

The Effectiveness Of E-Procurement In Realizing Good Governance In The Regency Of Kampar

Nasrullah,¹ Ghina Salsabila Aven²

^{1,2} Universitas Muhammadiyah, Yogyakarta- Indonesia

E-mail: nasrullah.umy.ac.id/ghina.salsabila.2016@law.umy.ac.id ;

Abstract- Electronic procurement of government's goods or services (e-procurement) which launched by the Government in 2010 is aimed to increase transparency and accountability as well as to realize clean and good governance and it has been commenced into practice by the Local Government of Kampar, Riau Province since 2012. Since its commencement in 2012, no study has conducted to evaluate the effectiveness of this service in achieving its ultimate goals. Hence, the objective of this research is to examine the effectiveness of the e-procurement in realizing good governance and to identify obstacles affecting its effectiveness in the Regency of Kampar. This empirical legal research collects primary data through in-depth interview with the head of ULP of Kampar and the officer of the Attorney Office of Kampar as the key informants and several contractors and suppliers as respondents. Besides, the researchers also carry out observation in the LPSE Office of Kampar Regency. Moreover, this research is supported by secondary data from the literature study. The collected data is analyzed with a descriptive qualitative method. The result of this study shows that e-procurement has become a supporting system in increasing transparency and accountability and the realization of clean and good governance in the Regency of Kampar. However, to optimize the functions of this system, the Local Government of Kampar has to take into consideration resolving the problem of lack of the number of qualified human resources to be balanced with the number of procurement packages. Moreover, the Local Government of Kampar is also advised to provide an extra budget to develop network quality and internet security in the LPSE of this regency.

Keywords: E-Procurement; Effectiveness; Goods And Services; Transparency

I. INTRODUCTION

Government procurement of goods and services has a major role to play in the implementation of national development to

improve public services in the light of domestic and regional economic growth.[1] The issue of budget transparency in the procurement of goods/services that have the indications of the corruption, collusion, and nepotism practices is a problem which becomes the main focus to be resolved immediately because corruption, collusion, and nepotism practices of goods/services procurement does not only occur in central government but also occurs in the scope of the regional Government.

The projects of goods/services procurement are able to create a loophole to commit corruption, collusion, and nepotism practices involving the procurement committee and its participants.[2] Those practices are considered to have negative effects on the economic growth of the state and people's prosperity even though investment rises, efficiency will not establish in case there is a source of corruption due to a misallocation of investment in the economic sector. Corruption is harmful to public services because of the poor quality of products and services arising from the procurement schemes and/or the incompatibility between the real value of the goods and their price.[3]

Before the e-procurement system was implemented in Indonesia, the procurement of goods and services was carried out manually. There are flaws in assessing direct meetings with suppliers of goods / services, and corruption, bribery and nepotism are emerging to the detriment of the country. In addition, a long process is considered to be a waste of time and costs, as well as a lack of competition between suppliers caused by the procurement committee which granted certain rights.

Conventional procurement arises when the service providers and service seekers meet and can clearly negotiate what they want to do. A lot of corruption, collusion, and nepotism activities have begun to arise along with the introduction of traditional procurement and there's a massive incentive to commit it. The funds were to be used to the fullest extent possible to operate the project, but certain unscrupulous individuals in charge of the project were able to perform corruption activities. This is very disappointing because, if the project is not carried out properly, it will have an effect on the quality and performance that were already expected and will not be done with public accountability.

The procurement of goods and services is structured to meet the needs of government agencies for goods and/or services that can support their success. In order to meet the needs of the above-mentioned government departments, the Government must go through the procurement process of goods / services in compliance with the Good Governance (GG) principles.

Good governance is a legal requirement for the procurement of government goods and services. As specified in Presidential Regulation 16/2018 on the procurement of government goods and services, it is clear that the government is obliged to implement the values of quality, effectiveness, transparency, openness, competitiveness, justice, non-discrimination and accountability in a consistent manner.

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The promotion of good governance in the procurement of government goods and services is closely connected to the concept of transparency/ openness. Transparency means that all provisions and details relating to the procurement of goods/ services are transparent and can be widely available to interested goods/ service suppliers as well as to the general public. This can be achieved by means of electronic equipment. Government electronic procurement of goods/ services is expected to increase transparency and accountability, increase equal competition in business and ensure good governance in the procurement of goods/ services.

