuable and quality. Research with a qualitative approach is descriptive and uses analysis to process data obtained from research results. Data collection techniques using interviews and documentation. The location of the research is in the Procurement Section of the Goods/Services Development

Administration Bureau and this research lasted for three months. Finally, for data analysis and validation [12] we used interactive data analysis following the analysis guidelines from [6] which included data collection, data condensation, data display and drawing conclusions.

3. RESULTS AND DISCUSSION

Research about policy implementation has been widely used by national researchers such as [7], [8], [9] and most recently [10] and [11]. To analyze the implementation of a policy clearly, it needs to see the implementation in the form of policy implementation models. One of the theories of the model of public policy implementation is from George Edward III in [12], there are 4 factors which influence the success or failure of policy implementation including (1) communication, (2) resources, (3) disposition and (4) bureaucratic structure.

3.1 Communication

Policy implementation basically is about understanding the goal and direction of quick tender policy. Quick tenders are predicted as an innovation to procure goods/services quickly which only takes 3-5 working days. However, with the tender requirements for procurement of goods whose specifications and volume of work, it can be determined in detail (mentioning the brand). For good services providers, the system will qualify into the Goods /Services Provider Performance Information System (SIKaP) and those that meet the criteria will be invited through the Electronic Procurement System (SPSE) application. After the provider enters a bid within a predetermined period of time the winner is chosen based on the lowest bid. Therefore, the selection process can be completed with a relatively short time compared to other selection methods.

The basis for the Quick Tender Policy in East Java is stipulated in three regulations, which are the Republic of Indonesia Presidential Regulation on Procurement of Goods/ Services, LKPP Regulation Number 9 of 2018 concerning Guidelines for the Implementation of Procurement of Goods/Services Through Providers and East Java Governor Regulation Number 138 in 2018 concerning Provision of Goods /Services Procurement Support to the Government of East Java Province. it regulates the procurement of goods/services in general. The Quick Tender Policy on the rule is explained as one part of government procurement of goods/services. There are no specific technical rules/instructions for Quick tenders. It causes the miscommunication of policy implementers in this case is the election working group. The election implementation process through a quick tender still does not accommodate the provisions of the provider requirements as regulated in LKPP regulation number 9 in 2018. The discrepancy can be seen from the qualification requirements of the financial capabilities of other goods/ services/consultancy providers for non-small Providers must have financial capacity in the form of capability Real (SKN). However, it is not required in quick tender, even though the SKN must be available for non-small providers without any exceptions. Discrepancies also occur in terms of experience, in terms of technical qualifications the experience provider is assessed from the experience of supplying goods in the same division in the past 1 year. Goods in the same division use the Indonesian Standard Commodity Classification (KBKI) reference. Whereas, in the quick tender experience was seen using the Indonesian Business Field Book Classification (KBLI). With this discrepancy, there are hesitation about the validity of the tender results that are the output of the working group.

3.2 Resource

Resource can include staff and infrastructure facilities which can support the process of policy implementation. Discussing the procurement of goods/services must first understand that the resources in conducting the procurement of goods/services tenders are carried out by the electoral working group or commonly referred to as the working group. Each Pokja/policy implementation contains 3 or more civil servants with an odd number. However, not all civil servants can become members of the Working Group, only those who have functional positions managing goods/services procurement or general functional positions that have certificates of expertise in the procurement of basic goods/services which can become working group members as well as employees in the Procurement Section. Thus, civil servants who work in the Procurement Section of Goods/Services already have the ability and sufficient knowledge in the field of procurement of goods/services.

The Goods/Services Procurement Department is supported by resources who are 48 employees, consisting of 31 civil servants and 17 PTT/temporary employees. 31 civil servants are formed 25 electoral working groups. One working group contains three civil servants, so that one civil servant can concurrently work in several working groups at once. (Table 2)

Table 2. Employee in Goods/Services Procurement Section (October 2019)

No	Education	Number of Employee		Total
		Civil Servant	Temporary Employee	
1	SMA	1	3	4
2	Sarjana Muda	3	1	4
3	Sarjana	14	12	26
4	Pasca Sarjana	13	1	14
	Jumlah	31	17	48

Source: East Java Province Regional Secretariat Development Administration

Goods/Services Procurement Section/unit established policy policy implementation or *pokja* of 25 groups to accommodate the number of procurement packages that enter each year. In 2016 there were 989 packages, in 2017 there were 1173 procurement packages, in 2018 a total of 1,048 tender procurement packages, and in October 2019 there were 953 work package and were growing because there were still Regional Apparatuses conducting tenders at the end of the year. The average was 1,100 packages. Each working group would manage 44 packages, so that one ASN/State Civil Apparatus can have a workload of 70-80 packages per year. The workload is normal to see the target annual credit number from the functional position of the manager of the procurement of goods/services of 80 packages per year. With workloads and work sensitivity, the Goods/Services Procurement Section receives adequate budget support, especially providing high incentives because it was adjusted to the type of work that is very close to KKN/corruption collusion nepotism. Therefore, it is expected that employees in the Goods/Services Procurement Section can work cleanly from KKN/corruption collusion nepotism and implement their duties according to applicable rules.

