

ABSTRAK

Analysis of red clauses in the APBD Construction Contract (Regional Budget of Revenue and Expenditure) of Halmahera Regency, North Maluku Province with the 1999 FIDIC Red Book

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Basically, each region has gained the authority to develop their respective regions as stipulated in the regional autonomy regulations. Each construction project in the region uses APBD funds so that in general each region makes its own construction contracts in accordance with the needs of construction projects in the area, so that each contract is different, this can result in or have the potential for claims and construction disputes between service users and service provider. Therefore, research on factors that could potentially lead to claims and disputes that are set out in the articles of the APBD construction contract, and will be compared with the 1999 FIDIC Red Book in an effort to reduce the problem.

The study was conducted using factor analysis to obtain dominant factors that could potentially lead to claims and disputes relating to the articles stipulated in the North Halmahera North Maluku APBD construction contract, which was then carried out further analysis namely qualitative analysis with the 1999 FIDIC Red Book by comparing the contents of the articles in the 1999 APBD construction contract and the FIDIC Red Book of 1999 which regulate these dominant factors.

From the results of the analysis, there are 5 most dominant factors, namely the Availability of Labor, Availability of Factories and Equipment, Delays in Images or Instructions / Images that are not Final, Damaged Work or Quality Defects, and Termination of Work. From the results of qualitative analysis shows that the 1999 FIDIC Red Book regulates in more detail the rights and obligations of service users and service providers.

Keywords: APBD Construction Contracts, Rights and Obligations, FIDIC Red Book 1999, Claims, Disputes, and Dominant Factors