

**PENYELESAIAN SENGKETA ADMINISTRASI TERHADAP
PENETAPAN PEMENANG LELANG PENGADAAN BARANG/JASA
PEMERINTAH SECARA ELEKTRONIK (*E-TENDERING*)**

INTISARI

Penelitian ini dilakukan berdasarkan pertimbangan penulis mengenai kasus pelelangan pengadaan barang/jasa pemerintah secara elektronik di Kota Yogyakarta dengan akibat hukum sengketa administratif yang harus diselesaikan. Tujuan dari penelitian ini adalah untuk mengetahui dan mengkaji penyelesaian sengketa administrasi terhadap hasil penetapan pemenang lelang pengadaan barang/jasa pemerintah secara elektronik (*e-tendering*) pada kasus Rehabilitasi Kantor Kecamatan Gondokusuman Tahun 2014 dan Rehabilitasi Pasar Karangwaru Tahun 2015.

Metode penelitian yang dilakukan termasuk ke dalam penelitian hukum normatif-empiris. Bahan hukum yang digunakan terdiri atas bahan hukum primer, sekunder, dan tersier. Adapun teknik pengumpul data yang digunakan adalah metode dokumentasi dengan mengumpulkan, mempelajari, menganalisis berbagai bahan kepustakaan dan dokumen terkait objek penelitian serta wawancara kepada responden maupun narasumber. Analisis data dalam penelitian yaitu menggunakan metode kualitatif yang menjadi jawaban dari permasalahan yang ada.

Hasil penelitian ini adalah penyelesaian sengketa administrasi terhadap penetapan pemenang lelang pengadaan secara elektronik (*e-tendering*) Rehabilitasi Kantor Kecamatan Gondokusuman Tahun 2014 adalah melalui pengaduan dengan hasil diterima dan ditindaklanjuti. Sedangkan penyelesaian sengketa administrasi terhadap penetapan pemenang lelang pengadaan secara elektronik (*e-tendering*) Rehabilitasi Pasar Karangwaru Tahun 2015 adalah melalui sanggahan dengan hasil ditolak.

Kata Kunci : Perpres; Pengadaan Barang/Jasa Pemerintah; Lelang; Sengketa Administrasi

THE RESOLUTION OF ADMINISTRATION DISPUTE TOWARDS TO THE DETERMINATION OF THE AUCTION WINNER OF GOVERNMENT'S GOODS/SERVICES PROCUREMENT ELECTRONICALLY (E-TENDERING)

ABSTRACT

This research was conducted based on the author's considerations regarding the changing system of the procurement auction of the government's goods/services electronically in Yogyakarta so that the legal consequences of the administrative dispute that must be resolved. The purpose of this research is to review the Administration resolution towards to the results of the determination of the auction winner of government's goods/services procurement electronically (e-tendering) in government sub-district office rehabilitation case in Gondokusuman in 2014 and Karangwaru Market rehabilitation in 2015.

The method of the study was done by the normative-empirical legal research. Legal materials which were used consist of primary law, secondary materials, and tertiary. The techniques of collecting data used in this research were the documentation study or through the literature and by doing the interview. Data analysis in this study dealt with the formal juridical approach by reviewing all the legislation and the regulations which related to the legal issues that were researched.

The results of this research are the resolution administration disputes towards the determination of the winner of the auction procurement electronically (e-tendering). The government sub-district office rehabilitation case in Gondokusuman in 2014 through the denunciation which had been received and continued. Whereas the administration dispute resolution towards to the determination of the winner of the auction procurement electronically (e-tendering) Karangwaru Market rehabilitation in 2015 is through the disclaimer of rejection result.

Keywords: Presidential Regulation; Government Procurement of Goods/Services; Auction; Administration Dispute