One of the Government's attempts to create public accountability is the implementation of national e-Government policies and strategies through Presidential Decree No. 95/2018 with a view to providing low-cost quality public services. This led to a new procurement policy for goods and services. This is a type of change that has been made due to the many problems that arise in that conventional procurement.[5]

One of the behaviors that violates norms and ethics in the procurement of goods and services is corruption in the procurement of goods and services. One of the developments in e-Government is public service in the procurement of goods and services in government agencies that use electronic auction systems or better known as electronic procurement.

E-procurement has a strong potential to strengthen the method of public procurement. It helps to improve competition and the use of digital technology often minimizes business transaction costs , improves trust and the openness of public consumer decisions.[6] E-Procurement can be an instrument to reduce corruption, collusion and nepotism practices. because through E-Procurement it becomes open so that more rational offers will appear. Even those who are not in the network can get involved. The policy of implementing E-Procurement in the procurement of Government goods and or services is carried out by optimizing the use of advances in information technology to realize good governance through the procurement of goods and services that are free of KKN Practices.[7]

The Electronic Procurement Service (LPSE) in the Kampar Regency complies with the guidelines of the Local Government Regulation of

Kampar No. 2 of 2014 on the Guidelines for the Electronic Delivery of Goods / Services. E-procurement is structured to promote and leverage technology advancement knowledge that will have a direct effect on its efficiency and results. The unit formed by an agency to operate and manage the system of electronic procurement is called as electronic procurement service (*Layanan Pengadaan secara Elektronik/LPSE*).

The legal basis for the establishment of LPSE is article 73 of Presidential Regulation number 16 of 2018 on the procurement of goods/services and the technical operational requirements are regulated by the Institute of Government Goods/Services Procurement policy (Lembaga Kebijakan Pengadaan Barang dan Jasa/LKPP). LPSE is an electronic procurement of goods and services using information and communication technology based on the internet that facilitates a fast, open, secure, accurate and protected auction.[8]

The nature of LPSE is online and open then anyone is able to monitor the auction process directly and providers are able to know the ranking of offers. The committee also cannot immediately judge the partners without seeing the facts and available evidence so providers do not have to worry about the transparency and accountability of the electronic bidding process.

The establishment of LPSE Services in the Regency of Kampar began in 2012 at the Department of Communication and Information Technology. With the application of this e-procurement system, it is expected that corruption, collusion, and nepotism practice will be decreased in the Regency of Kampar and with the presence of this online system, all rules can be observed by all parties.

So far, there are no studies that examine the implementation of e-procurement and its effectiveness in realizing good governance. Moreover, there has not yet been any research that examines the effectiveness of LPSE of Kampar Regency since it was first implemented in 2012. Thus, it is the time to examine the effectiveness of LPSE in realizing the good governance in the Regency of Kampar. Based on the background of research above, the researchers are interested in conducting a research in the LPSE Office of Kampar Regency entitled "The Effectiveness of E-Procurement in Preventing Corruption, Collusion

and Nepotism Practices in the Regency of Kampar".

II. PROBLEMS

On the basis of the research referred to above, the research question can be formulated as follows: first, how is the efficacy of e-procurement in the implementation of good governance in the Kampar Regency and, second, what are the obstacles to the implementation of e-procurement in the realization of good governance in the Kampar Regency?

III. RESEARCH METHOD

This form of research is defined as any research in which the results of the analysis are derived solely from objective empirical data and verifiable evidence that identifies and describes the current problems by providing answers to the problems identified. The researcher uses primary data sources in this study. Primary data are data collected directly from research-related information in the form of information specific to the analytical problems.

The field research was undertaken in order to obtain as reliable and as impartial as possible information and data to explain conditions based on the evidence in the field. Whether through research, or through interviews. Analysis data are obtained in the form of words and pictures, not in numerical form, and for this study the software recorder in the cell phone is used as a computer. The data is ordered categorically and chronologically during the data analysis stage, and regularly checked.

IV. DISCUSSION

Corruption, Collusion and Nepotism in Indonesia are no longer a phenomenon, but are well-known facts.[9] Corruption, Collusion and Nepotism have recently been considered as the worst and most vicious manifestation of the symptoms of moral decline in the life of society and the state in our country. Those practices are the product of a crippled and inhumane social-political and economic relationship. The relationships that are developed are ones that are discriminatory, alienative, non-open, and harass humanity.[10]

The establishment of LPSE Services in the Kampar Area started in 2012 at the Department of Communication and Information Technology. With the application of this e-procurement method, it is predicted that the practice of corruption, collusion and nepotism will be minimized in the Kampar Regency and that, with the existence of this online system, all rules can be followed by all parties.

