

A Comparative Study Of The Direct Appointment Process For Construction Service Providers Under Presidential Decree No. 16 Of 2018 And Presidential Decree No. 12 Of 2021 (Case Study: Gunung Rajak Village Library Construction Project)

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Abstract.

Construction work is an important part of economic growth. Procurement of construction goods and services is one of the factors for successful development. One method used in procurement of construction services is direct appointment. Based on this, the government issued Presidential Regulation No. 16 of 2021 and Presidential Regulation No. 12 of 2021 concerning procurement of construction goods and services. The purpose of this study is to determine the stages of the direct appointment process and to determine the impact of changes in presidential regulations on the process of direct appointment of construction service providers. Thus, it is hoped that it can provide policy recommendations that can increase the effectiveness of construction service procurement. The research method uses quantitative descriptive research. The sampling technique uses purposive sampling, with data taken from the Gunung Rajak Village Library Building Construction project and questionnaires distributed to service providers, service providers, and the Gunung Rajak village community who understand service procurement. The data processing is descriptive and the questionnaire data processing uses a Likert Scale. The results of this study are that the process of direct appointment activities in the Gunung Rajak village library building construction project was carried out well and structured. Then the results of the questionnaire analysis with a Likert Scale showed the percentage value of the respondents' attitudes above 80%, with a small standard deviation value, namely (between 0.626 - 0.484), and an average Likert scale value of 4. These results indicate that Presidential Regulation No. 12 of 2021 is considered better in the process of direct appointment of construction service providers compared to Presidential Regulation No. 16 of 2018.

Keywords: Direct Appointment; Construction Project and Presidential Regulation.

I. INTRODUCTION

Development in Indonesia is currently experiencing rapid growth, particularly in the construction infrastructure sector. Increasing construction development is driving faster economic growth. One of the factors contributing to the success of construction development is the procurement of goods and services. Procurement of goods and services is an activity regulated by the central and regional governments and funded by the government budget. It should be noted that the average number of construction service procurement activities in public institutions has currently reached 15-30% [1]. Efficient and transparent procurement of goods and services is a crucial component of the infrastructure development process. Therefore, the government has issued Presidential Regulation No. 16 of 2018 and Presidential Regulation No. 12 of 2021. These regulations govern the procurement mechanisms for goods and services, including construction services, which are expected to enhance project competitiveness and quality. In the procurement of construction services regulated by the government, there are several methods that can be implemented, one of which is direct appointment. This direct appointment method is not commonly used, especially under certain circumstances and for the procurement of construction goods and services of a special nature [2]. However, it is important to note that although direct appointment offers convenience, it must still be carried out carefully to avoid potential abuse [3]. Effective procurement of goods and services depends heavily on a good understanding of applicable regulations. [2].

Direct appointment of construction service providers is regulated in Presidential Regulation No. 12 of 2021 concerning amendments to Presidential Regulation No. 16 of 2018. Changes to the construction services law demonstrate efforts to improve construction quality and provide better protection for construction service users [4]. Increasing accountability in government procurement of goods/services can be achieved through stricter oversight and clear sanction mechanisms [5]. This research was conducted on a government project, namely the Construction of the Gunung Rajak Village Library Building. The project used direct appointment as the procurement method for construction services. This attracted the researcher to conduct a case study related to the direct appointment process for construction services. Presidential Regulation No. 12 of 2021 amends the previous regulation, Presidential Regulation No. 16 of 2021. This regulatory change aims to simplify the construction services procurement process and increase transparency in project implementation.[6]

This research is important to understand the stages of the direct appointment process for construction service providers and the impact of regulatory changes on the direct appointment process. The purpose of this research is to understand the stages of the direct appointment process for construction service providers in the Gunung Rajak Village Library Building Construction project and to understand the impact of regulatory changes on the direct appointment process for construction service providers. This research will involve service providers/owners, service providers, and the surrounding community involved in the procurement process for construction goods/services. This will foster a greater sense of ownership and participation, and hopefully, improve the project's sustainability in the future. This aligns with the principles of sustainable development, which emphasize the importance of community involvement in every phase of development. Furthermore, this research is expected to provide policy recommendations that can improve the effectiveness of construction service procurement at the local level, thereby enabling infrastructure development in Indonesia to proceed more effectively and provide greater benefits to the community.

