
Construction Services – Preventing the spread of COVID-19

In response to an Extraordinary Event (*Kejadian Luar Biasa*, KLB) determined by the Minister of Health, the Minister of Public Works and Public Housing (**MOPWH**) issued MOPWH Instruction No. 02/IN/M/2020 on Protocols for Prevention of the COVID-19 Outbreak in Construction Service Work (**Instruction**) on 27 March 2020. The main purpose of this Instruction is to prevent a COVID-19 outbreak in the construction service sector and ensure the health and safety of all stakeholders involved in construction services.

This update highlights the protocols being enforced by the Instruction.

1. Protocols

The Instruction provides certain protocols that must be followed by stakeholders to prevent COVID-19 from spreading throughout the construction service sector, as follows:

- (a) establishment of a COVID-19 Prevention Task Force (**Task Force**) (for service users and service providers);
- (b) providing facilities for the prevention of a COVID-19 outbreak (for service providers);
- (c) educating all personnel to protect themselves against a COVID-19 outbreak (for the Task Force);
- (d) conducting body temperature screening for all personnel in the morning, noon and evening of each day (for service providers);
- (e) establishing cooperation on the handling of COVID-19 suspects with nearby health facilities (for service providers);
- (f) suspending construction work if there is an indication of a worker being infected with COVID-19 (for service users and/or providers); and
- (g) conducting isolation and disinfection of the construction service facilities and infrastructure in the office and field.

2. Continuity of construction services

The Instruction requires that certain conditions be analysed in order to make decisions on the continuity of construction services.

Conditions that could form the basis for construction services to be suspended include the following:

- (a) whether the project falls into a “high risk” category due to its location (for example, if the project is located in the centre of a COVID-19 outbreak);
- (b) if a worker has been infected and/or has ‘Patient Under Supervision’ (**PDP**) status; or
- (c) cases where the Head of a Ministry/Body/Agency/Head of a local government has issued a regulation to suspend construction services due to force majeure (e.g. the large-scale social distancing policy (*Pembatasan Sosial Berskala Besar*, PSBB)).

The Instruction also prescribes certain conditions that may be required for construction services to continue, as part of the handling of COVID-19, as follows:



- (a) obtaining MOPWH approval;
- (b) following protocols for the prevention of COVID-19 and reporting on activities resulting from following such protocols periodically to the Task Force; and
- (c) suspending activities, if a worker is infected and/or under PDP status.

3. Protocols for the suspension of construction services

If construction services are suspended due to force majeure, the Instruction requires that there be:

- (a) a mechanism for work suspension;
- (b) a mechanism for changes in contract specifications; and
- (c) compensation for workers' wages, and payment obligations to sub-contractors/producers/and suppliers during the suspension period.

The Instruction also prescribes that if the construction services continue to operate, the costs incurred for implementing COVID-19 prevention measures can be proposed as additional costs for implementation of the Construction Safety Management System (*Sistem Manajemen Keselamatan Konstruksi*, SMKK), through an addendum to be made to the construction contract.

4. Protocol for the prevention of COVID-19 in the procurement of goods and services for construction services

The Instruction also sets out certain conditions that must be met in any offline procurement process, such as wearing personal protective equipment (e.g. mask and gloves) and maintaining a physical distance of a minimum of two metres. However, in general, most of the procurement process is directed at using online services, to limit interactions during construction service procurement.

Further Information

Should you have any queries as to how MOPWH measures may affect your construction service work, please do not hesitate to get in touch with us. We will proactively monitor the development of the construction service situation in Indonesia and keep you updated, as more information becomes available.

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