To date, there are no studies investigating the application of e-procurement and its usefulness in the implementation of good governance. Moreover, no study has yet been performed to investigate the efficacy of Kampar Regency's LPSE since it was first introduced in 2012. It is therefore time to analyze the efficacy of LPSE in the implementation of good governance in the Kampar Region. Centered on the context of the research referred to above, the researcher is interested in conducting research at the LPSE office of Kampar Regency entitled "The implementation of good governance needs to be supported by three interconnected pillars, namely the state and its instruments as regulators, the business world as market participants, and the community as users of the products and services of the business world. Good governance is also a sound corporate management system, which reflects the synergy relationship between management and shareholders, creditors, government, suppliers and other stakeholders.

Transparency in good governance is openness in the decision-making process and openness in disclosing relevant information about the company that is needed by all stakeholders and the public. Transparency is the basis for creating a fairness condition in transacting the application of this principle, especially in the process of procuring goods and services, industrial relations and business transactions with customers, such as purchasing securities, provisions for placing time deposits, and so on.[11]

After entering 1998, Indonesia tried to carry out a fundamental political reform in the field of state administration. The ultimate goal is to build Indonesia that is stronger, fairer and more prosperous. One of the main agenda of the reform is realizing a clean Government and good governance transparent manner. Correspondingly, the Government pursued political democratization and decentralization of the state administration process, perform the bureaucracy reforms, and

strengthen the efforts to eradicate corruption, collusion, and nepotism practices through legislation and ad hoc measures such as the formation of the Corruption Eradication Commission in 2002.

The People's Representative Assembly Decree No. XI / MPR/1998 on the Management of a Clean State and Free from Corruption, Collusion and Nepotism Practices argued that efforts to eliminate corruption, collusion and nepotism must be made against everyone, including state officials, former state officials, relatives and supporters, as well as against private parties/ conglomerates such as former presidents. The Indonesian Government has therefore made concerted efforts to eradicate corruption, in particular through the Corruption Eradication Committee. But the mechanism of eradicating corruption is still far from people's aspirations.

Indonesia obtained 38 out of 100 points in the 2018 Corruption Perceptions Index (CPI) informed by the Transparency International.[12] Between 1995-2018, corruption index in Indonesia averaged 26.30 points, reaching an all-time high of 38 points in 2018 and a takedown low of 17 points in 1999. One of the spaces where corruption practices occur within the Government bureaucracy is in the process of procuring goods and services. The procurement process of goods and services is estimated to hit Rp35 trillion or around 3.0 percent of the value of the state budget. The leak spread to the Regencies because of around 65 percent of the state budget through balance funds, deconcentration funds, and fund of administration.[13]

The use of information technology has led to a new procurement strategy for goods and services. One of the developments in e-Government in term of public service is in the process of procurement of goods and services in government agencies that use electronic auction systems or better known as electronic procurement. The development of e-government in the delivery of public services is based on several advantages of this system, namely:

- a. Reducing the time, effort and costs incurred by the community;
- b. Improve service delivery and citizen satisfaction;

- c. Improve Information and Communication Technology skills users, internet knowledge, and computer use; and
- d. Creating new business and job opportunities.[14]

The electronic procurement system is a solution and tool for each government agency to prevent fraud in the procurement of goods or services. In the implementation of the process of procurement of e- procurement goods and services using the internet, and it is expected that with this system fraud/unfair practices in the auction of goods and services procurement can be minimized because Fraud can be reduced to as low a level as one likes, but only by virtue of a corresponding level of effort and cost.[15]

The implementation of every policy cannot be separated from the higher legal level issued by the Government to regulate the public policy. The Government issued the Presidential Regulation No. 16 of 2018 concerning Procurement of Goods/Services, where the scope of the Presidential Regulation does not refer to the implementing agency but is guided on the source of funds used. If the procurement of goods/services uses funding sources from the State Budget and Regional Budget, then it is guided by the Presidential Regulation No.16 of 2018 concerning Procurement of Goods/Services.[16] The existence of this policy is aimed at ensuring that all the actions of the actors lead to the realization of the objectives of the implementation of the e-procurement.

