Summary of the Regulation of the Government Goods/Services Procurement Policy Agency Number 1 of 2025 on the Procedures for Procurement for Public-Private Partnership in Infrastructure Provision

No.	Title of the Regulation	Provisions
1.	Definition (Chapter I, Article 1)	• **PJPK** is the Minister/Head of an Agency/Head of a Region, or the directors of State-Owned Enterprises (BUMN) / Regional-Owned Enterprises (BUMD) as providers or organizers of infrastructure based on applicable laws and regulations. • **PPP Node** is a work unit in a ministry/agency at the national level or a work unit at the regional level, which is newly formed or attached to an existing work unit/regional apparatus. • **Government Internal Supervisory Apparatus (APIP)** refers to officials who carry out supervision through audits, reviews, monitoring, evaluation, and other oversight activities related to the implementation of government tasks and functions. • **Process Advisor** refers to a party that assists the PJPK in providing recommendations regarding the compliance of processes in the implementation of the PPP process. • **Preparation Body** refers to a Business Entity or Institution/Organization/International Organization selected to assist in the preparation phase up to the transaction or transaction phase of the PPP Project. • **Procurement** refers to the procurement of the Preparation Body, the procurement of the Implementing Business Entity, the procurement of the Preparation Body panel, and the procurement of the Business Entity panel. • **Dialogue Participants** are participants in the procurement of the Implementing Business Entity ("BUP") who take part in the Optimization Dialogue. • **Umbrella Contract** is an agreement between the Minister/Head of an Agency/Head of a Region and the members of the Preparation Body panel in relation to their membership in the Business Entity Preparation Panel. • **Preparation Body Agreement** is a written agreement between the PJPK and the Preparation Body to carry out assistance from the preparation phase to the transaction phase or transaction stage, which adds value in the form of financing initially at the preparation or transaction phase of the PPP Project and/or the targeted output result in the certainty that the PPP Project can be transacted.

		• **Success Fee** is the fee paid by the PJPK to the Preparation Body involved in the PPP implementation until the financing is secured and can be charged to the BUP.
2.	Procurement Participants (Chapter II, Article 3-9)	• Procurement Actors consist of: a. Minister/Head of Institution/Regional Head; b. PJPK (Public Private Partnership Government Agency); c. PPP Hub; d. Procurement Committee; e. Participants; and/or f. Process Advisor. • PJPK, assisted by the PPP Node and the Procurement Committee. In ensuring the quality of procurement implementation, the PJPK may be assisted by the Process Advisor. • The PPP Node in PPP procurement has the following duties and responsibilities: a. Assist the Minister/Head of Institution/Regional Head in monitoring the implementation of the Procurement panel for the Preparation Agency and the Business Entity panel; b. Assist the PJPK in monitoring the implementation of the BUP Procurement; c. Prepare the Terms of Reference (KAK) and the Cost of the Preparation Agency; d. Establish the Terms of Reference (KAK) and the Cost of the Preparation Agency after obtaining PJPK approval; e. Evaluate the supporting documents proposed by the Prospective Initiator; and f. Coordinate with the Procurement Committee during the Procurement process. • Personnel of the PPP Node may also serve as personnel in the Procurement Committee for the BUP. • Procurement Participants for the Preparation Body, BUP procurement, and the procurement of the Business Entity panel are Business Entities. • Procurement Participants for the Preparation Body panel consist of Business Entities and Institutions/Organizations/International Institutions. • The Process Advisor in PPP procurement has the following duties and responsibilities: a. Provide recommendations regarding the compliance of the Procurement process with Procurement regulations and other related regulations;

