

**ANALISIS PROSEDUR PENGADAAN BARANG/JASA
LONG RANGE IDENTIFICATION AND TRACKING OF SHIPS (LRIT)
DITINJAU DARI PRINSIP ADIL DAN BERSAING**

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INTISARI

Pengadaan Barang/Jasa Pemerintah merupakan langkah pemerintah dalam rangka memperoleh barang/jasa yang tepat baik mutu/kualitas, jumlah, harga dan manfaat melalui proses tender yang adil, transparan, efektif, efisien dan nondiskriminatif sebagaimana diatur dalam Peraturan Presiden Nomor 16 Tahun 2018. Tender barang/jasa tidak jarang memunculkan persaingan yang destruktif dan perlakuan istimewa untuk pelaku usaha tertentu.

Long Range Identification and Tracking of Ships (LRIT) merupakan sistem penjejak kapal untuk berlayar ke luar negeri dengan kriteria tertentu menggunakan media satelit sebagai salah satu mandat dari *International Maritime Organization (IMO)*. Pemerintah Indonesia wajib untuk menanggung biaya *polling* data kapal berbedera Indonesia maupun pembukaan *polygon map* LRIT yang mana biaya ini oleh Pemerintah Indonesia ditenderkan dalam bentuk Langganan *Airtime* LRIT melalui Satuan Kerja Pengembangan Kenavigasian Pusat Direktorat Jenderal Perhubungan Laut. Resolusi juga mewajibkan Indonesia untuk menyampaikan *Recognized ASP* dan *Authorized ASP* kepada IMO dan ditindaklanjuti dengan diterbitkannya Surat Keputusan Direktur Jenderal Perhubungan Laut.

Hasil penelitian menyimpulkan bahwa proses tender yang dilakukan menyelisihi prinsip adil dan bersaing khususnya klausa dalam dokumen penawaran teknis yang mewajibkan adanya surat dukungan dari *Recognized ASP* dengan dasar untuk menjamin keberlangsungan operasional sistem LRIT. Hal ini menjadikan *barrier to entry* tersendiri bagi penyedia lain dan mendistorsi persaingan yang sehat serta memunculkan persaingan semu. Mekanisme pengadaan jasa ini harus dirubah dengan beberapa alternatif yang disarankan agar sesuai dengan regulasi yang berlaku.

Kata Kunci : *Airtime* LRIT, Pengadaan Barang/Jasa, Prinsip Adil dan Bersaing

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ANALYSING PROCUREMENT SERVICES FOR LONG RANGE IDENTIFICATION AND TRACKING OF SHIPS (LRIT) FROM THE PERSPECTIVE OF FAIR AND COMPETITIVE PRINCIPLES

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ABSTRACT

Government procurement of goods / services is a government measures to obtain the right goods or services in terms of quality, quantity, price and benefits through a fair, transparent, effective, efficient and non-discriminatory tender process as regulated in Presidential Regulation Number 16 Years 2018. Tenders of goods or services often lead to destructive competition and preferential treatment for certain companies or providers of goods and services.

Long Range Identification and Tracking of Ships (LRIT) system provides for the global identification and tracking of ships with certain criteria using satellite as the mandates of the International Maritime Organization (IMO). The Indonesian government is obliged to bear the cost of polling the ship data of Indonesian flagged as well as the opening of the LRIT polygon map. The cost is tendered as LRIT Airtime Subscription through the Working Unit of Central Navigation Development, Directorate General of Sea Transportation. Furthermore, the resolution also requires Indonesia to submit Recognized ASP and Authorized ASP to IMO. As the result, Director General of Sea Transportation issued some Decrees which appoint several companies to act as Recognized ASP or Authorized ASP.

The study concluded that the tender process carried out deviated from the principle of fairness and competition, especially the clause in the technical bidding document which required a support letter from Recognized ASP to ensure the sustainability the operation of the LRIT system. It creates a barrier to entry for other providers, distorting competition in terms of fair and non-discriminatory and raises pseudo competition. The procurement mechanism with regard of this service shall be changed with several suggested alternatives in order to comply with regulations.

Keywords: Airtime LRIT, Procurement of Goods / Services, Fair and Competitive Principles

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