The issuance of Presidential Regulation No. 16 of 2018 concerning the Electronic Procurement of Government Goods/ Services aims to ensure that the procurement of goods/services of government agencies can be carried out effectively and efficiently with the principles of fair competition, transparency, openness, and fair and proper treatment for all parties, so that the results can be justified in terms of physical, financial and benefits for the continuity of the Government and community service duties.

The procedures for the suppliers of goods and services carry out the procurement process for goods and services electronically (e- procurement) are as follows:

1. Identify the application of LPSE
2. Announcement of the auction;
3. Registration

4. Filling out the company's data;
5. Retrieval of documents
6. Explanation of tender documents (aanwijzing)
7. Submission of offers;
8. Opening of documents;
9. Announcement of winners;
10. Period of objection or appeal;
11. The appointment of winners;
12. Signing the contract;

The Regency of Kampar is one of the Regency that implement the e-procurement policy which has been made by the Central Government. In order to review whether the implementation of the e-procurement system in Kampar Regency running well or not, it can be seen from how effective the implementation of goods and services procurement in Kampar Regency. Basically, effectiveness is a measure of the level of success of an organization or program in achieving its stated goals. Therefore, to see how effective the implementation of electronic procurement was, it can be seen from how much its implementation has achieved the goals set in the Presidential Regulation No. 16 of 2018 contained in chapter II article 4.[17]

The Government of Kampar Regency has a commitment to the implementation of Presidential Regulation Number 16 Year 2018 concerning the Procurement of Government Goods/Services, this is evidenced by the establishment of Electronic Procurement Service (LPSE) and Procurement Services Units/Unit Layanan Pengadaan(ULP) in Kampar Regency. Electronic Procurement Service (LPSE) is one of E -government applications in Indonesia to improve transparency in the auctioning of government goods and services procurement.[18]

LPSE is a unit formed by an agency to operate the SPSE e- procurement system in Kampar Regency. In the procurement process, LPSE is only a facilitator that does not participate in the procurement process. The procurement process is fully carried out by the procurement committee or the Procurement Services Unit. The legal basis for establishing electronic procurement services in Kampar Regency is the Presidential Regulation Number 16 of 2018 Article 73 concerning the procurement of government goods/ services. LPSE of Kampar Regency in carrying out electronic

goods/ services procurement service systems are also required to meet the requirements as specified in Law Number 19 of 2016 concerning Electronic Information and Transactions.

The existing services in the Electronic Procurement System in Kampar Regency are tenders in which the operation of technical provisions are regulated by LKPP Institution Regulation No. 9 of 2018 concerning Procedures for E-Tendering.[19] Besides, LKPP also provides Electronic Catalog (e-Catalog) facility which is an electronic information system that lists, types, technical specifications and prices of certain goods from various government goods/ services providers, online audit process (e-Audit), and procedures how to purchase goods/ services through an electronic purchasing (e-Purchasing).

Before electronic procurement was implemented in Kampar Regency, LPSE Kampar Regency used conventional procurement where the time spent during the conventional procurement process was very long and costly, therefore it affected the number of packages of goods and services offered was very limited. With easy access after electronic procurement has been implemented in Kampar Regency, the number of packages has increased along with the number of human resources who have been trained to manage the procurement process.

The process of procuring goods and services in order to provide infrastructure facilities and infrastructure is very important in creating a prosperous society. With regard to the procurement of government goods and services, a clear rule is needed as a benchmark and a device containing a number of rules made to bring order to people's lives. Initially, procurement in Kampar Regency used conventional procurement methods where the legal basis was the Presidential Regulation No. 80 of 2003. At that time the procurement processes in Kampar Regency were still carried out manually, namely face to face meeting which caused a lot of fraud to occur in the middle of the procurement process. Then on August 6, 2010, the enactment of a hierarchical regulation was needed in the framework of implementing the procurement of goods and services, namely the Presidential Regulation No. 54 of 2010

Since the Presidential Regulation No. 54 of 2010 was enacted, the auction process in Kampar

District start progressed and the process is done electronically through LPSE. With the electronic procurement, the procuring process is open for public and public can easily access and monitoring the process of procuring goods/service through the LPSE's website containing all of the on-going project and also the finished project which is in line with the principles transparency in good governance. At the same time, the procurement element was separated, where previously the procurement element was at the respective agency with the auction committee element, then in this regulation it was done separately so that the auction committee become independent through the procurement service unit (ULP). Eight years later, the Presidential Regulation Number 16 of 2018 was issued, which was made to correct the lack of the previous regulation.