		b. Conduct an initial assessment of potential conflicts of interest and identify risks; c. Provide risk mitigation advice, strategic recommendations, and the development of risk controls in the Procurement process; d. Monitor and evaluate the entire Procurement process and the documents produced; e. Review proposed amendments to the PPP Agreement submitted; and f. Other matters as required. • The Process Advisor prepares the Process Advisor's plan document and submits reports to the PJPK.
3.	Procurement of the Preparation Body (Chapter III, Article 10-15)	• The preparation of PPPs can be assisted by a Preparation Agency in the form of a business entity or an institution/agency/international organization based on PJPK through the Procurement of the Preparation Agency. • The Procurement of the Preparation Agency as mentioned above provides assistance from the preparation stage to the transaction stage, or the Preparation Agency provides assistance at the transaction stage. • The stages of the Procurement of the Preparation Agency consist of: a. Preparation of the Procurement of the Preparation Agency; and b. Implementation of the Procurement of the Preparation Agency. • As referred to in point (a), the preparation of the Procurement of the Preparation Agency includes: a. Preparation of the Terms of Reference (KAK) and the Cost of the Preparation Agency; b. Preparation of the Procurement Documents for the Preparation Agency; c. Approval of the KAK, Cost of the Preparation Agency, and Procurement Documents for the Preparation Agency; and d. Establishment of the KAK, Cost of the Preparation Agency, and Procurement Documents for the Preparation Agency. • As referred to in point (b), the implementation of the Procurement of the Preparation Agency includes: a. Selection; or b. Combination of Prequalification and Selection. • Qualification evaluation uses the method: a. Elimination system; or b. Weighted system with a threshold. • Selection as referred to in point (a) involves offer evaluation using the method:

		a. Evaluation based on quality; or b. Evaluation based on quality and cost. • Evaluation based on quality and cost, with the weighting of technical and cost values regulated by the following provisions: a. The weight of the technical offer is between 60% and 80%; and b. The weight of the cost offer is between 20% and 40%. • The combination of Prequalification and Selection as referred to in point (b) is carried out by: a. The Procurement Committee of the Preparation Agency submits the Procurement Documents to the Participants; b. Participants submit the Qualification Documents along with the submission of the Offer Documents; and c. The Procurement Committee of the Preparation Agency provides explanations of the Procurement Documents. • The provisions for qualification evaluation and offer evaluation apply mutatis mutandis to the combination of Prequalification and Selection. • The Procurement of the Preparation Agency in the form of an institution/agency/international organization is carried out through Direct Selection. • Direct Selection is conducted through the Preparation Agency panel of the institution/agency/international organization.
4.	Procurement of BUP for PPP Projects Initiated by the Government (Chapter VI, Article 16-24)	• The stages of the procurement process for the Implementing Business Entity (BUP) include: a. Preparation for the Procurement of BUP; b. Implementation of the Procurement of BUP; and c. Preparation for the signing of the PPP Agreement. • Preparation for the Procurement of BUP includes the following activities: a. Confirmation of the readiness of the PPP project; b. Issuance of the Preliminary Information Notice, if required; c. Preparation of the BUP Procurement schedule; d. Preparation and publication of the announcement; e. Preparation and establishment of the Procurement Documents; and f. Management of the Data and Information Room. • The implementation of the Procurement of BUP is carried out through: a. Tender; or

		b. Direct Appointment. • Preparation for the signing of the PPP Agreement is carried out by finalizing the draft of the PPP Agreement. • The BUP tender consists of: a. One-stage tender; b. Two-stage tender; c. Combination of Prequalification and one-stage tender. • A one-stage tender is carried out through the following stages: a. Sending invitations; b. Submission of the Request for Proposal (RfP) Documents and the draft PPP Agreement; c. Providing explanations; d. Submission of Offer Documents (Envelope I and Envelope II); e. Sending invitations and opening Envelope I of the Offer Documents (administrative offer documents and technical offer documents); f. Evaluation of Envelope I Offer Documents; g. Notification of the evaluation results of Envelope I Offer Documents; h. Sending invitations and opening Envelope II of the Offer Documents (Financial Offer Documents); i. Evaluation of Envelope II Offer Documents; j. Negotiation of Offer Documents (if only one Participant passes the evaluation); k. Issuance of the Tender Result Minutes (BAHP); l. Determination of the winner; m. Announcement of the tender results; n. Objection to the tender results; and o. Issuance of the Winner's Appointment Letter for the Tender. • The evaluation of offers in the first stage of the tender is conducted using the following method: a. Best financial offer system; or b. Scoring system. • A two-stage tender is carried out through the following stages: a. Sending invitations; b. Submission of the Request for Proposal (RfP) Documents and the draft PPP Agreement; c. Providing explanations; d. Submission of Offer Documents; e. Sending Invitations and Opening of Offer Documents; f. Evaluation of Offer Documents;

