

KPK Guards the Takeover of Water Management in Jakarta

The Government needs KPK assessment so as not to make a wrong decision.



Regular checking and maintenance of Water Management Installation I of PT PAM Lyonnaise, Pejompongan, Jakarta, February 12.

JAKARTA – Corruption Eradication Commission (KPK) involved to guard the taking over of water management in the Capital City, from the private sector to the Provincial Government of DKI Jakarta. Because, KPK assessed there would be a risk of state losses in the clauses of cooperation agreement between the government and the private sector in water management that have been implemented so far.

“Cooperation agreement which do not favor the interests of the Provincial Government of DKI Jakarta and the society in general,” said KPK spokesman, Febri Diansyah, last Friday. According to Febri, currently the KPK is observing number of aspects in the cooperation agreement.

Febri added, previously Directorate of Public Complaints of KPK also received complaints from the public regarding this issue. The complaint has been submitted to the prevention division in the hope that this problem can be solved by efforts to improve. Therefore, the KPK has invited the Drinking Water Governance Evaluation Team established by DKI Governor Anies Baswedan to provide an explanation and clarification regarding the complaint. "This is an advance warning because the process is still long," Febri said.

One of the aspects highlighted by the KPK is the contents of the cooperation agreement contract between the Government with PT PAM Lyonnaise Jaya (Palyja) and PT Aetra Air Jakarta (Aetra) which will be ended in 2023. Because, in the cooperation, the DKI Government is at risk of experiencing losses around Rp. 1.2 trillion.

"Although the Supreme Court (MA) has decided on a Judicial Review (PK) for this case, a number of substantial findings need to be considered so as not to harm the interests of the DKI Provincial Government and the community at large," Febri said.

Previously Governor Anies said the KPK's assessment of the takeover of water management was very important so that the government was not wrong in issuing decisions. Therefore, the Drinking Water Management Evaluation Team that he forms will continue to coordinate with the KPK to determine the next steps, "Therefore, we continuously consult with the KPK," he said.

Anies formed the Drinking Water Management Evaluation Team in August 2018. The team was asked to reformulate the PD PAM Jaya cooperation agreement with Palyja and Aetra. Because, Anies did not know the beginning of the agreement was made.

After six months of work, the Evaluation Team gave a number of recommendations to Anies, including maintaining the status quo until the contract period expired in 2023, terminating the cooperation contract, and taking over management through civil action.

Based on that recommendation, Anies later announced to call off the cooperation with Aetra and Palyja. As a first step, he asked PAM Jaya President Director Priyatno Bambang Hernowo to make a head of agreement (HoA) with Aetra and Palyja.

The points contained in the HoA are returning water management concessions in DKI Jakarta to PAM Jaya, agreeing to carry out due diligence as a consideration for PAM Jaya in compiling the terms and conditions for returning concessions and their implications, and agreeing to form a transition in the management of drinking water supply systems in Jakarta after returning the concession and arranging an increase in services to reach 82 percent access in 2023.

Aetra is willing to follow the government's wishes by signing the HoA. Whereas Palyja has not made any agreement. "We are still trying to talk to Palyja to get an initial agreement for the next steps," Bambang said.

Until this news was written, there was no response from Palyja. However, President Director of PT Palyja, Robert Rerimassie, previously said that it still needed time to sign an agreement with PAM Jaya. "We will undergo the process. The process is still being discussed," he said in Yogyakarta, April 26.



TEMPO/TONY HARTAWAN

Pengecekan dan perawatan berkala terhadap Instalasi Pengelolaan Air (IPA) | PT PAM Lyonnaise Jaya (Palyja), Pejompongan, Jakarta, 12 Februari lalu.

KPK Kawal Pengambilalihan Tata Kelola Air di Jakarta

Pemerintah butuh penilaian KPK agar tidak salah dalam mengeluarkan keputusan.

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JAKARTA—Komisi Pemberantasan Korupsi (KPK) turun tangan untuk mengawal pengambilalihan tata kelola air di Ibu Kota, dari swasta ke Pemerintah Provinsi DKI Jakarta. Sebab, KPK menilai ada risiko kerugian negara dalam klausul perjanjian kerja sama antara pemerintah dan swasta dalam pengelolaan air yang sudah berjalan selama ini.