Basically, the application of e-procurement of goods/services in Kampar Regency has received several benefits regarding the procurement process. Because with e-procurement, the committee is also a potential provider of goods/services to save costs and time. In addition, e- procurement has shortened the procurement process, which cannot be done by face to face meeting between the committee and prospective suppliers of goods/services in the process of procurement of goods/services. It can be supported by the statement of the supplier of the good/services, the Procurement of goods/services in Kampar Regency using the e- procurement system can change the work manners that has not been good so far for the better. E-procurement will not tolerate any delay in document entry or other delays. In addition, e-procurement makes the procurement committee is more obedient in carrying out their works, strict schedule and time management cause there will be no more tolerance for delays.

The efficiency of e-procurement in Kampar Regency also can be supported by the evidence for the fourth consecutive time, the Kampar regency Government has received unqualified/ Audit opinion (*Wajar Tanpa Pengecualian/WTP*) from The Indonesian Supreme Audit Institution (*Badan Pemeriksa Keuangan*). WTP opinion is the highest assessment of the quality of state financial management which ensures that financial information is fairly presented in accordance with government accounting standards, this is an effort

that must be maintained in the process of Government administration and development in the regions, supervision of regional financial management is very important to be improved so that regional revenue and expenditure budgets can actually be managed effectively, efficiently and achieve the expected goals.[20] According to the Government of Kampar Regency, with the acceptance of the WTP opinion, overall Kampar's financial statements are good and in the future how to maintain and how to improve the work ethic.

According to the results of research in the Regency of Kampar, the goals of e-procurement to meet the need for access to real time information is achieved. This shows that with e-procurement, information about the procurement of goods/ services can be obtained whenever the information is needed, and there is no need to wait at a later time which in line with the efficiency principle of good governance. In the other hand, during conventional procurement in 2004-2011 there are 80 corruption case in the field of procurement in the Regency of Kampar while in the e-procurement system at 2012-2020, the number of corruption case is decreased become 58 case in the field of procurement of good and services.

Several efforts have made by the Government of Kampar Regency in promoting healthy business competition with e-procurement are to follow the Electronic Procurement System (SPSE) created by the Central Government to avoid collusion and influence the procurement committee. However, what happens is that these efforts can be said to have not yet reached the goal of increasing healthy business competition to the maximum. This is because according to the results of research the society has or yet gotten full access to monitor the procurement process effectively. On the other hand, when several Regencies in Indonesia have created a whistleblowing system where the system is made for society who want to report fraud/violations, but for the Kampar Regency Inspectorate Office itself there is still no whistleblowing system at this time.

Although the process of goods and services procurement in Kampar Regency has not been fully effective, in 2019, the Government of Kampar Regency receives national procurement award from National LKPP. This award was given to the Government of Kampar Regency because it was

considered to have conducted procurement of goods/ services in accordance with ethics, namely professional, independent and maintaining confidentiality of Information in accordance with the principles of procurement of goods/ services which are efficient, effective, transparent, fair and accountable.[21] This is one of the realization of the principle of good governance which is accountability in the implementation of goods and services in Kampar Regency.

The mechanism of procurement in Kampar Regency has changed a bit because recently, Indonesia is in a condition that is not conducive. The Head of LKPP issued circular letter No. 3 of 2020 concerning the mechanism of the implementation of procurement of goods/ services in the context of handling Corona Virus disease 2019 (Covid-19). The circular letter contained a new mechanism for the procurement of goods and services during the Corona Virus outbreak in Indonesia.

Emergency procedures are simple and different from a direct appointment, the Budget User instructs the Committing Officer (*Pejabat Pembuat Komitmen/PPK*) to appoint a provider to carry out work based on the needs of the budget user for handling Covid-19. The procurement of goods and services for emergencies as currently has been regulated in LKPP Institution Regulation No. 13 of 2018 concerning Procurement of Goods/Services in Handling Emergency Situations.