3.3 Disposition

Quick Tender Policy was applied in 2018, as it is managed in Presidential Regulation Number 16 in 2018 concerning Procurement of Goods and Services of the Government and in the Government of the Province of East Java, quick tender policy began to be implemented in Fiscal 2019. In the implementation, there were benefits and obstacles faced by the Working

Group. The results of our interview with members of the Working Group found that the quick tender method is a new policy that has a good vision, such as the acceleration of the process of selecting providers, for the procurement of goods / services whose specifications and volume of work can be determined in detail, but it is not appropriate for types of goods/services that require technical evaluation which are technical specifications, methods of carrying out work, personnel and / or equipment. It is because in the quick tender method the lowest bid is automatically determined as a winner by SPSE to further clarify qualifications if necessary. However, in its implementation, it still needs a lot of improvement because the system used does not accommodate the provisions of the provider requirements in LKPP regulation number 9 in 2018. Apart from the SKN requirements (remaining real ability / financial capacity) for non-small providers that have not been listed, the conditions of experience in the quick tender is not in accordance with LKPP regulation number 9 in 2018. With the discrepancy, there are doubts about the validity of the tender results being the output of the Working Group, whether it can be accounted for. SKN serves to describe the financial capabilities of providers. Thus, the winner can truly provide goods/services without having financial constraints.

3.4 Bureaucratic Structure

Based on Regulation of the Minister of Home Affairs Number 112 in 2018 about the Establishment of Work Unit for Procurement of Goods/Services (UKPBJ) that UKPBJ has the duty to conduct tenders by election working groups, management of SPSE by LPSE, advocacy issues and human resource development, the Government of East Java Province, the Procurement Section plays role as UKPBJ as stipulated in the East Java Governor Regulation No. 115 in 2018 concerning Amendments to the East Java Governor Regulation No. 58 of 2016 concerning the Position, Organizational Structure, Job Description and Duties and Functions and Work Procedures of the Secretariat East Java Province. For information, the Procurement of Goods/Services has a long history, it began in procurement governance era Presidential Regulation Number 54 in 2010 concerning Procurement of Government Goods/Services, Procurement Service Units (ULP) in the Government of East Java Province have been formed, but the ULP working groups are still scattered in each OPD and procure goods/services in their respective OPD environment.

In 2014, a technical implementing unit was established. It was called the Technical Implementation Service for Goods/Services Procurement Services (UPT P2BJ) under the Office of Investment and Integrated Services One Door (DPM PTSP) of East Java Province. It has the task of centralizing the procurement of goods/services in the environment. The Government of East Java Province is conducted using the auction/selection method. However, the personnel assigned to UPT P2BJ are still adhoc and take on the working group personnel in each OPD to work at UPT P2BJ. In 2018, Presidential Regulation 16 in 2018 was issued. It changed the term ULP to UKPBJ, and signaled that Pokja personnel must be permanent and must not be adhoc. With this new provision, the Government of East Java Province moved the structure of the UKPBJ organization which was originally under the PTSP DPM to be under the Development Administration Bureau as of 1 January 2019 until now. In the future UKPBJ which is under the administration of Development bureau will change again to become a Procurement Bureau for goods / services. However, this matter is still waiting for the inauguration of new official.

4. CONCLUSIONS

Quick Tender is innovation in procurement of goods/services to accelerate the procurement of goods which have specifications and the volume of work can be determined in detail. Yet, it is not appropriate to be used for types of goods/services which require technical assessment such as technical specifications, methods of carrying out work, personnel and/or equipment. Because in the quick tender method, the lowest bid is automatically determined as a winner by SPSE to further clarify qualifications if necessary. The rules which are still new lead to imperfections of policies that have caused the policies to not yet run perfectly. Quick tender is about acceleration by eliminating the stages of qualification assessment, evaluation of administrative bids, evaluation of technical bids, rebuttal and objection rebuttal, eliminating SKN requirements (residual real ability / financial capability) and experience requirements as well as using provider data in the Performance Information System of Goods Providers / Services (SIKaP) to screen providers according to conditions. Suggestions for quick tenders are as follow: (1) It needs an improvement in the system of quick tenders through SPSE. Thus, the implementation of quick tenders can run in accordance with the provisions contained in LKPP Regulation number 9 of 2018, (2) It needs a re-understanding of KDP especially those who will implement fast tender that not all work can be done by the fast tender method, there are certain criteria that a job can be done by the quick tender method or not, (3) it needs to give strict sanctions on participants who resign after being declared the winner by the working group.

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