		g. Notification of the evaluation results of Offer Documents; h. Objection to the evaluation results of the Offer Documents; i. Invitation to Participants for Dialog; j. Optimization Dialog on the evaluation results of the Offer Documents; k. Submission of Optimized Offer Documents; l. Opening of Optimized Offer Documents; m. Evaluation of Optimized Offer Documents; n. Issuance of the Tender Result Minutes (BAHP); o. Determination of the winner; p. Announcement of the tender results; q. Objection to the tender results; and r. Issuance of the Winner's Appointment Letter for the Tender. • The evaluation of offers in the second stage of the tender is conducted using the following method: a. Elimination system evaluation for meeting the Minimum Requirements; and b. Scoring system evaluation for meeting the Additional Requirements. • The combination of Prequalification and one-stage tender is carried out by: a. The Procurement Committee of the BUP submits the Procurement Documents to the Participants. b. Participants submit the Qualification Documents along with the submission of the Offer Documents. c. The Procurement Committee of the BUP provides explanations of the Procurement Documents (including the draft PPP Agreement). • The combination of Prequalification and one-stage tender is carried out through the following stages: a. Procurement Announcement; b. Registration and submission of the Confidentiality Agreement document; c. Submission of Procurement Documents and access to the Data and Information Room; d. Providing explanations; e. Submission of Qualification Documents and Offer Documents; f. Issuance of invitations and opening of Qualification Documents and Offer Documents; g. Evaluation of Qualification Documents; h. Evaluation of Offer Documents; i. Negotiation of Offer Documents (in the event that only one Participant passes the offer evaluation); j. Issuance of the Tender Result Minutes (BAHP);

		k. Determination of the Winner; l. Announcement of Tender Results; m. Objection to the Tender Results; and n. Issuance of the Winner's Appointment Letter for the Tender. • The provisions for qualification evaluation and offer evaluation apply mutatis mutandis to the combination of Prequalification and one-stage tender.
5.	Procurement of BUP for PPP Projects Initiated by Business Entities (Chapter V, Article 25-33)	• The procurement of BUP for the PPP project initiated by the Business Entity is carried out after PJPK issues a letter of approval for the initiative. • The procurement of BUP is carried out through: a. Tender, consisting of the following stages: 1. Evaluation of the Prospective Initiator; 2. Issuance of the approval letter for the Initiative; 3. Preparation for the procurement of BUP; 4. Implementation of the procurement of BUP; and 5. Preparation for the signing of the PPP Agreement. b. Direct Appointment, consisting of the following stages: 1. Evaluation of the Prospective Initiator; 2. Issuance of the approval letter for the Initiative; and 3. Preparation for the signing of the PPP Agreement. • The tender consists of: a. One-stage tender; b. Combination of Prequalification and one-stage tender; or c. Swiss Challenge. • A one-stage tender is conducted through the following stages: a. Sending invitations; b. Submission of the Request for Proposal Documents and the draft PPP Agreement; c. Providing explanations; d. Submission of Offer Documents (Envelope I and Envelope II); e. Sending Invitations and opening Envelope I of the Offer Documents (Administrative Offer Documents and Technical Offer Documents); f. Evaluation of Envelope I Offer Documents; g. Notification of the evaluation results of Envelope I Offer Documents;

		h. Opening of Envelope II Offer Documents; i. Evaluation of Envelope II Offer Documents; j. Negotiation of Offer Documents (if only one Participant passes the evaluation); k. Issuance of the Tender Result Minutes ("BAHP"); l. Determination of the Winner; m. Announcement of the Tender Results; n. Objection to the Tender Results; and o. Issuance of the Winner's Appointment Letter for the Tender. • The method of offer evaluation for the one-stage tender is as follows: a. The best financial offer system when the Initiator uses compensation by being granted the right to make an offer to the best bidder or the purchase of the Initiative; or b. The scoring system when the Initiator uses additional compensation of 10% or the purchase of the Initiative. • The combination of Prequalification and one-stage tender is carried out by: a. The Procurement Committee of the BUP submits the Procurement Documents to the Participants. b. Participants submit the Qualification Documents along with the submission of the Offer Documents. c. The Procurement Committee of the BUP provides explanations of the Procurement Documents (including the draft PPP Agreement). • The combination of Prequalification and one-stage tender is conducted through the following stages: a. Procurement Announcement; b. Registration and submission of the Confidentiality Agreement document; c. Submission of Procurement Documents and access to the Data and Information Room; d. Providing explanations; e. Submission of Qualification Documents and Offer Documents; f. Issuance of invitations and opening of Qualification Documents and Offers; g. Evaluation of Qualification Documents; h. Evaluation of Offer Documents; i. Negotiation of Offer Documents (if only one Participant passes the offer evaluation); j. Issuance of the Tender Result Minutes (BAHP); k. Determination of the Winner; l. Announcement of the Tender Results; m. Objection to the Tender Results; and