II. METHODS

The research was conducted on the Gunung Rajak Village Library Building Construction project, a government project that uses a direct appointment system for its construction services procurement. Initial identification was conducted through an investigation into the direct appointment process for construction service providers based on Presidential Regulation No. 16 of 2018 and Presidential Regulation No. 12 of 2021. This study employed a descriptive quantitative method, aiming to provide a systematic explanation of the research. The data sources used were primary and secondary data, referring to the two Presidential Regulations and commonly used data. Primary data was obtained from questionnaires distributed to respondents and interviews with several parties involved in the procurement of construction services. Secondary data came from the Presidential Regulation and data from previous regulations. The sample was drawn using a purposive sampling technique, which determines the sample based on specific objectives [7]. The number of respondents used in this study was 30.

This involved service users, service providers, and the Gunung Rajak Village community who were involved in and understood the procurement of construction services. Interviews were conducted simultaneously with the distribution of the questionnaires. The questionnaire data was used to determine respondents' perceptions of changes to current regulations, and the interviews were used to determine the implementation of the direct appointment process for construction services. The reference used to determine the variable for comparing respondents' perceptions of the direct appointment process for construction service providers is Presidential Regulation No. 16/2021 and No. 12/2021, Article 38, paragraph 4, which explains that the direct appointment process for construction service providers can be carried out under certain circumstances. Furthermore, Article 57, paragraph 4 of Presidential Regulation No. 70 of 2015: The selection of providers of goods/other services for non-emergency handling using the direct appointment method includes the following stages:

1. Invitation to participants
2. Submission of documents
3. Qualification evaluation

4. Proof of qualifications
5. Explanation
6. Submission of documents
7. Tender evaluation
8. Minutes
9. Determination of provider
10. Announcement of provider

Data analysis and processing were descriptive in nature to provide detailed, systematic, and comprehensive explanations regarding various aspects of the direct appointment process for construction service providers, referring to Presidential Regulation No. 16 of 2018 and Presidential Regulation No. 12 of 2021. Data processing for the questionnaires involved analyzing respondents' responses. The analysis of respondents' responses was conducted using a Likert scale, which indicates agreement and disagreement with the questions posed [8]. The following are the criteria for assessing respondents' responses.

1. Better scores: 5
 2. Good scores: 4
 3. Relatively Poor scores: 3
 4. Poor scores: 2
 5. Worse scores: 1
- Where: For score interpretation:
- 0 - 20% = Very poor category
- 21 - 40% = Poor category
- 41 - 60% = Relatively Same category
- 61 - 80% = Good category
- 81 - 100% = Better category

To determine the assessment percentage based on the score of each respondent's answers in the questionnaire data, use the following formula:

Maximum score for each question: 5 x number of respondents

Assessment percentage:
$$\frac{\text{total score for each question} \times 100\%}{\text{Maximum score}}$$

The steps in calculating the Likert Scale analysis method to determine respondents' attitudes are as follows:

1. Determine and add up the scores generated based on each factor compared from each respondent's answer.
2. Determine the maximum score based on each statement of the compared factors.
3. Determine the percentage, average, and standard deviation as determinants of respondents' perceptions of changes in construction service procurement regulations related to the direct appointment of construction service providers.

III. RESULT AND DISCUSSION

1. Stages of the Direct Appointment Process for Construction Service Providers.

Based on Presidential Decree No. 16 of 2018[9] and Presidential Decree No. 12 of 2021[10], Article 38 paragraph 4 explains that the direct appointment process for construction service providers can be carried out under certain circumstances and for special reasons. However, the stages of the direct appointment process are not specifically stated in either Presidential Decree. For the Gunung Rajak Village Library Building construction project, the direct appointment process, based on interviews with construction service providers, and referring to both Presidential Decrees and general regulations, is as follows:



Fig 1. Interview Process and Questionnaire Distribution

No	Activities	time
1	Invitation to participants	September 17, 2024
2	Document submission	September 19, 2024
3	Qualification evaluation	September 23, 2024
4	Qualification verification	September 25, 2024
5	Provision of explanation	September 26, 2024
6	Bid document submission	September 30, 2024
7	Bid evaluation	02 October 2024
8	Provider determination	08 October 2024
9	Provider announcement	08 October 2024

Table 1. Direct appointment process for construction services

In Table 1 above, the results of interviews conducted with construction service providers show that the process of implementing the direct appointment of construction service providers in the Gunung Rajak Village Library Building Construction Project was carried out for 22 days starting on September 17 to October 8, 2024. Then, the implementation went well and was structured and carried out based on general regulations. Thus, it can be said that the implementation of the direct appointment process for construction service providers in the Gunung Rajak Village Library Building Construction Project has been carried out quite well.

2. Perceptions regarding the comparison of the direct appointment process for construction service providers based on Presidential Decree No. 16 of 2018 and Presidential Decree No. 12 of 2021.

To determine the respondents' attitudes, an analysis of their answers was conducted using a Likert scale, measuring attitudes or opinions. This analysis was conducted to determine the perceived impact of changes in government regulations on the direct appointment process for construction service providers, based on Presidential Regulation No. 16 of 2018 and Presidential Regulation No. 12 of 2021, for the Gunung Rajak Village Library Building Construction project. The comparison factor used to determine respondents' attitudes refers to the direct appointment process. To analyze the data distribution, a standard deviation calculation was performed. The lower the standard deviation value, the more uniform the figures obtained.

No	Comparison factors	Standard deviation	Average	Percentage of assessment
1	Planning stage	0.607	4.1	82%
2	Announcement process	0.626	4.233	84.666%
3	Evaluation criteria	0.507	4.133	82.666%
4	Negotiation process	0.530	4.166	83.333%
5	Final decision	0.626	3.433	68.666%
6	Satisfaction with communication	0.583	3.933	78.666%
7	Results obtained	0.546	4.33	86.666%
8	Overall results went well	0.484	4.2	84%

Table 2. Standard deviation, mean, Percentage of the assessment of the factors being compared

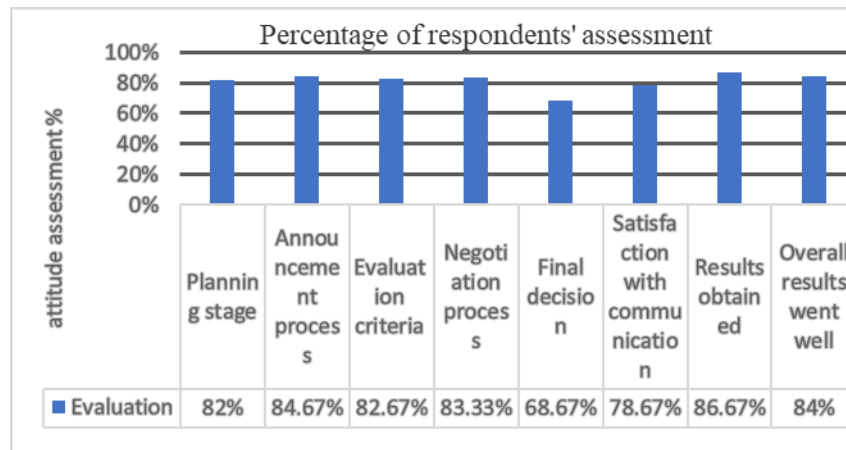


Fig 2. Percentage of respondents' assessments of the comparison of Presidential Decree No. 16 of 2018 with Presidential Decree No. 12 of 2021

