

Analysis of alleged violations of procurement without tender on government procurement of Goods/Services from Law No. 5 of 1999 between the Government and the Pre-Employment Card Program Digital Platforms = Analisis dugaan pelanggaran penunjukan tanpa tender ditinjau dari Undang-Undang No. 5 Tahun 1999 antara manajemen pelaksana dan platform digital kartu prakerja

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Abstrak

Program Kartu Prakerja merupakan program yang dianggap sebagai salah satu solusi peningkatan kualitas sumber daya manusia Indonesia. Program ini diluncurkan pada Maret 2020 sebagai salah satu pencegahan akibat berkepanjangan oleh COVID-19. Namun, banyak pihak yang menilai peluncuran program ini masih terlalu dini karena belum ada dasar hukum yang jelas dari program tersebut, salah satunya adalah pemilihan Platform Digital untuk melaksanakan program ini. Proses seleksi tersebut dinilai melanggar Perpres No. 16/2018 tentang Pengadaan Pemerintah dan juga UU No. 5/1999 tentang Larangan Praktek Monopoli dan Bisnis Tidak Sehat. Oleh karena itu, tesis ini diambil apakah pemilihan Platform Digital Program Kartu Prakerja telah melanggar undang-undang saat ini atau tidak.

.....The Pre-Employment Card Program is a program that is considered as one of the solutions to the Indonesia improvement in human resources quality. This program was launched in March 2020 as one of the preventions of the multiplier effects of COVID-19. Therefore, many parties have considered the launch of this program was too early as there was no clear legal basis of the program, one of which is the selection of the Digital Platforms to implement this program. The selection process was deemed to violate Perpres No. 16/2018 on Government Procurement and also UU No. 5/1999 on The Prohibition of Monopolistic Practices and Unfair Business. This thesis hence analyzes whether the selection of the Digital Platforms of the Pre-Employment Card Program has violated the current legislation or not.