		n. Issuance of the Winner's Appointment Letter for the Tender. • The Swiss Challenge is carried out under the following provisions: a. The Initiator receives compensation by being granted the right to make an offer to the best bidder; b. The Initiator receives approval for the Initiator's Offer Documents; and c. The Initiator is declared to meet the procurement requirements as stated in the Minutes. • The provisions regarding the combination of Prequalification and one-stage tender apply mutatis mutandis to the Swiss Challenge. • Direct Appointment can be carried out under the following conditions: a. It is a PPP under certain conditions, namely: 1. Development of infrastructure that has been built and/or previously operated by the same BUP; 2. Work that can only be carried out using new technology, and the service provider capable of applying it is the only one; or 3. The Business Entity has control over most or all of the land required to implement the PPP. b. Prequalification results in only one Participant.
6.	Preparation Body Panel (Chapter VI, Article 34-36)	• The Panel of the Preparation Agency consists of: a. The Panel of the Business Entity Preparation Agency; or b. The Panel of the Institution/Organization International Preparation Agency. • The formation of the Business Entity Preparation Agency Panel is carried out through the following stages: a. Identification of the panel's needs; b. Preparation for the formation of the Business Entity Preparation Agency Panel; c. Preparation of the schedule for the formation of the Business Entity Preparation Agency Panel; d. Preparation and determination of the Prequalification Documents and the draft Framework Contract; e. Market confirmation; f. Determination of the number, form, and duration; g. Establishment and announcement of the formation of the Business Entity Preparation Agency Panel; h. Prequalification of the members of the Business Entity Preparation Agency Panel; and

		i. Announcement of the Business Entity Preparation Agency Panel. • The formation of the Institution/Organization International Preparation Agency Panel refers to the regulations on the Implementation of Government and Business Entity Cooperation in Infrastructure Provision.
7.	Business Entity Panel (Chapter VI, Article 37-38)	• The formation of the Business Entity Preparation Agency Panel is carried out through the following stages: a. Identification of the panel's needs; b. Preparation for the formation of the Business Entity Panel; c. Preparation of the schedule for the formation of the Business Entity Panel; d. Preparation and determination of the Prequalification Documents and the draft Framework Contract; e. Market confirmation; f. Determination of the number, form, and duration; g. Establishment and announcement of the formation of the Business Entity Panel; h. Prequalification of the members of the Business Entity Panel; and i. Announcement of the Business Entity Panel.
8.	Guarantee and Supervision (Chapter VII, Article 39-41 and Chapter VIII, Article 42-44)	• The guarantees in the procurement of BUP consist of a bid bond and a performance bond, which are issued by commercial banks/guarantee companies/insurance companies/financial institutions and are unconditional, meaning they can be cashed in for the value of the guarantee and can be redeemed in Indonesia. • PJPK oversees the procurement process through the APIP at the respective Ministries/Agencies/Local Governments. The oversight can be conducted through activities such as audits, reviews, monitoring, evaluations, and/or the establishment of a whistleblowing system.
9.	Transitional Provisions (Chapter XI, Article 46)	• Still refers to PerKa LKPP 19/2015 in the case of: a. Procurement of the Preparation Agency that is ongoing and has entered the selection phase before the enactment of PerLKPP 1/2025; b. Procurement of BUP infrastructure providers through KPBU initiated by the Business Entity that has entered the Prequalification phase before the enactment of PerLKPP 1/2025. • Still refers to PerLKPP 29/2018 in the case of procurement of BUP infrastructure providers through KPBU initiated by the Government that has entered the Prequalification phase before the enactment of PerLKPP 1/2025.