

**ISSUES IN IMPLEMENTING ELECTRONIC TENDERING IN
INDONESIAN'S CONSTRUCTION INDUSTRY**

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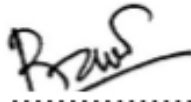
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To my beloved parents, grandmothers, brother and sister, and also my fiancée

Thank you for your love, support and everything

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ABSTRACT

Electronic tendering is actually the advent of Information Communication Technology (ICT) in construction industry, whereby it has brought a broad exploration to the use of web-based technology in tendering process. Electronic tendering, in its simplest form, is described as the electronic publishing, communicating, accessing, receiving and submitting of all tender-related information and documentation via the internet, thereby replacing the traditional paper-based tender processes, and achieving a more efficient and effective business process for all parties involved. Currently, Indonesian's government is increasing efforts to bring all government procurement processes through electronic tendering. Electronic tendering is relatively new approach brought a new perspective in construction industry in Indonesia. Based on Presidential Regulation (Perpres) No.54/2010, by 2012, all government institutions (central and local) must implement e-procurement for partly or whole packages. Undoubtedly, there will be many barriers challenging the successful implementation of electronic tendering system. Therefore, the objective of the study is to determine the possible issues of electronic tendering implementation in Indonesian's government project. To meet that objective, the analysis was done mainly through an extensive literature review of various national and international publications, legislation and court decisions that are relevant with electronic tendering. By analyzing the relevant case law, the issues in implementing electronic tendering are identified. The issues arise in electronic tendering system are not significantly different from paper based tendering system. The issues are relate to whether the tender is considered as conforming or non-conforming in electronic environment.

ABSTRAK

Elektronik tender merupakan satu perubahan yang dibawa oleh bidang Teknologi Informasi dan Komunikasi (ICT) didalam industry pembinaan. Ianya membawa satu perubahan era baru, dengan mengadaptasi penggunaan teknologi berasaskan web di dalam proses menender. Elektronik tender, dalam bahasa mudahnya, menerangkan tentang proses penawaran tender, komunikasi, memuat turun data, menerima, dan menghantar segala bentuk maklumat (atau dokumen) melalui internet. Elektronik tender bertujuan menggantikan amalan tender tradisional kerana sistem baharu ini menjanjikan proses kerja yang lebih cekap dan berkesan pada semua pihak. Pada masa ini, kerajaan Indonesia meningkatkan usaha untuk membawa semua proses perolehan kerajaan melalui elektronik tender. Elektronik tender merupakan pendekatan baru yang membawa perspektif baru dalam industri pembinaan di Indonesia. Berdasarkan Peraturan Presiden (Perpres) No.54/2010, menjelang 2012, semua institusi kerajaan (pusat dan tempatan) perlu melaksanakan e-perolehan untuk pakej sebahagiannya atau keseluruhannya. Tidak dinafikan, akan ada banyak halangan mencabar kejayaan pelaksanaan sistem elektronik tender. Oleh kerana itu, objektif kajian ini adalah untuk menentukan isu-isu yang mungkin terjadi dalam pelaksanaan elektronik tender pada projek kerajaan Indonesia. Untuk mencapai objektif itu, analisis telah dilakukan terutamanya melalui kajian literatur yang luas penerbitan peringkat kebangsaan dan antarabangsa, undang-undang dan keputusan mahkamah yang berkaitan dengan elektronik tender. Dengan menganalisis undang-undang kes yang berkaitan, isu-isu dalam pelaksanaan tender elektronik dapat dikenal pasti. Isu-isu yang timbul dalam sistem elektronik tender tidak ketara berbeza daripada tender tradisional. Isu-isu berkaitan dengan apakah tender dianggap sebagai mematuhi atau tidak mematuhi dalam elektronik tendering.