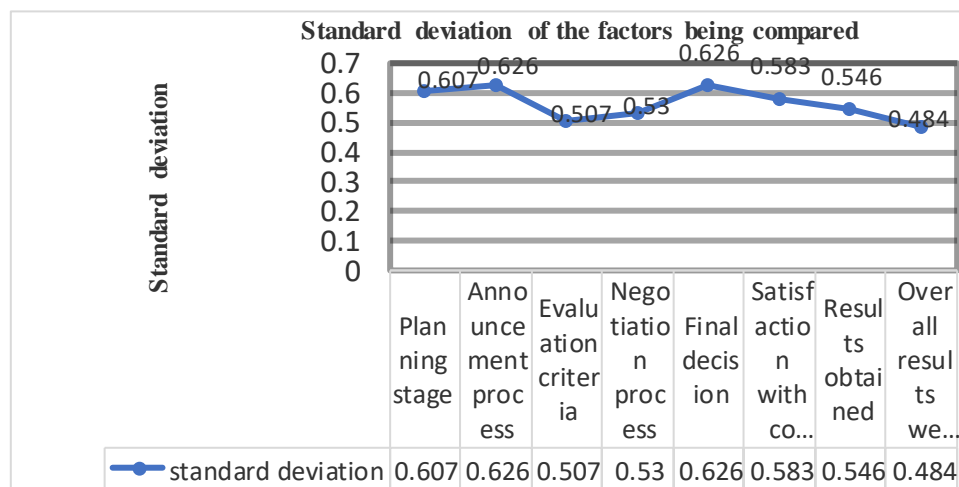


Fig 3. Standard deviation of the factors being compared

Respondents' attitude assessments indicate that the changes made to Presidential Decree No. 16 of 2018 compared to Presidential Decree No. 12 of 2021 indicate a positive change in the process of directly appointing construction service providers. Figure 1 shows that the average percentage of all comparison factors is above 80%. Graph 2 above shows that the standard deviations of the factors used to compare Presidential Decree No. 12 of 2021 with Presidential Decree No. 16 of 2018 are small (between 0.626 and 0.484). Therefore, it can be concluded that the distribution of data across these eight factors is relatively homogeneous. The overall result factor shows the smallest value, namely (0.484), and the largest is found in the announcement process factor, namely (0.626).

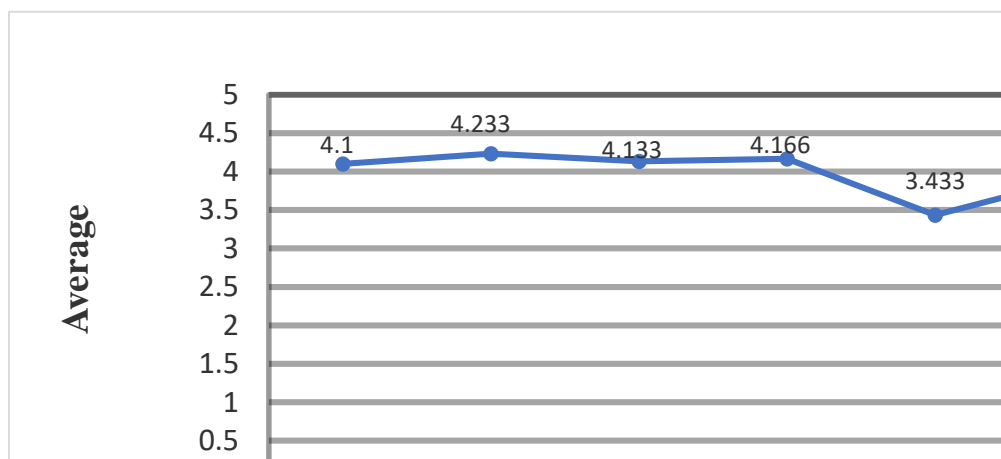


Fig 3. Average Likert Scale of Compared Factors

Figure 3 above shows that the average Likert Scale comparison of the difference factors between Presidential Decree No. 12 of 2021 and Presidential Decree No. 16 of 2018. In all factors, the average is almost close to 4. This indicates that Presidential Decree No. 12 of 2021 is better when compared to Presidential Decree No. 16 of 2018 in the process of direct appointment of construction services for the construction of the Gunung Rajak Village Library Building.