This research discovers several things that can affect the effectiveness of electronic e-procurement of goods and services in Kampar Regency. In this case, the researcher discusses the factors that affect the effectiveness of the procurement of goods and services for electronic procurement in the Kampar Regency. The factors in this research refer to two aspects, namely the human resources factor and technical difficulties

1. Human Resources

Human Resources are productive individuals who work as activators of an organization, both within institutions and companies that have the function as assets, so they must be trained and developed their abilities.

Humans are the people, while human resources is the totality ability of the power of thought and physical power contained in the person. The quality of human resources must

be improved so that work productivity is increased, so that a prosperous life is achieved.[22] Human Resources is a very important thing and must be had to achieve the goals of the organization or company. Human resources are the main elements of the organization compared to other elements of resources such as capital, technology, because humans themselves will control other factors. One of the inhibiting factors of policy implementation is human resources. It is not enough just to have an adequate number of implementers running a policy, the implementers must have the skills needed to do the work and Lack of ability to support well will be able to overcome policies[23]. Human resources are a very important factor that cannot even be separated from an organization that wants to achieve an effective program implementation. Human resources are internal factors in the process of procurement of goods and services in Kampar Regency, the number of human resources greatly influences the process of procurement of goods and services.

The background of the committee is not just in one area as there are several fields and to make a committee focus on the procurement of goods and services, they do need a lot of training and simulations of the work of procurement of goods and services package, that is one of the obstacles.

2. Technical Difficulties

Technical difficulties have a major effect on the operation of the procurement of goods and services. The technical difficulties include infrastructure and internal organization. In the implementation of procurement of goods and services, LPSE of Kampar Regency has conducive inter-organizational conditions. Each committee is able to complete aspects of the work that is its responsibility properly.

In the aspect of available infrastructure, there are problems, namely constraints related to internet connectivity. The available bandwidth is still very limited so that it requires a better internet network to support the procurement of goods and services. Not all providers have adequate internet access (ideally at least 1

mbps) to upload bid documents. It is not to mention the habit of providers to send offers at the last hour or minute. This condition causes a very large potential for upload failure.

In general, there are two ways in providing bandwidth, namely satellite internet media or optical fibre media. In Kampar Regency, optical fibre media has been planned to be spread throughout the Kampar Regency since 2016 but until 2020, only certain areas that are covered by optical fibre media so the internet connection is not spread evenly in Kampar Regency.

Connectivity issues greatly affect the implementation of the procurement of goods and services itself, because the procurement process of e-procurement and Registration of data management (when uploading or downloading data containing procurement files) uses online features until the announcement is done through internet media.

The establishment of LPSE does not require a small amount of funds. Computerized systems and internet services indeed require substantial costs to operate. To support the smooth access to LPSE services, the provincial government has budgeted funds through the regional budget for the procurement of computers and networks, maintenance and payment of salaries for LPSE officers.

On one side, the LPSE system has been recognized to provide efficiency for both service users and service providers. To create e-procurement through LPSE services, it requires a large enough cost. In this case, the provincial government must prepare a budget to guarantee network quality and internet security in the Regency of Kampar.

V. CONCLUSION

E-Procurement is the process of procuring government goods and services that is carried out electronically, primarily based on the web or the

internet. The application of the principles of good governance in the electronic procurement of government goods/ services is in accordance with the principles of transparency, efficiency and accountability. The information of the process of procuring good/services are available in the website of LPSE Kampar Regency and all parties can observe the process, so that the Transparency principle is realized.

The effectiveness of electronic procurement of goods and services in the Regency of Kampar gives positive results to the realization of a healthy goods/service procurement process. This can be seen from the realization of the principle of good governance which is accountability in the implementation of goods and services in Kampar Regency.

The objectives of e-procurement include increasing efficiency and effectiveness according to the principles of good governance in the implementation of procurement of goods and services, so by utilizing modern information technology, the creation of time and budget optimization in the procurement process is carried out so that an effective procurement of goods and services is realized.

The available human resources in the Kampar Regency are currently not balanced with the number of existing procurement packages. The technical difficulties include infrastructure and internal organizational conditions that are conducive, but when viewed from the other side, each committee is able to complete aspects of the work that is its responsibility properly. To create e-procurement through LPSE services, it needs a large amount of fee so that the Government of Kampar Regency must prepare a budget to guarantee network quality and internet security in the LPSE of Kampar Regency.

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