



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

## Finding a Consultant for a Woodworking Manufacturing Facility

[www.idem.IN.gov](http://www.idem.IN.gov)

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### Introduction:

- If you are a small business and have some problems with environmental compliance at your facility, this guide is for you. Maybe you have been inspected by the Indiana Department of Environmental Management (IDEM) or maybe you have obtained some confidential assistance from IDEM's Compliance and Technical Assistance Program (CTAP) and you know that you have some work to do. As a business person, you have a choice:
  - Learn the regulations and do the work myself; or
  - Hire a trained environmental professional (a consultant) to do the work.
- You can learn all the regulations and apply them to your business with the help of IDEM's CTAP program, but that takes a lot of time and maybe you can't afford to be away from work that long. So you decide to hire an environmental consultant. But who do you hire?
- This document is designed to provide you with a process for determining the consultant that will best meet your needs. The following guidance will not guarantee good service by the consultant you choose, but it should help increase the chances that the consultant you hire will be an asset to you rather than a drain on your time and resources.

### Before you start:

- It is very important to remember that any consultant is specifically contracted to help an organization or individual meet that organization or individual's environmental obligations. **At no time** will a consultant accept any legal responsibility for the organization or individual's environmental obligations. The consultant may have errors and omissions insurance that may cover costs associated with incorrect advice, typically through an indemnification clause in the contract. **At no time** will IDEM allow any consultant to accept responsibility for an organization or individual's legal responsibilities. If a consultant performs substandard work, the contracting organization or individual will ultimately be held responsible by IDEM. This also means that a consultant may not sign any legal document (i.e. permit application, quarterly report, waste manifest, etc.) in place of the responsible organization's representative. Keep this information in mind when selecting a consultant.

### Make a list of the services you need:

- Make a list of the services that you need your consultant to provide. For example, if you need help with obtaining an air permit but you can easily do all other environmental issues, then you are just looking for a consultant with experience in preparing and maintaining air permits. You don't need assistance from a consulting firm that only specializes in hazardous waste.

### Ask others for their recommendations:

- Contact similar businesses as yours and obtain the names of the consultants that have been used and what services were provided. Ask if they were satisfied with the services performed. Ask questions of the company staff that will help determine if the consultant would be able to meet your needs.

### Do your homework and check qualifications:

- You want to work with a consultant that has experience with a similar type of business as yours and one that can demonstrate expertise in the area where you need assistance. Ask the potential consultant for a Statement of Qualifications (SOQ). An SOQ is a written document where the consulting firm lays out their professional qualifications to do your kind of work. The SOQ will

contain the names and experience of staff members who work for the firm. Be sure to ask which staff member will be working on your project. Make sure that the firm has staff with experience in the kind of work you want them to do for you. Make sure the SOQ contains specific examples of staff or company experience in the relevant areas of concern. SOQ documents can be large but are typically written in a way to appeal to the consumer. All reputable consulting firms will have an SOQ.

**Obtain more than one proposal:**

- Offer your project to a number of qualified consulting firms. Consulting is a competitive business and competition makes consultants offer a more competitive price

**Check references:**

- Ask the potential consultant for references. Once you have developed a list of qualified consultants to choose from, contact each of the consulting firms and ask for a list of clients who have had experience with the kind of work this consultant will be doing for you. Contact a few of the consultant's references and ask about the quality of the services provided. For example: Were the consultants capable of handling your project? Did they successfully resolve your compliance issue? What did you like? What didn't you like? Was their billing process fair? Did you discover any hidden charges? Were they easy to speak with?

**Get it in writing:**

- Establish a written and enforceable contract with your consulting firm. The contract must stipulate the exact amount of payment for the exact services rendered. The contract will also establish the terms under which the contract will be paid. It is very important that you establish what all the fees will be before you sign any contract so as to avoid any hidden costs frequently termed "administrative" or "processing" fees. It is also important to clearly establish what services will be performed by the consultant. Remember that consultants earn their living by selling their expertise. Therefore it is unreasonable for you to assume that a consultant will provide you with more service than what is stipulated in your contract. Your contract should also stipulate that under no circumstances will additional activities be undertaken and billed to you without written permission from you. Many consulting contracts provide for a 10% of change in the contract amount based on contingencies like additional meetings with you or "excessive" contacts with IDEM. A reputable consultant will figure these costs into their original bid.
- When choosing your consultant, don't automatically go with the lowest bid. Be sure to review all the terms and conditions of your contract, the SOQ and references from the consultant. Make sure you know what you are buying. In all cases remember that cheaper is not always better.

**Double check the work:**

- Ensure that your consultant will inform/educate you on the work that has been accomplished. Remember that you hire a consultant to do work for you. At no time does a consultant ever bear any responsibility for the adequacy of the work done in your name. Make your consultant spend some time with you so that you understand what you are buying and what IDEM inspectors will want to see when they walk through the door.

**Remember, it's up to you:**

- Please remember that this document has been prepared to assist in hiring and retaining a consultant. The ideas presented here do not represent a comprehensive list. In any endeavor, always remember that common sense should be the rule. You and your company are ultimately liable for your environmental compliance. If dealings with an environmental consultant seem irregular, it is in your interest to fully investigate and correct any situation.

**More Information:**

- For questions and concerns, contact IDEM's confidential Compliance and Technical Assistance Program at (800) 988-7901.