IV. CONCLUSION

Based on the results of research that has been conducted on the Gunung Rajak Village Library Building Construction Project, it shows that the implementation of the process of direct appointment of construction services has followed structured steps even though in Presidential Decree No. 12 of 2021 and Presidential Decree No. 16 of 2018 it is not explained specifically. Then from the results of the questionnaire analysis of respondents with a Likert Scale, it shows that the change in regulations of Presidential Decree No. 12 of 2021 with Presidential Decree No. 16 of 2018 shows a positive impact on the process of direct appointment of construction service providers, with an average value of the factors compared with a value of 4, then the percentage of respondents' assessments is above 80% and a small standard deviation (between 0.626 - 0.484), With these results it can be said that Presidential Decree No. 12 of 2021 is considered better in the process of direct appointment of construction service providers compared to Presidential Decree No. 16 of 2018.

REFERENCES

- [1] L. R. A. Januar, L. M. H. Haq, and K. F. Fitrhady, "Pelaksanaan Kontrak Pengadaan Barang Dan Jasa Berdasarkan Peraturan Presiden Nomor 16 Tahun 2018," vol. 4, no. 2, pp. 1–11, 2024.
- [2] N. I. Faisal, J. Morasa, and L. M. Mawikere, "Analisis Sistem Pengadaan Barang Dan Jasa (Penunjang Langsung) Pada Di Dinas Pekerjaan Umum Dan Penataan Ruang Kota Manado," *Going Concern J. Ris. Akunt.*, vol. 12, no. 2, pp. 1122–1132, 2017, doi: 10.32400/gc.12.2.18613.2017.
- [3] H. S. P. dan B. T. Abdul Rohim, Ahmad Isnandar, "Perhitungan Rencana Anggaran Biaya Pembangunan Sma Masehi Kudus Dan Proses Pelelangan Berdasarkan Peraturan Presiden Nomor 16 Tahun 2018 Tentang Pengadaan Barang/Jasa Pemerintah," pp. 1–12, 2018.
- [4] M. Bacharuddin Yusuf, "Perbedaan Undang-Undang Jasa Konstruksi 1999 dan 2017 Terkait dengan Upaya Peningkatan Mutu Konstruksi," 2018.
- [5] M. Fahrudin, "Penegakan Hukum Dalam Pengadaan Barang/Jasa Pemerintah Menurut Perpres Peraturan Presiden Nomor 12 Tahun 2021 Tentang Perubahan Atas Peraturan Presiden Nomor 16 Tahun 2018 Tentang Pengadaan Barang /Jasa Pemerintah.(Studi Kasus Putusan Pttun Surabaya Nomor," *Veritas*, vol. 9, no. 1, pp. 140–153, 2023, doi: 10.34005/veritas.v9i1.2558.
- [6] M. Achmad and A. S. Adi, "Secara Elektronik Berdasarkan Aturan Perpres Ri Nomor 70 Tahun 2012 Dan Perpres Ri Nomor 4 Tahun 2015 Di Kabupaten Kutai Kartanegara Tenggarong," pp. 1–11, 2015.
- [7] A. I. Larasati, H. Syafrie, and ..., "Perbandingan Aspek Efisiensi dan Efektivitas Kegiatan Tender Konstruksi Menurut Perpres No. 16 Tahun 2018 dan Perpres No. 12 Tahun 2021," *Pros. FTSP ...*, no. 16, pp. 471–476, 2023, [Online]. Available: <https://eproceeding.itenas.ac.id/index.php/ftsp/article/view/2596>
- [8] O. Yendri and D. Qomariah, "Analisis Pengadaan Barang dan Jasa Konstruksi Menurut Perpres 70/2012 Terhadap Perpres 4/2015," *Borneo Eng. J. Tek. Sipil*, vol. 4, no. 1, pp. 55–68, 2020.
- [9] perpres no 16 tahun 2018, "Peraturan Presiden Republik Indonesia Nomor 16 Tahun 2018 Tentang Perubahan Atas Peraturan Presiden Nomor 16 Tahun 2018 Tentang Pengadaan Barang/Jasa Pemerintah," vol. 3, no. 2, pp. 91–102, 2018.
- [10] Perpres Nomor 12, "Peraturan Presiden Republik Indonesia Nomor 12 Tahun 2021 Tentang Perubahan Atas Peraturan Presiden Nomor 16 Tahun 2018 Tentang Pengadaan Barang/Jasa Pemerintah," *Republik Indones.*, no. 086130, pp. 1–47, 2021.