“Perjanjian kerja sama

yang tidak berpihak kepada kepentingan Pemerintah Provinsi DKI dan masyarakat pada umumnya,” kata juru bicara KPK, Febri Diansyah, Jumat lalu. Menurut Febri, saat ini KPK tengah mencermati sejumlah aspek dalam perjanjian kerja sama itu.

Febri menambahkan, Direktorat Pengaduan Masyarakat KPK sebelumnya juga mendapat aduan dari masyarakat ihwal masalah ini. Aduan tersebut sudah diserahkan ke divisi pencegahan dengan harapan masalah

ini dapat diselesaikan dengan upaya perbaikan. Karena itu, KPK telah mengundang Tim Evaluasi Tata Kelola Air Minum yang dibentuk Gubernur DKI Anies Baswedan guna memberikan penjelasan dan klarifikasi ihwal aduan tersebut. “Ini sebagai *warning* dulu karena prosesnya masih panjang,” ujar Febri.

Salah satu aspek yang disorot KPK adalah isi kontrak kerja sama pemerintah dengan PT PAM Lyonnaise Jaya (Palyja) dan PT Aetra Air Jakarta (Aetra) yang berakhir

pada 2023. Sebab, dalam kerja sama itu, pemerintah DKI berisiko mengalami kerugian sekitar Rp 1,2 triliun.

“Meskipun MA (Mahkamah Agung) telah memutus PK (peninjauan kembali) dalam perkara ini, sejumlah temuan substansial perlu tetap diperhatikan agar tidak merugikan kepentingan Pemprov DKI dan masyarakat secara luas,” kata Febri.

Sebelumnya, Gubernur Anies mengatakan penilaian KPK atas pengambilalihan tata kelola air ini sangat penting agar peme-

rintah tidak salah dalam mengeluarkan keputusan. Karena itu, Tim Evaluasi Tata Kelola Air Minum yang ia bentuk akan terus berkoordinasi dengan KPK guna menentukan langkah-langkah selanjutnya. “Karena itu, kami konsultasi terus kepada KPK,” ucapnya.

Anies membentuk Tim Evaluasi Tata Kelola Air Minum pada Agustus 2018. Tim ini diminta merumuskan ulang perjanjian kerja sama PD PAM Jaya dengan Palyja dan Aetra. Sebab, Anies tidak tahu awal mula per-

janjian itu dibuat.

Setelah enam bulan bekerja, Tim Evaluasi memberikan sejumlah rekomendasi kepada Anies, antara lain mempertahankan *status quo* hingga masa kontrak berakhir pada 2023, pemutusan kontrak kerja sama, dan pengambilalihan pengelolaan melalui tindakan perdata.

Berdasarkan rekomendasi itu, Anies kemudian mengumumkan untuk menghentikan kerja sama dengan Aetra dan Palyja. Sebagai langkah awal, ia meminta Direktur Utama PAM Jaya, Priyatno Bambang Hernowo, membuat *head of agreement* (HoA) dengan Aetra dan Palyja.

Adapun poin-poin yang termuat dalam HoA adalah mengembalikan konsesi pengelolaan air di DKI Jakarta kepada PAM Jaya, sepakat melakukan *due diligent* sebagai pertimbangan PAM Jaya dalam menyusun syarat dan ketentuan dalam pengembalian konsesi dan implikasinya, serta sepakat menyusun transisi dalam pengelolaan sistem penyediaan air minum di Jakarta setelah pengembalian konsesi dan menyusun peningkatan pelayanan untuk mencapai akses 82 persen pada 2023.

Aetra bersedia mengikuti keinginan pemerintah dengan menandatangani HoA. Sedangkan Palyja belum membuat kesepakatan apapun. “Kami masih terus berusaha berbicara dengan Palyja guna mendapatkan kesepakatan awal untuk langkah-langkah selanjutnya,” ujar Bambang.

Hingga berita ini ditulis, belum ada tanggapan dari Palyja. Namun Direktur Utama PT Palyja, Robert Rerimassie, sebelumnya mengatakan masih membutuhkan waktu untuk menekan kesepakatan dengan PAM Jaya. “Kami akan menjalani. Bagaimana prosesnya, masih dibahas,” kata dia di Yogyakarta, 26 April lalu.

● LANI DIANA | M. JULNIS
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